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**Minutes of the North Logan City  
City Council  
Held on April 6, 2011  
At the North Logan City Library, North Logan, Utah**

8 *Al Moser made a motion to appoint Allen Kartchner to be Mayor Pro Tem, in Mayor Lloyd Berentzen's absence. Nancy Potter seconded the motion. A vote was called and the motion passed unanimously with Nancy Potter, Allen Kartchner, Al Moser, and John Bailey voting in favor.*

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13 The meeting was called to order by Allen Kartchner at 6:30 p.m.

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

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18 Others present were: Steve Krebs (Questar), Larry Merket, Jon Keller, Jason Killinen, Gavin Canon, Judy Cannon, Emily Pannell Johnson, Travis Robson, Ross Lapray, J.R. Gilden, Floyd S. Naegle, Val Potter, Dave Kooyman, Alan Luce, Kim Hawkes, Lydia Embry, Marcia Cheney, Cordell Batt and Marie Wilhelm.

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23 The Pledge of Allegiance was led by Nancy Potter.  
24 An invocation was given by Allen Kartchner.

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26 **Adoption of Agenda**

27 The City Council discussed moving the item regarding the "limited use" library card to the next  
28 City Council meeting. Cordell also said that the item regarding the approval of appointment to fill  
29 a vacancy to the Planning Commission should also postponed, as Mayor Berentzen has not been  
30 able to reach the prospective applicants yet. The City Council agreed to these changes.

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

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36 **Approval and Follow-up of Minutes of March 16, 2011 City Council Meeting and March 16, 2011 Executive (Closed) Session Minutes**

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38 **March 16, 2011 City Council Meeting Minutes**

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

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43 **March 16, 2011 City Council Executive (Closed) Session Minutes**

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

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48 **Follow-up**

49 Allen Kartchner and John Bailey both expressed interest in an item Mayor Berentzen discussed at last meeting regarding delivering meals to senior citizens through the Cache County Senior Citizen's Center. They said they were both unavailable for the date first proposed; and Allen said he would check with Mayor Berentzen regarding contacting the center to assist on another day.

53  
54 **Review of Action Items**

55 Allen Kartchner reviewed the list with the council, per his conversation with Jeff Jorgensen prior to the meeting. Allen said that Jeff explained that the Library Board met regarding the Thorne

57 Endowment Agreement, and that the budget is being prepared according to the intent that \$70K  
58 will be included as part of the budget process; and that anything over and above that would be  
59 used to fund a list of priorities, identified by the Library Board.

60 Allen mentioned that the City received correspondence from Lochner Development that their  
61 R.O.D. (Record of Decision) should come through approximately in the last week of May [2011].  
62

63

### **New Business**

64 Consider request to reauthorize and extend the 1/64<sup>th</sup> percent sales tax dedicated to the  
65 Bridgerland Ice Arena Committee for the Eccles Ice Center. The tax was initially established for  
66 the 2002 Olympics.

67 Bridgerland Ice Arena Board Chairman, Dave Kooyman, (former Hyde Park Mayor) said this  
68 issue is essentially a follow up to the combined meeting held previously between North Logan  
69 City, Hyde Park and Smithfield. He said they discussed this request at that time, knowing that  
70 they needed to formulate a plan to complete Phase 4. He said they have already presented their  
71 request to Cache County and to Hyde Park. Chairman Kooyman then introduced Floyd Naegle,  
72 Manager of the Eccles Ice Arena, who gave a PowerPoint presentation on the status of the  
73 Eccles Ice Arena and the purpose behind this request.

74 Nancy Potter said she has been very supportive of the arena from the beginning. She mentioned  
75 that the resolution does not specify a five year time limit for the tax, as previously discussed.  
76 Floyd said five years was the intent, and they will correct that. Nancy said a specific date needs  
77 to be in the document. The City Council discussed this. Chairman Kooyman said the  
78 documentation can say "for five years" from the time it is signed; or specific dates can be used,  
79 which would be from January 1, 2011 to December 31, 2015. He said it was a mistake that this  
80 was not included in this draft, as the time frame was stated in the original draft.

81 Chairman Kooyman mentioned that Sherry Becker, who passed away recently, had a lot to do  
82 with the ice arena, and said he does not think people know the amount of time and effort she put  
83 in and contributed to it; and further commented that she was a great addition and is a great loss  
84 to the community and to the arena.

85

86 *John Bailey made a motion to support the resolution as discussed. Nancy Potter seconded the*  
87 *motion.*

88

89 Al Moser said that one of the first things said at the beginning stages of the ice arena  
90 development was that they were never going to ask for any taxes to support it; but that is now not  
91 the case; and noted that sometimes things change and do not always work out exactly the way  
92 they originally want them to.

93

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

96

97 Consider request from contractor for an exception to the NLC noise ordinance in the re-  
98 construction of 2500 North west of Main. Being requested is that they be allowed to work at night  
99 from about the last week of April for about three weeks and then again during July and August.  
100 The council discussed this briefly, and discussed the fact that due to the isolated nature of the  
101 site, it will likely not disturb residents.

102

103 *Al Moser made a motion to approve the request. John Bailey seconded the motion. A vote was*  
104 *called and the motion passed unanimously with Nancy Potter, Allen Kartchner, Al Moser, and*  
105 *John Bailey voting in favor.*

106

107 Consider approval of Development Plan for the subdivision of the library land in order to provide  
108 for the construction of an assisted living facility on the corner of 2500 N and 400 E.

109 Cordell Batt presented the item and reviewed the staff report with the council. He discussed  
110 which reports will be waived, and which required; and also said that how the water shares are  
111 split will be listed on the final plat, as is typical. He said the plat has been reviewed by the  
112 Engineering Department, and that staff recommends approval on the development plan and the

113 preliminary plat.

114

115 *John Bailey made a motion to approve the development plan and the preliminary plat. Nancy*  
116 *Potter seconded the motion.*

117

118 Nancy Potter noted a typo on the report and clarified the item with Cordell. Cordell mentioned  
119 that the report includes a letter from the LDS church approving the proposed use for this site.

120

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

123

124 **7:00 Public Hearing on an ordinance setting standards for establishing recreational vehicle**  
125 **parks in the city.**

126 Allen Kartchner briefly introduced the item and said this was initiated by the City Council charging  
127 the Planning Commission to review this to consider what conditions might be included if the City  
128 wants this as part of the City's zoning matrix. He said originally this was a permitted use, with not  
129 many conditions associated with it, other than general standards. He said the ordinance now up  
130 for consideration is what the Planning Commission and City staff have determined would be a  
131 way to define those conditions for any future applications.

132 Allen outlined the guidelines for a Public Hearing.

133

134 *Allen Kartchner opened the public hearing at 7:21 p.m.*

135

136 Lydia Embry said she gave her written comments to the council regarding this issue; then  
137 proceeded to describe her questions and comments to the council.

138

139 *As there were no further comments, Allen Kartchner closed the public hearing at 7:25 p.m.*

140

141 *The council agreed to defer action on this until a later meeting, particularly as Mayor Berentzen*  
142 *and some council members were not in attendance at this meeting.*

143 Allen commented that it is common within a city to discover that certain items do not have  
144 adequate guidelines to deal with issues that may arise; and this is one of those items that came  
145 up in which the City learned what they would actually like in one of its ordinances.

146 Cordell said that the City has been advised through the Utah League of Cities and Towns, as well  
147 as Craig Call, that with Utah case law, if a city is concerned about a particular use and puts a  
148 condition on it, the city has to be very specific about what a city wants the use to be allowed to  
149 do. He said in the event of a case of law coming up regarding that use, a city will do much better  
150 if the use is clearly specified.

151 Nancy Potter asked about the item in the ordinance regarding "non-conforming" use, and asked if  
152 it means that the existing RV parks do not have to abide by these rules, and whether it just  
153 applies to new RV parks. Cordell said that the City Attorney explained it in the letter Cordell gave  
154 a copy of to the council, and said that the attorney suggested that the older RV Park (behind  
155 Chevron-Top Stop on Main Street) falls under the "non-conforming" use category, and also gave  
156 recommendations on what to do with the new RV park. Nancy said she didn't agree with that;  
157 and Cordell said that then the City would be trying to get the RV park, which has been there for  
158 years, to go back and conform to a law that was *just* put in place, and not in place at that time.

159

160 *John Bailey left at this time, 7:30 p.m.*

161

162 **Budget presentations by Fire Department, Protective Inspection /Engineering Department, and**  
163 **Community Development.**

164 **Fire Department**

165 Jon Keller presented his budget for the North Logan Fire Department. Jon introduced Fire  
166 Marshal Jason Killinen, and Captain Travis Robson, who were in attendance. Jon said he  
167 regretted that there was not a full quorum of the City Council at the meeting. He outlined the

168 department's (increased) call history for the year, and explained the staffing issues for manning  
169 calls that come in, particularly the difficulty doing that with his part time staff. He discussed how  
170 committed his employees are and explained the reality of these employees who are on call,  
171 waking up several times a night to handles calls, while at the same time being employed full time  
172 at other jobs during the day. He further discussed various items including the kinds of calls they  
173 manage; that the department brought in \$20K worth of grants while keeping the budget at the  
174 same figures as the prior year; as well as earning \$20K by responding to calls outside of their  
175 jurisdiction. He also discussed his desire to raise the hourly rate for his employees from \$7.25 to  
176 \$8.00 per hour. He said he would like to raise it to \$10 per hour, as they deserve more,  
177 especially with the certifications they hold; but he said he realizes that we are in a recession. He  
178 further discussed all the work that his employees do. Jon discussed the frustration felt by both  
179 the Fire Department and the Police Department that the new Police Department has not begun  
180 construction yet, as the Fire Department really needs the extra space, for various reasons. He  
181 discussed the space needed for staff to sleep at the station; and that being on site enables them  
182 to cut their call response time by four (4) minutes, which is of great benefit to citizens. He  
183 continued to discuss various items. Per a comment from Al Moser, Jon confirmed that the  
184 employees are only getting paid per call; that they are not paid while they are waiting at the  
185 station training or preparing to go out on calls; that the only time they get paid is when the pager  
186 goes off to respond to a call. He further discussed their Fire Engine #120, and explained the  
187 issues with that truck, and said it has always been a problem. He said he was not there when it  
188 was approved, and would not have done so, as it was not a good purchase. He discussed  
189 getting a new truck which could be something they could customize to meet their needs. He also  
190 discussed the change in the fireworks ordinance and how this would affect firework displays and  
191 use, including the changed time frame for allowing them to be purchased and used.

#### 192 193 Protective Inspection/Engineering Department

194 Ross Lapray presented the budget for his department and reviewed the various items within with  
195 the City Council, including costs for training, staff vehicles and cell phones, as well as other  
196 potential, anticipated costs. Ross discussed a potential project his department will be involved  
197 with, which he said is in the approval process, which he further described. He said it is a 36  
198 building project, which should take approximately twelve (12) months to complete. He discussed  
199 various related items, including potential revenue, costs and staffing requirements; how the fees  
200 received will be paid, and how that will affect the department's upcoming budget.

#### 201 202 Planning Department/Community Development

203 Cordell Baft outlined the details in his budget and the various items and projects his department  
204 worked on, and what is coming in the future. He discussed community development, and form  
205 based code, and said he would like to see that continued forward. He said he wished form based  
206 code was already in place, and further described how beneficial it would be to the City as well as  
207 to the developers.

#### 208 209 Reports from city officers, boards, and committees

210 Nancy Potter said that a woman who lives on 1600 East told her that the road to the subdivision  
211 there has started to sink and a drainage problem that has been created. Ross said that he has  
212 marked those areas for cutting and removal and has made the developer aware of the situation.  
213 Ross said the developer is still under bond and is aware that they have to make corrections.  
214 Ross also explained that once those repairs have been made, they have to stand for a year  
215 before the City will give its final approval.

216  
217 Cordell mentioned that the City had a request from Parson's, who is proposing a temporary  
218 construction yard, which will be done as a conditional use; and that they are proposing two  
219 potential sites. He said they have not made application yet, but picked up the forms that day; and  
220 Cordell said he just wanted the City Council to be aware of this request. He asked that the City  
221 Council let the Planning Commission know about any concerns or questions they might have on  
222 this.

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Executive session (closed) to discuss the acquisition of real property.

*Al Moser made a motion to move into Executive (Closed) Session for the purpose of discussing the acquisition of real property. Nancy Potter seconded the motion. A vote was called and the motion passed unanimously with Nancy Potter, Allen Kartchner and Al Moser voting in favor. This occurred at 8:21 p.m.*

Minutes for this written under separate cover.

*Al Moser made a motion to move out of Executive (Closed) Session and into the regular portion of the City Council meeting. Nancy Potter seconded the motion. A vote was called and the motion passed unanimously with Nancy Potter, Allen Kartchner and Al Moser voting in favor.*

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

The meeting adjourned at: 8:38 p.m.

Approved by City Council:

April 20, 2011

Transcribed by Marie Wilhelm

Recorded by

  
\_\_\_\_\_  
Scott Bennett/City Recorder

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*\* 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