

57 best way to manage the situation. He said they had previously had some problems with Phase I,
58 because originally, the developers had wanted to start building homes before curb, gutter and
59 sidewalk had been fully installed throughout the subdivision. He said it was then decided, that as
60 each home was built, they would install curb, gutter and sidewalk. He said the developers had
61 trouble with some additional issues, most of which were taken care of. Cordell said when he
62 asked the developers if everything had been resolved, the developers indicated that they thought
63 they had, so things moved forward. Cordell said he was just made aware, however, that there is
64 still an area in front of an existing home, where sidewalk has not yet been installed, and that they
65 have been trying to get this done for quite some time. After discussion, Cordell said staff
66 recommends including a condition that before the plat is signed, the curb, gutter and sidewalk
67 should be installed and completed. Cordell also mentioned that the Planning Commission gave a
68 positive recommendation for approval, but were concerned about potential easement issues that
69 may exist with Rocky Mountain Power and Logan City, in terms of what would be allowed to be
70 done underneath the easement. He explained that the Planning Commission put a condition on
71 their approval that the owners contact Rocky Mountain Power or the associated utility company,
72 and note any associated restrictions on the plat prior to approval. Cordell suggested that these
73 two conditions be part of the approval. Per a question from council, Cordell explained the
74 location of the un-built sidewalk.

75 The council discussed a few minor issues with Cordell.

76

77 *Allen Kartchner made a motion to approve the plat amendment, including the two conditions, as*
78 *discussed and stated by Cordell Batt. Al Moser seconded the motion. A vote was called and the*
79 *motion passed unanimously with John Bailey, Al Moser, Nancy Potter and Allen Kartchner voting*
80 *in favor.*

81

82 Consider approval of an agreement among North Logan City, the Friends of the North Logan
83 Library, and the James P. Thorne Charitable Endowment revising the method by which funds are
84 dispersed from that endowment.

85 Mayor Berentzen discussed the changes in this draft of the agreement, and mentioned the item
86 regarding the division of funds, with 30% going to the Friends of the Library, and 70% going to
87 North Logan City, of whatever revenue is raised.

88 Jeff Jorgensen clarified that the Library Board has and will have some input on how the funds that
89 go to the Friends of the Library, are spent.

90 Mayor Berentzen said he did not see that actually written into the agreement. John Bailey said it
91 is not written in the agreement, but is more of an understanding.

92 John Keith said that the by-laws of the Friends of the Library state that they will consult with the
93 Library Board regarding the distribution of the funds. Linda Keith said she thought that is why
94 they decided not to have that included in the agreement.

95 The council discussed potential discrepancies in different drafts of the agreement, and what Dell
96 Loy Hansen actually wanted included in the agreement.

97 John Bailey said he spoke to Dell Loy on two occasions, and said there is a lot of pressure on the
98 [Thorne] Foundation and Dell Loy to make this work; and that the awards they distribute to
99 various entities are being scrutinized very closely. John Bailey said it is in the City's best interest
100 to not come across to the Foundation as having dissention between North Logan City, the Library
101 Board and the Friends of the Library, and to proceed very carefully.

102 The council continued their discussion.

103 Mayor Berentzen asked City Attorney, Bruce Jorgensen about the possible inclusion of language
104 in the agreement regarding the Friends of the Library having some input regarding the distribution
105 of funds.

106 Bruce Jorgensen explained that the agreement was originally drafted so that 70% would be
107 transferred to the City, and 30% would be decided by the Friends of the Library. He referred to a
108 meeting that included the pertinent parties, where it was said that the Friends of the Library and
109 the Library Board both need to be in agreement, by majority vote, before the 30% was spent.

110 Bruce explained that when the Friends of the Library was created, it was organized as a separate

111 corporation, with donations being deductible; and said that the IRS likes to see things set up so
112 when such a charitable organization receives the donations, they need to also control what is
113 done with it. He said after Dell Loy reviewed the original agreement, he became convinced that
114 the Friends of the Library should be the group that decides how the funds will be specifically
115 managed and spent, with input from the Library Board. He said the agreement the council is now
116 in possession of, is the original agreement that was sent out in the first part of June, with the part
117 that he included in the re-draft now taken out.

118 Mayor Berentzen and Linda Keith discussed what they believed Dell Loy wanted included in this
119 agreement.

120 Bruce Jorgensen confirmed that the draft agreement that the council was in possession of is the
121 one Dell Loy wants signed.

122

123 *John Bailey made a motion to approve the agreement. Al Moser seconded the motion. A vote*
124 *was called and the motion passed unanimously with Nancy Potter, Al Moser, Allen Kartchner, and*
125 *John Bailey voting in favor.*

126

127 John Bailey asked if there is some way to separate the Thorne Foundation monies, both on the
128 expenditure and the revenue sides of things to make things clearer in the future, which he said
129 would be very helpful.

130 Jeff Jorgensen explained that the Foundation money that goes to the Friends of the Library
131 should not even come to the City, and said they will spend it themselves; and the rest, the City
132 receives. He asked if it should be determined how the money the City receives is specifically
133 used. John Bailey said there have been questions in the past about how that money is spent;
134 therefore it might be easier if it *is* stated how it will be spent. Jeff said the money basically goes
135 into one pot and is used for library operations and towards paying off the bond. John also said
136 the current agreement may alleviate some of those questions.

137

138 Re-consider approval of an interlocal agreement among the city, the North Logan Re-
139 Development Agency, and three canal companies. To be considered are changed parts of the
140 agreement specifically applicable to North Logan City.

141 Jeff Jorgensen explained that the agreement the council passed three weeks prior, was intended
142 to be a sort of "fast track" agreement in order to get it done so that Four Seasons could start
143 putting water in the pipe on 2200 North, without getting bogged down on all the other points that
144 have continued to be under negotiation for many years. He said the canal companies did not like
145 that agreement whatsoever, and thought that the City was trying to take unfair advantage or
146 something. He explained the discussion he had with various, pertinent individuals in order to try
147 to reach a better understanding. He said he met with Rick Reese, from Benson Irrigation
148 Company, the week prior, who suggested that North Logan City make the agreement look as
149 much like the agreement that has already been signed between them and Logan City, and split it
150 into three agreements; one with each canal company; and then do the RDA's portion of the
151 agreement dealing with the CDA as an addendum to those agreements. He discussed this
152 further, and also explained the current draft of the agreement with the changes highlighted.

153 The council continued their discussion on the various points in the agreement.

154 Mayor Berentzen asked what the downside is of not tying the CDA to the primary agreement.

155 Bruce Jorgensen said it can be done, but it makes it procedurally heavy, and further explained.

156 Jeff Jorgensen said he doesn't think we have to do anything procedurally different than what
157 we've already done, and explained further.

158 The council continued their discussion with Bruce Jorgensen.

159 Bruce asked Jeff about language in the agreement regarding inlets and outlets, which Jeff
160 explained, and said the language regarding only inlets pertains to Logan North Field Canal
161 because that is the only one that runs through North Logan; and that inlets *and* outlets pertain to
162 the other two canals and they affect Logan City. Jeff and Bruce discussed this further and
163 decided it should say inlets *and* outlets for Logan North Field Canal, as well.

164 Bruce reviewed with the council other changes he wants to make to the agreement. He said he

165 felt that the canal companies would be pleased with this agreement; and said he felt this is a
166 great step forward by the City.

167 Mayor Berentzen asked Bruce whether the agreement should be approved at this meeting, as
168 Bruce said he still wanted to make some minor adjustments to the agreement. Bruce said the
169 changes are very minor, and the council could approve it subject to himself and Jeff working out
170 those minor details.

171 Jeff said he would like the council to approve it, and after the minor changes are made, to then
172 send it to the canal companies to make sure they are okay with it.

173 The council briefly discussed other, various points with Bruce.

174

175 *Al Moser made a motion to approve this agreement, in "concept"; and that the City Council will*
176 *take final action on it later, pending further discussion; and subject to final review by the City*
177 *Council. John Bailey seconded the motion. A vote was called and the motion passed*
178 *unanimously with Nancy Potter, Al Moser, Allen Kartchner, and John Bailey voting in favor.*

179

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

181 -Discuss water from Green Canyon and what was done and still needs to be done.

182 Jeff explained the dam project at Green Canyon and what had to be done to manage the water
183 overflow.

184 Allen Kartchner asked if this actually supports the numbers in terms of what we're building for
185 retention basins as part of the Canyon Gates Subdivision, which Jeff explained.

186

187 Allen Kartchner mentioned that he has had several residents complain to him about the mosquito
188 problem, which is particularly bad this year. Mayor Berentzen discussed the situation and
189 explained what is being done through the Mosquito Abatement District.

190 John Bailey asked about putting something in the North Logan City Newsletter, which Mayor
191 Berentzen said might be possible.

192

193 Allen Kartchner asked Jeff what happened at the Hyde Park meeting in terms of the Police
194 Department. Jeff said it is his understanding that Hyde Park passed their budget, with Hyde Park
195 continuing to be combined with North Logan City, as in the past; but that they want to revisit it
196 again in August, with Chief Kim Hawkes giving a presentation that would reflect what North Logan
197 City provides to Hyde Park in terms of services, versus what Cache County may provide.

198 Mayor Berentzen said he spoke to Mayor Cox, who he said has asked the Sheriff's department to
199 come back with another proposal, this time addressing what they call an "equivalent" kind of
200 proposal. He said the Sheriff's department has a certain amount dedicated to all areas of the
201 valley, and for Hyde Park they figure they already have \$50K dedicated. He said they proposed
202 to charge Hyde Park an additional \$50K for a \$100K program; which is a problem if they are
203 already getting \$50K worth of service. He said they asked the Sheriff's department to come back
204 with a proposal that would be something that measures up to what they currently get from the
205 North Park Police Department. He explained further. Mayor Berentzen said it will definitely be a
206 budgetary issue for North Logan City if Hyde Park decides to go with the Sheriff's department.

207 Allen Kartchner said it would be wise for North Logan City to do some contingency planning with
208 respect to the Police Department budget to identify what we would do if Hyde Park withdraws.
209 He said North Logan City should be very cautious in our expenditures with that department right
210 now, so commitments aren't made that we would regret later.

211 Mayor Berentzen said that Jeff put a proposed budget together that would reflect the withdrawal
212 of Hyde Park, in the event that happens; which could be used as a basis for discussions.

213

214 Allen Kartchner asked if a decision had been made regarding "comp" time.

215 Jeff said yes, and that the employees were given the option of either having it "bought out" or
216 converting it; and said they didn't want it to potentially keep costing the City more every year.

217

218 John Bailey asked what the timetable is for the new Police Department building, and how will that

219 timetable be affected in terms of the potential Hyde Park withdrawal.
220 Jeff said some decisions need to be made shortly, and a presentation on design will be coming to
221 the City Council.
222 Mayor Berentzen agreed that we are going to have to be very careful moving forward, based on a
223 lot of other demands and given the uncertain situation with Hyde Park.
224
225 Nancy Potter mentioned a letter the council received regarding patrolling Elk Ridge Park, and
226 asked if more patrolling is being done in the evenings now that it is summer, as she said the City
227 had to do last year.
228 Mayor Berentzen said the email was from the Krebs. He said he sent an email back to them, and
229 asked them if they had had any other concerns, but said he had not heard back from them. He
230 said the Police Department has been made aware and are dealing with it.
231
232 Nancy asked, in terms of all of the development coming in to the City, whether she could get a
233 total number of apartments currently in the City, as well as how many are being proposed.
234
235 Nancy went over the events the City has scheduled for the 24th of July celebration.
236 Nancy said it didn't appear that anyone had contacted Glen and Ruth Israelsen, informing them
237 that they are going to be the Grand Marshals for the parade. Per Jeff's request, Alan Luce said
238 he would contact Brett Daniels to take care of that.
239
240 John Bailey asked about the City's policy regarding when the 24th of July is typically celebrated.
241 Alan said the policy is going to be reevaluated in August, but explained that the time line for the
242 celebration depends on various factors.
243 The council discussed this further.
244 Nancy suggested having Glen Israelsen tell some stories at the event, after the parade.
245
246 Al Moser said he wanted to compliment the City employees about the work they do on the Green
247 Waste bins at Elk Ridge Park. He further discussed the huge problem it is, specifically with
248 people dumping their waste all over the site, regardless of whether the bins are full; and there is
249 likely a problem with commercial dumping occurring there. He said Logan City often refuses to
250 pick it up when it becomes such a mess. He said not only does he use it and really likes it, but he
251 has had many citizens tell him what a great service this is, being provided by the City. He
252 discussed putting up a sign, and having an ordinance. He said he is afraid that it will become
253 such a bad situation, that the City will have to discontinue it. He said something has to be done.
254 Per a question from Mayor Berentzen, Alan Luce said that the employees are spending two to
255 four hours per day, several days a week, having to clean up the mess there. Mayor Berentzen
256 said he discussed the situation with Alan earlier in the week. He said Kim John-Trewren put
257 together a list of issues happening there, and that they will use this information to put a message
258 together for the City newsletter. He also said there are signs up, as well as a camera, and said
259 there are commercial entities abusing this. Alan mentioned that when he put the sign up, a
260 commercial user stacked up their waste all around the sign.
261 The council and Alan discussed this further. Per a question from John Bailey, Alan said that the
262 refuse company picks up once to twice a week; and said that every time there is a pick-up, there
263 are issues of not being able to get to the bins, and often, items in the bin which are not allowed to
264 be dumped there.
265 Mayor Berentzen discussed purchasing a camera in order to deal with the offenders.
266 The council discussed adopting a specific ordinance to deal with this.
267
268 Mayor Berentzen said that Georgia Lauritzen has to leave her post on the Library Board. He said
269 the board has recommended names for possible candidates to Mayor Berentzen, and said that
270 Jean Hanks is his recommendation.
271 Per a question from Mayor Berentzen, Jeff Jorgensen explained that this will need to be on a

272 future agenda for proper approval.

273 Per Mayor Berentzen's request, the council agreed to let her act in the position and will do the
274 official ratification at the next City Council meeting.

275

276 Peggy Giles said the issue of illegal dumping in the City's commercial dumpsters has been
277 brought before the council before, and continues to be a really big problem, with some
278 businesses having to resort to locking their dumpsters. She said she receives many calls from
279 North Logan businesses complaining about this situation. She said if the City is looking at
280 creating a fine for the illegal dumping, perhaps it could encompass the North Logan City
281 commercial dumpsters, as well.

282 Mayor Berentzen asked Alan Luce to put something together for the council for review.

283

284 Executive session (closed) to consider the acquisition of real property and certain personnel
285 issues.

286 John Bailey made a motion to move into the Executive (Closed) Session for the purpose of
287 considering the acquisition of real property and to discuss certain personnel issues. Nancy Potter
288 seconded the motion. A vote was called and the motion passed unanimously with Nancy Potter,
289 Al Moser, Allen Kartchner and John Bailey voting in favor. This occurred at 7:50 p.m.

290

291 Minutes for this meeting written under separate cover.

292

293 Al Moser made a motion to move out of Executive (Closed) Session and into the regular City
294 Council meeting. Nancy Potter seconded the motion. A vote was called and the motion passed
295 unanimously with Nancy Potter, Al Moser, Allen Kartchner, and John Bailey voting in favor. This
296 occurred at 8:35 p.m.

297

298 Al Moser made a motion to approve the Purchase Agreement for the land south of Elk Ridge
299 Park. Nancy Potter seconded the motion. A vote was called and the motion passed unanimously
300 with Nancy Potter, Al Moser, Allen Kartchner, and John Bailey voting in favor.

301

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

305

306 The meeting adjourned at: 8:37 p.m.

307

308 Approved by City Council:

July 20, 2011

309

310 Transcribed by Marie Wilhelm

311

312 Recorded by



Scott Bennett/City Recorder

313

314

315

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

320

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

321

2. Budget folders in the Office of the City Recorder

322

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

323

4. Subdivision Folders in the Office in the City Engineer

324