

1 **Minutes of the North Logan City**
 2 **City Council**
 3 **Held on October 19, 2011**
 4 **At the North Logan City Library, North Logan, Utah**

5
6
7 The meeting was called to order by Mayor Lloyd Berentzen at 6:30 p.m.

8
9 Council members present were: Nancy Potter, Al Moser, Allen Kartchner and John Bailey.
10 (Kevin Dustin was excused and John Bailey arrived later in the meeting).

11
12 Others present were: Chris Nelson, Stan Wade, Lyman Stevens, Jon Keller, Nolan Krebs, Robyn
13 Patterson, Brad Crookston, Tanner Stephenson, J.R. Gilden, Barbara Middleton, Richard
14 Stevens, Kathryn Stevens, Alexis Stott, Alan Luce, Scott Bennett, Kim Hawkes, Jon Keller, Alan
15 Collins, Lydia Embry, Cordell Batt, Jeff Jorgensen and Marie Wilhelm.

16
17 The Pledge of Allegiance was led by Alan Luce.
18 An invocation was given by Chris Nelson.

19
20 **Adoption of Agenda**

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

24
25 **Approval and Follow-up of Minutes of October 5, 2011 City Council Meeting**

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

29
30 **Follow-up**

31 Nothing at this time.

32
33 **Review of Action Items**

34 Jeff Jorgensen reviewed the list with the council. Mayor Berentzen briefly discussed the history
35 of the Main Street boundary line adjustment issue between North Logan City and Logan City.

36
37 **New Business**

38 Consider an ordinance deleting Title 12F – Flood Plain Management from the City Code. This
39 section of the code was superseded by Ordinance 11-03 adopted by the City Council May 18,
40 2011.

41 *Al Moser made a motion to adopt the ordinance Nancy Potter seconded the motion.*

42
43 Jeff Jorgensen explained why the ordinance was written the way it was, and also said this only
44 applies to a FEMA regulated flood plain.

45 Allen Kartchner said he appreciated Jeff's written response to the public comments made at the
46 last council meeting.

47
48 *A vote was called and the motion passed unanimously with Al Moser, Nancy Potter and Allen*
49 *Kartchner voting in favor.*

50
51 **Consider an ordinance modifying the regulations regarding euthanization of feral animals.**

52 North Park Police Department's Animal Control Officer, Nolan Krebs said as he recently reviewed
53 the current ordinance regarding the euthanization of animals, particularly cats and dogs; and
54 explained the current process, which includes requiring that any feral animal be taken to a
55 licensed veterinarian in order to determine whether or not the animal can or should be euthanized
56 immediately. He said he was requesting a change to the ordinance which would allow him to
57 make that decision in the field, specifically when an animal is ill and or suffering, and obviously
58 beyond the point of recovery, rather than having to take them to a vet before this can be done.

59 He further discussed the process he has been required to go through for determining the welfare
60 of feral cats, and explained that the humane society will not take feral cats and adopt them out.

61 Nolan further detailed some examples of specific incidents which have occurred recently.
62 The council discussed various potential issues with Nolan, including the possibility of an owner
63 finding out after the fact, that their pet has been euthanized. Nolan reiterated that he would
64 typically only euthanize an animal in the event of obvious suffering and potential fatality, and not
65 in the event where there is possible recovery; in which case he would take the animal to a
66 veterinarian. He also explained that the humane society and the veterinarians' offices hold the
67 animals for a certain period of time (three days for the humane society) and *then* euthanize them,
68 which not only prolongs the suffering, but costs the City the expense of the situation when the
69 animal is not claimed.

70 Jeff mentioned that this is a good reason to have your animals licensed.

71 Allen Kartchner asked if a second opinion in these events would be possible or useful, in order to
72 have two people make the decision.

73 Mayor Berentzen said he has had nothing but positive comments about Nolan from our
74 community, as well as other municipalities, and said he has every confidence that this is a
75 decision that our animal control officer should and can make, and would encourage the council's
76 passage of this.

77 Chief Kim Hawkes said there is usually a consultation that takes place in these situations; and
78 also said the department would be developing a type of "rubric" with information from
79 veterinarians to use as a guideline in these circumstances. He also said that every situation has
80 a full report written on it and is well documented and often photographed.

81 Jeff Jorgensen said staff suggests the word "nuisance" be removed, as that can be very
82 subjective and difficult to determine, which the council agreed with.

83
84 *Al Moser made a motion to adopt the ordinance. Nancy Potter seconded the motion. A vote was*
85 *called and the motion passed unanimously with Al Moser, Nancy Potter and Allen Kartchner*
86 *voting in favor.*

87
88 Consider a resolution requesting the recertification of the North Logan City Justice Court.
89 Mayor Berentzen introduced the item and said he is very much in favor of a county-wide court
90 system, which he further discussed. He said he asked City Attorney, Bruce Jorgensen whether
91 recertifying the court at this point would cause a problem later [in participating in a county-wide
92 system]; but said that Bruce explained that the City is compelled to recertify at this point. Mayor
93 Berentzen said he would like language included in the motion that states that recertifying in no
94 way unsubstantiates the City's support for a future county-wide justice court system.

95 Per a question from Al Moser on the City's status with the county, Mayor Berentzen said that the
96 application process takes from six months to a year, and further explained various issues that will
97 need to be worked out. He said he feels that the City can move forward with intent, and then
98 determine the most economical way to move forward. He discussed this further.

99
100 *Al Moser made a motion to pass the resolution, if it includes a declaration that the City still*
101 *intends to move forward to be part of a county-wide justice court system. Allen Kartchner*
102 *seconded the motion. A vote was called and the motion passed unanimously with Al Moser,*
103 *Nancy Potter and Allen Kartchner voting in favor.*

104
105 Discuss feedback from committee established to review traffic safety issues on 800 East,
106 particularly at 2500 North. Consider options that can/should be done.

107 Dr. Lyman Stevens read the report from the committee that was put together to review traffic
108 safety issues on 800 East.

109 Alan Collins said he lives on 2700 North and has had problems with the speed of traffic. He said
110 it seems reasonable that if the speed limit is 25 miles per hour (mph) in the residential areas
111 around the City, that all of the residential areas in the City maintain 25 mph speed limit [including
112 800 East]. He said it also seems reasonable to increase the speed limit in areas where there is
113 no residential. He said the streets of the City first serve the residents of the City, and said they
114 should be given deference, prior to giving any preference to people who use the road, who don't
115 live there. He said having a 35 mph speed limit on 800 East, which is a highly dense residential

116 street, seems very out of place.

117

118 Stan Wade said he thought the committee's comments were very thorough. He said in reviewing
119 the map, 200 East is 35 miles per hour, and the only other one he notes that is 35 mph is 800
120 East. He said there could be a miscalculation in saying that 200 East and 800 East are similar.
121 He said that 800 East has a cluster of homes from one end of the road to the other, which is not
122 the case for 200 East. He further explained that they are totally different types of streets.

123 Mayor Berentzen discussed the map briefly and mentioned that one of the reasons the City
124 supported the alternative of 200 East, which he said was unpopular with all involved, was to
125 intentionally keep the thoroughfare away from the residents.

126 Nancy Potter said she was at the committee's meeting and reiterated some of the points made in
127 the report read by Dr. Stevens. She discussed that the difference in changing the speed limit
128 from 35 mph to 25 mph is only a difference of a minute and a half, which is worth much more in
129 terms of the safety of children. She also mentioned that she is not a fan of another roundabout
130 [at 800 East and 2700 North]; that a four way might be a better solution for that intersection,
131 particularly in light of school students trying to cross the streets there; even though that may slow
132 traffic down.

133 Allen Kartchner mentioned that many years ago, the City Council at that time had the same
134 discussion regarding 1200 East, which was residential and had stopped being a kind of arterial
135 because of the growth of the City.

136 *John Bailey arrived at this time, 7:28 p.m.*

137 Allen Kartchner continued and said that he sees the same pattern occurring with 800 East, which
138 used to be considered an arterial, and in fact was a state highway with a 40 mph speed limit. He
139 said a lot of residential has congregated along 800 East, and with the potential development of
140 200 East in the future, it might be a good time to lower the speed limit on 800 East to 25 mph. He
141 discussed this further.

142 Nancy Potter said there was also discussion at the meeting that if there is a compromise and the
143 City lowers the speed limit to 30 mph [on 800 East], that it needs to be strictly enforced.

144 Al Moser said he agrees with most of the committee's comments; however he is concerned about
145 the notion that the long term idea is to hire an expert to "make sure we're doing what's right", and
146 said he does not think that has to be long term. He said he knows for a fact that if you lower the
147 speed by 20%, there is going to be 20% more cars on the road; and lowering it to 50% will cause
148 50% more cars to be on the road; and that you might actually have *more* cars on the road which
149 will conflict with people trying to get out of their driveway [on 800 East]. He also said that putting
150 a four-way stop at the intersection of 800 East and 2700 North will cause traffic to be backed up
151 all the way to Hyde Park. He said a traffic engineer will tell you all these kinds of things and that
152 one should be hired immediately to determine the best decision. He said the residents and City
153 Council should have input, but the final determination should not be based entirely on them.

154 John Bailey and Mayor Berentzen commented further and said some good questions are being
155 raised and that it might be beneficial to get some expert advice on this. John Bailey commented
156 further and said if a traffic study takes too long, perhaps the City should proceed with some of the
157 recommendations on the list.

158 Stan Wade said he has experience in another City on these same issues; and said that in terms
159 of what Al Moser stated, raising the speed to higher speed limit would put even more traffic
160 through there but that at a higher speed, an accident would likely be fatal. He said the safety of
161 the public is what needs to be considered. He said he also disputes the fact that a four-way stop
162 would cause cars to be backed up all the way to Hyde Park. He said while it could be backed up
163 quite a ways, a traffic engineer would then likely state that the best solution would be a light there,
164 and sequencing the light to move the traffic appropriately in each direction. He said he does not
165 think slowing the traffic down will be a problem, and will ensure public safety. He said the City
166 should be careful in using the previously stated logic, as the other ludicrous end of that argument
167 would be slowing the traffic down to 5 mph which would ensure that there are *no* accidents. He
168 briefly commented further.

169 Mayor Berentzen discussed some of the issues that a traffic engineer might be able help the City
170 with; and mentioned that one issue which might occur when slowing the traffic down on 800 East,
171 is that it might increase the traffic on Main Street.

172 Tanner Stephenson said he was opposed to the speed limit being lowered to 25 miles per hour.
173 Dr. Richard Stevens said he felt that a traffic analysis is a good idea, but that a safety analysis
174 should be done along with that. He said his children would be some of the children using the
175 crosswalk at 800 East and 2700 North; and he asked that they City consider the children, who
176 would be at the highest risk, as they are going to and from school. He said when 800 East
177 became locally controlled and the speed limit went down to 35 mph; Hyde Park also lowered their
178 speed limit on that road.

179 Jeff Jorgensen suggested allowing him to contact a traffic engineer that he knows to do at least a
180 preliminary review, in order to avoid any early mistakes. He said it will not take a lot of time or
181 money to have a specialist give the City an evaluation.

182 Mayor Berentzen said he would like the engineer to address the specific issues and
183 recommendations given by the committee.

184 Dr. Lyman Stevens discussed some basic driving methods for determining driving space and
185 passing safety.

186 Per a question from John Bailey regarding the different between a safety engineer and a traffic
187 engineer; Al Moser said it is important that a *Traffic Safety Engineer* is hired.

188 Mayor Berentzen reiterated that the recommendations made in this discussion and said they will
189 try to move this forward as quickly as possible.

190

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

192 Jeff Jorgensen explained the situation with the decision needing to be made for a roundabout at
193 2200 North and 200 East. He said he does not feel that it is warranted to install a roundabout at
194 this point and further discussed the various options, per the write-up he gave to the City Council
195 on this.

196 Al Moser said the City needs to make sure that we tie up that property, since we know we're
197 going to have to have it, whether we do it now or later.

198 The council agreed with Jeff, although Nancy commented that she is not in favor of roundabouts,
199 in general.

200

201 Cordell Batt mentioned that the City received a \$15K CIB grant the previous week. He said it is a
202 matching grant, and will be used for the City Center and that area.

203

204 Robyn Peterson, acting library director, said that this week is "Teen Read Week" which is a
205 national program being sponsored by the American Library Association, to promote reading
206 amongst teens and encourage them to read and remain active and involved in libraries. She also
207 said there will be an activity for teens celebrating this at the library the following day.

208

209 Alan Luce said that the Pumpkin Walk starts the following day and runs through Tuesday,
210 October 25th; and that the Pumpkin Toss is going to be a week from this Saturday.

211 Chief Kim Hawkes explained that the CVTD will be on hand to shuttle Pumpkin Walk attendees
212 again this year, and that the shuttles begin running at 6:00 p.m.

213 Mayor Berentzen said he wanted to commend all of the volunteers who have done so much work
214 on this, as well as Alan Luce and City staff. He commented on how large and popular the
215 Pumpkin Walk has become, and that people come from all around, including out of state, to see
216 it; and said that it is done with a tremendous volunteer effort.

217

218 Allen Kartchner said that the conditional use permit for the Bridgerland RV Park is up for its one-
219 year renewal, and will be reviewed by the Planning Commission at the following evening's
220 commission meeting.

221 Allen Kartchner referred to the meeting regarding the canal project and said the most relevant
222 piece of information that came out of it is regarding North Logan City's financial obligation. He
223 said the estimate for North Logan City's commitment is \$645K, and that of that, we have to come
224 up with \$96K when the constructions commences, with the remainder being financed on a 22
225 year, zero interest loan.

226 Mayor Berentzen commented that while that record of decision has been made; the discussion

227 regarding the benefit to the various communities seems superficial to him. He said the
228 participation by Hyde Park and Smithfield is substantially lower than what they're asking from
229 North Logan; and he feels it needs to be more of an equitable decision. He said he realizes that it
230 is less than what was originally anticipated, but still feels that it could be more modest in terms of
231 what North Logan's participation ought to be; and feels that it is still in need of negotiation.

232 John Bailey and Mayor Berentzen briefly discussed this further.

233
234 Nancy Potter asked if the Pumpkin Toss is being advertised on campus in the USU newspaper
235 "The Statesmen". Alan Luce said it is being done through a club in the Mechanical Engineering
236 Department at USU, and is being advertised in the paper as well as the radio. Nancy asked if it
237 could also be advertised in the engineering building.

238 Nancy also asked why the run couldn't be later in the month of October. Alan Luce explained that
239 could not be done because it conflicted with the Pumpkin Soccer Tournament and the Pumpkin
240 Walk.

241
242 Al Moser said there are still problems with the green waste bins at Elk Ridge Park and people
243 dumping refuse all over the place, and that the police have even been called. He said there was
244 previous discussion about installing a better security camera, and suggested creating a specific
245 ordinance stating the consequences of dumping illegally. He said Logan is not happy about the
246 situation, and that we may end up losing this privilege. He said it costs the City money,
247 particularly in terms of man hours when staff spends their time having to clean this stuff up
248 instead of doing something else.

249 Alan Luce said staff is already putting an ordinance together to deal with the situation.

250 Al Moser reiterated that the City should invest in a better camera so that we can identify license
251 plates.

252 John Bailey said that what he saw dumped there last week definitely looked like it was
253 commercial dumping.

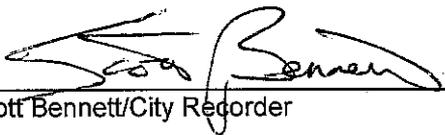
254
255 Mayor Berentzen asked if Scott Bennett had yet arranged the Youth City Council working on the
256 "Meet the Candidates" night. Scott said he had not done so yet, but would contact them. Mayor
257 Berentzen asked Scott to work on that soon, as it is only a week away, and they are going to
258 need some training, etc.

259
260
261 *Al Moser made a motion to adjourn the meeting. Allen Kartchner seconded them motion. A vote*
262 *was called and the motion passed unanimously with Nancy Potter, Al Moser, Allen Kartchner and*
263 *John Bailey voting in favor.*

264
265 The meeting adjourned at: 8:09 p.m.

266
267 Approved by City Council: November 2, 2011

268
269 Transcribed by Marie Wilhelm

270
271 Recorded by 
272 Scott Bennett/City Recorder

273
274
275 * Due to the fact that there is other documentation related to this agenda item that may not be included in the official
276 minutes of this meeting, the following repositories, cross referenced to applicable agenda items within these minutes, shall
277 indicate where additional documentation can be found for future reference for that agenda item:

- 278 1. Annual City Council meeting binders in the Office of the City Recorder
279 2. Budget folders in the Office of the City Recorder
280 3. Special Project folders in the Office of the City Administrator
281 4. Subdivision Folders in the Office in the City Engineer
282