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**Minutes of the North Logan City
City Council
Held on November 6, 2013
At the North Logan City Library, North Logan, Utah**

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

Council members present were: Nancy Potter, John Bailey, Roger Anderson, Damon Cann and Kristen Anderson.

Others present were: Deanna E. Fry, Holly Punell, Tyler Larsen, Dave Bessinger, George Fall, Jon Keller, Derek Lee, Deacon Goldman, Andrew Zane, Brady Norton, Sawyer Evans, Case Gehring, Austin Hunt, Justin Hunt, Mark Hansen, Stockton Porter, Ryan Hansen, Josh Geertsen, Jens Poulsen, LuWana Hunt, Braden Carroll, Nathan Whittaker, Stephen Lee, Zayden Clark, Ben Allen, Russell Goodwin, Jake Young, Curtis Jacobs, Eric Bell, Tesse Savage, Bob Wright, Jay Stocking, Kim Hawkes, Cordell Batt, Alan Luce, Scott Bennett, Lydia Embry, Jeff Jorgensen and Marie Wilhelm.

The Pledge of Allegiance was led by Nancy Potter.

An invocation was given by Roger Anderson.

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Adoption of Agenda

Nancy Potter made a motion to adopt the agenda as presented. John Bailey seconded the motion. A vote was called and the motion passed unanimously with Nancy Potter, John Bailey, Roger Anderson, Damon Cann and Kristen Anderson voting in favor.

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Approval and Follow-up of Minutes of October 16, 2013 City Council Meeting Minutes and RDA Minutes.

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October 16, 2013 City Council Meeting Minutes

Nancy Potter made a motion to approve the minutes as amended. Damon Cann seconded the motion. A vote was called and the motion passed unanimously with Nancy Potter, John Bailey, Roger Anderson, Damon Cann and Kristen Anderson voting in favor.

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October 16, 2013 RDA Meeting Minutes

Nancy Potter made a motion to approve the minutes as presented. Damon Cann seconded the motion. A vote was called and the motion passed unanimously with Nancy Potter, John Bailey, Roger Anderson, Damon Cann and Kristen Anderson voting in favor.

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Follow-up

Nothing at this time.

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Review of Action Items

Jeff Jorgensen reviewed the action items list with the council.

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New Business

6:35 - Redevelopment Agency Session - Conduct a public hearing for the North Logan Redevelopment Agency to change the RDA budget to allow some planned disbursements.

John Bailey made a motion to move out of the regular portion of the City Council meeting and convene a meeting of the North Logan Redevelopment Agency. Nancy Potter seconded the motion. A vote was called and the motion passed unanimously with Nancy Potter, John Bailey, Roger Anderson, Damon Cann and Kristen Anderson voting in favor. This occurred at 6:39 p.m.

Minutes for this item written under separate cover.

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Damon Cann made a motion to adjourn the RDA meeting and return to the regular portion of the City Council meeting. Kristen Anderson seconded the motion. A vote was called and the motion passed unanimously with Nancy Potter, John Bailey, Roger Anderson, Damon Cann and Kristen Anderson voting in favor. This occurred at 6:51 p.m.

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6:45 Public Hearing to receive public input on a proposed commercial project located at approximately 2465 N. 100 E. in the City Center area. The zoning for this project is (CCC) City Center Commercial and all projects in this area require a public hearing with the City Council. The site plan for this project may be reviewed at the City office.

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Cordell Batt said this is the first non-residential development being proposed under the new ordinances regulating the City Center Zones. He explained the location of the site via an overhead projected map of the area. He further explained the site, as well as the zoning for the area. He said this is for an engineering firm that is putting in an office building and will also have light manufacturing. He explained that this is designated as a permitted use in this zone and is stated as such in the zoning matrix. He said a permitted use such as this would not typically come before the City Council, but when the City Center ordinance was approved, one of the requirements is that all projects in the City Center will have a public hearing, in order to get public input. He said this was noticed, and briefly explained the new noticing requirements.

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Mayor Berentzen asked about the alignment of the roads which Cordell explained. Cordell said the line for the road is approximate based on the information on hand. The environmental study which established the basic location for the road coupled with input from the engineering firm doing the survey work for the Corridor (200 East) project and input from the UDOT project manager was used to determine, as closely as possible, where the alignment for that road should be.

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Mayor Berentzen said this looked more like a residential setback vs. a commercial setback. Cordell explained that the setbacks are in compliance with the City Center code, and are different than the setbacks in the City's other commercial zone.

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Mayor Berentzen opened public hearing at 6:56 p.m.

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Lydia Embry read her public statement for the record. Her input provided the following information: Title 12C of the City code covers zoning. Ordinance 12-09 added paragraph 10-60...for the form-based code for the City Center. Section 10-63.05 covers development plans. The Planning Commission is to review and provide recommendations on a concept plan. She said this has not happened on this project. Public notices go up fourteen days or ten days or whichever one it is, and they're not reconciled and they're incomplete and both of those are supposed to happen before the City Council holds a public hearing, like this one, to review the proposed concept plan. She asked that the Council remind staff of its responsibility to: 1) treat applicants appropriately, consistently, and in accordance with established procedures; 2) to provide council with counsel; and to protect the public with an even hand. She said she didn't exactly know what to call this request. She said she was asking that the council follow the procedure that they set when they adopted this form-based code. She suggested that the council move to abandon this public hearing, or table it, but she said she did not think it's an action that requires tabling. She recommended that suspending the action is the appropriate thing to do on this public hearing until the conditions precedent have been met. She also recommended that the issue should have gone to the Planning Commission so the council had the benefit of their advice, and it should have been properly noticed, which she commented that she felt it was not. She recommended the council looked at the code, on page 89.

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Mayor Berentzen asked her to repeat the code numbers, which she did and explained, including reading that "after the Planning Commission has reviewed the project and provided recommendations, the City Council will hold a public hearing on the proposed concept plan". She commented further. She said she did not think the City Council was ready for this public hearing; that City Council does not have the advice of the Planning Commission; the council does not have paperwork; and she said if the council continues, she will object formally.

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Russell Goodwin read aloud a written comment he had prepared: "The conclusion of the election gives the victors a new infusion of energy and determination to see their campaign pledges and promises through to completion. We heard and read a lot about listening to the people and economic development. This is an opportunity to begin honoring those campaign promises. Here again is a commercial venture compelled to fit in less than ideal lot size because of a disastrous and incomprehensible decision by the federal government to construct a four-lane, limited-access freeway for approximately seven blocks through prime commercial North Logan real estate. This seven block, four-lane, limited-access freeway will not generate any revenue for

119 North Logan. It is a financial drain; and it destroys forever, the tremendous revenue potential of
120 these prime commercial properties, while frustrating, those who are trying to do commercial
121 development. The talk has been of Target or Costco; why not both? If the campaign platform
122 spoke of economic development, this is the place to begin; and it must begin with repudiation of
123 this commercial and economically devastating federal environmental impact statement for 200
124 East. This proposed commercial development falls within the so-called City Center project area.
125 This so-called City Center is a fantasy; a Potemkin village. Someone is trying to create
126 Disneyland North and it has become a huge distraction. Like the devastating federal seven-
127 block, four-lane, limited-access freeway; the City Center-Potemkin village will never generate the
128 revenue potential of our intact prime commercial properties; especially those on Main Street. I've
129 heard numerous developers bemoan the City Center-Disneyland, because there's no traffic; even
130 though you are trying to pack in a high-density, 10% population increase in one small parcel.
131 They want to be on Main Street with the high visibility and traffic. What was said at the dedication
132 of 1000 West?: The high-visibility, high-traffic and accessibility will foster and promote economic
133 development. Unfortunately, none of 1000 West is in North Logan; but we do have Main Street
134 and a new and improved Airport Boulevard, as I call it; and 2500 North, which used to be a
135 beautiful and attractive gateway into North Logan, until you let the City staff rip it out and turn
136 Main Street into one long used car-lot. If your concern truly is economic development, in which
137 I'm in agreement; you must return your attention to Main Street and remove this terrible federal
138 attack to these commercial properties along North Logan Boulevard, 2500 North. It must begin
139 with you. The so-called City Center fantasy will take care of itself if you simply rebadge it as
140 transit-oriented development. Developers know what TOD is. They are familiar with TOD. There
141 is now a long and successful history of TOD along the Wasatch Front. But you will have to
142 commit to a designation of 200 East as the logical placement of bus rapid transit, or BRT; with the
143 eventual location of light-rail, as was done historically."

144 Russell further commented on transportation and development plans for Utah and the benefits of
145 BRT and TOD.
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147 Craig Wyatt explained that he is in favor of this project. He explained that he is the architect, but
148 that he also sees the value of having an off-Main Street development, where the traffic *isn't* as
149 fast. He said contrary to what is being said; he currently does business in Logan and is looking
150 for a place, other than Main Street, where his business could be established; and said something
151 like this would be ideal, where a professional office could come in. He said they are excited for
152 the development as proposed by the City and applauds them for sticking to their guns, as many
153 cities do not and give in to the slightest amount of pressure. He said cities which have held fast
154 to the plan, and gave their plan time to grow, do blossom and become what the planners have
155 planned. He commented further, and said there is a need for planning in a City. He said if
156 everything happened on Main Street only, one can see what happens when you drive through
157 Logan city at 5:00 p.m. He said there has to be a plan which allows further growth away from
158 Main Street.
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160 *As there were no further comments, Mayor Berentzen closed the public hearing at 7:06 p.m.*
161

162 Mayor Berentzen asked, per Lydia's previous question, whether this needs to be suspended, due
163 to the question of the code.

164 Jeff explained the circumstances. He said this is an unusual situation because the developers
165 are not doing a development plan for a subdivision. He said this is a stand-alone, one
166 development on one parcel, that does not require the things that have been discussed. He said
167 any development in the City Center requires a public hearing, which is why one is being done; so
168 that we can get that input initially. He said when this is completely subdivided and developed, it
169 will go through all the steps that have been discussed. He explained that if this had not been in
170 the City Center, this would not have even come before the City Council, because this is a
171 permitted use in this zone. He said there is no development plan because it is not a subdivision;
172 there is no process through the Planning Commission because it is just a building and not a
173 development.

174 Mayor Berentzen said by the fact that this is even at the meeting, it does seem to make this a
175 concept plan.

176 Cordell said this is not a concept plan. He said we have done the same thing when we've had

177 mixed use. He explained that we have a matrix that has all of the listed uses on it; and if it is a
178 permitted use with no division of property, then the developers come in and work with staff and
179 get a building permit. He said this happens in all of our commercial areas and manufacturing
180 areas. He said if the applicant is doing a development or a sub-division, that would require them
181 to go through the concept plan, development plan and final plan process, which is in place. He
182 said [the subdivision process in] the City Center is similar, which he explained. He said, however,
183 that if it is a single-use, one building; then it is treated as the permitted use; but that since it is in
184 the City Center, staff decided that they needed to at least put it through a public hearing process -
185 at least as much of the process that makes sense.

186 Mayor Berentzen said the code does not spell out what to do with a single-use.
187 Cordell said the mixed-use does not either, and that this, as a permitted use, stands alone.
188 Mayor Berentzen said he was uncomfortable with the process that was being done.
189 Cordell explained further and the discussion continued.
190 Jeff said what staff was trying to do was to actually do more than what is required.
191 Nancy Potter said there is still an issue because once the building goes in, that will dictate the
192 placement of the road.
193 Cordell said that is typically what staff reviews and plans.
194 Jake Young said his firm did the engineering on this project and that they worked with the
195 engineer that is working for the City [on the surveying of the road - Lance Anderson of Cache
196 Landmark] as well as the representative from the state (Project Manager Rod Terry of UDOT).
197 He explained further.
198 Mayor Berentzen said he wants to ensure that the code is being followed.
199 Cordell said he feels the City has done everything it is supposed to do with the new ordinance.
200 The conversation continued at length.
201 Mayor Berentzen reminded the council that a decision is not being made tonight, and that if there
202 are some questions on the process, that can be discussed with Cordell and they can follow up on
203 those, as well as perhaps the questions raised by Lydia.
204 Damon Cann proposed inviting the Planning Commission to consider revising the City Center
205 code to require a development plan for every development, including single use, and discussing
206 that in the future.
207 Mayor Berentzen said the City Council will hold another public hearing on this at the next meeting
208 in two weeks, and some of the issues raised will be discussed as needed.
209

210 Re-consider the development plan/agreement and preliminary plat for the Green Canyon Square
211 Development, a mixed-housing development being proposed in the MR-8 city center zoning, at
212 approximately 200 East and 2500 North, North Logan.
213 Cordell Batt explained the situation briefly and said at the last council meeting, the concern was
214 whether the developer met the 30% single-family housing percentage. He said the developers
215 re-reviewed their plan and decided that they could add one single-family lot and comply with that
216 30%. He explained briefly further.
217

218 *Damon Cann made a motion to approve the development plan/agreement and preliminary plat for*
219 *the Green Canyon Square Development. Roger Anderson seconded the motion.*
220

221 John Bailey asked if the developers would be required to put a structure on that extra lot.
222 Cordell Batt said they can leave it as is, or build something on it if they choose to.
223 Nancy Potter asked about the water shares, and Mayor Berentzen said the City should want the
224 developers to keep to their shares.
225 Cordell said their intention is to put in the system so they can tie in to it, when the water gets to
226 their site.
227 Damon Cann asked about using tax increment funds to pay for bringing secondary water to this
228 and other developments in the area. Jeff agreed that such could and probably should be done.
229

230 *A vote was called and the motion passed unanimously with Kristen Anderson, Roger Anderson,*
231 *Damon Cann, John Bailey and Nancy Potter voting in favor.*

232
233 Jeff said this situation caused us to have a higher density than we had before, because we
234 focused on approving a minimum rather than restricting a maximum density. He discussed
235 potentially approaching it from the opposite point of view and that that may cause us to restrict
236 the portion that we *don't* want, which he explained further.

237 Nancy said the council discussed reviewing this issue again, which she said has not happened,
238 and needs to be discussed again.

239 The council discussed this further. Damon discussed the possibility of this actually causing more
240 high density, instead of the mix of housing types the City is looking for.

241
242 Consider granting approval to install a propane tank at 2500 N and Main – Airport Road Best
243 Stop.

244 Mayor Berentzen introduced the item and referred to the paperwork that the City Council
245 received.

246 Jeff Jorgensen explained the situation and what the ordinance requires.

247 Per a question from John Bailey, the owners said the tank is approximately 1,000 gallons.

248 Jeff further explained the meeting staff had with the owners to discuss the installation location of
249 the tank.

250 Jeff addressed various questions of the council.

251 John Bailey asked to hear the pros and cons from staff and the Fire Department about the
252 location, which Chief Jon Keller explained. Chief Keller discussed that he is a bit more
253 comfortable with the location due to the extra safety measures including the installation of
254 stronger barricading posts around the tank.

255 The location was further discussed.

256
257 *John Bailey made a motion to grant approval of the propane tank as proposed. Damon Cann*
258 *seconded the motion. A vote was called and the motion passed unanimously with Kristen*
259 *Anderson, Roger Anderson, Damon Cann, John Bailey and Nancy Potter voting in favor.*

260
261 Consider the appointment of a replacement for the city's Appeal Authority.

262 Mayor Berentzen recommended Mark Hancey as the City's new Appeal Authority, as the person
263 previously in the position (Brian Cannell) was just appointed as a judge. He described some of
264 Mark's background.

265
266 *Nancy Potter made a motion to approve Mayor Berentzen's recommendation appointing Mark*
267 *Hancey as the City's Appeal Authority. John Bailey seconded the motion. A vote was called and*
268 *the motion passed unanimously with Nancy Potter, John Bailey, Roger Anderson, Damon Cann*
269 *and Kristen Anderson voting in favor.*

270
271 Discuss/consider a revised set of city logos for North Logan to complement Cache County's
272 upcoming economic development initiatives.

273 Jeff displayed some North Logan City logos someone had put together for the library, as well as
274 different ones for the various departments within the City; all of which the council discussed. Jeff
275 discussed the desire to do some "branding" of the City and said Cache County and the Chamber
276 of Commerce are moving forward with some big promotions and would like North Logan City to
277 participate in that, which he discussed further.

278 Mayor Berentzen said he really liked the one that was created for the North Logan City Library.

279 Per a question from Kristen Anderson about how soon North Logan would have to participate,
280 Jeff said in approximately one month.

281 Kristen said there are elements of the logos that she likes, but felt they could be better designed,
282 especially if the City is going to be choosing a new logo for the future.

283 Mayor Berentzen agreed and said he would like the City's logo to be a bit more modern.

284 The benefits of a simplicity in design was discussed.

285 John Bailey discussed the potential issues with having a different logo for each of the City
286 departments and the fragmenting that could cause.

287 Kristen agreed with John.
288 John said he really liked the one created for the library.
289 The council discussed this further.
290 Cordell explained how this came about.
291 Damon Cann proposed forming a council design committee composed of Kristen Anderson and
292 Mayor Berentzen, and perhaps a City staff member, to work with someone in the City and to see
293 the process through. Mayor Berentzen and Kristen agreed to that and Mayor Berentzen asked
294 Jeff to tell them who they should work with on City staff. This was discussed further briefly.
295
296 **Reports from city officers, boards, and committees**
297 Jon Keller explained the new exhaust system that has finally been installed in the fire station.
298
299 Kim Hawkes discussed the heavy deer population this year, as well as two cougar sightings that
300 have occurred due to the cougars following the deer into the City. He explained his meeting with
301 Chris Schultz from the Department of Wildlife Resources, and that he discussed with him their
302 policy and how to respond. He discussed the need for the cougar sightings to be reported
303 immediately by citizens; and said the sightings tend to occur at dusk and dawn. He explained
304 further.
305 Mayor Berentzen mentioned a deer relocation program he'd heard about on the news and Nancy
306 Potter said she'd heard about it on the radio. Mayor Berentzen said he gets more calls about the
307 deer issue than anything else. He discussed when or if this relocation program might be
308 available in our area. Chief Hawkes explained that this is a pilot program and there is not enough
309 information at this point.
310 The council discussed this further.
311 John Bailey said the largest issue that is brought to him as a City Council member is the issue
312 with deer; and said as a City Council, we need to take to take this issue on more assertively
313 again.
314 Chief Hawkes discussed the relocation program and his hope that it could be successful and
315 explained further.
316 Kristen Anderson expressed her feeling that we need to aggressively review options, as this is a
317 safety issue.
318 The council discussed this further with Chief Hawkes.
319 John Bailey reiterated that this is a big problem and that we need to do something, because if we
320 continue to take our present tack, it is not going to be enough.
321 This was further discussed.
322
323 Chief Hawkes explained Rocky Mountain Power's evaluation of the new police building. He said
324 their electrical had the highest rating, and that they will be getting a rebate for that. He further
325 gave a construction update on the building.
326 Nancy Potter asked if we are on schedule, to which Chief Hawkes said we were. She asked if we
327 were on budget, and Chief Hawkes and Jeff Jorgensen said overall, we are under budget.
328 Nancy asked for the council to receive another accounting at the next meeting.
329 Mayor Berentzen discussed with Chief Hawkes where we are with expenditures.
330 Mayor Berentzen reiterated the request to have an accounting for the next meeting.
331
332 Alan Luce said they had a great month of "pumpkin" events, and that the Pumpkin Walk was very
333 successful this year. He further explained some of the events including the Pumpkin Toss.
334 Alan discussed the progress of the well being drilled in King Park; and that said that they drilled
335 the eight-inch pilot hole, or test well, down to the depth of 800 feet. He said they are getting 400
336 gallons of water per minute out of the pilot hole. He said the next day, they were going to start
337 reaming out to the diameter of the actual well, which will be sixteen inches. He said they will be
338 going down to 720 feet. He said they anticipate they will get 700-1000 gallons per minute (gpm),
339 which is what they anticipated getting; and said they are very pleased.
340 John Bailey asked how this compares with the well on 1800 North. Alan explained that that is a
341 different kind of well, and that the production averages are about the same as what the new well

342 should produce, but if they turn on every booster in the well as high as it can go, it can pump as
343 high as 1800 gpm. He explained further.

344 The council discussed various items relating to this further.

345

346 Jeff mentioned a press release he had given to the council for them to review regarding the Elk
347 Ridge Park expansion; and said they will be sending that out shortly.

348

349 Kristen Anderson said she wanted to tell Alan Luce and the Parks department what a great job
350 they did with the Pumpkin Walk, and thank them for all the hours they put in. She mentioned the
351 huge volunteer effort that took place to fix all that was destroyed during one day of heavy winds,
352 and how well they were able to put everything back up and how great it looked. She also
353 mentioned how fun the Pumpkin Toss was.

354 Nancy Potter asked if we do any kind of recognition for the Pumpkin Walk Committee, which Alan
355 discussed.

356

357 Damon Cann also expressed his thanks for the efforts mentioned. He also said he will not be
358 able to attend the following evening's Planning Commission meeting and asked if someone could
359 go in his place, which Roger Anderson agreed to do.

360

361 John Bailey asked Alan about the possibility of having a dog park in the City, which Alan said is
362 planned and is part of the Parks Master Plan and explained further. John explained that there
363 was a citizen who was asking about it.

364 John Bailey said he would not be able to attend the next City Council meeting, as he will be out of
365 state.

366

367 Nancy Potter said she wanted to thank the parks people for the Pumpkin Walk. She said it was
368 amazing and that there were a lot of people there this year who had never been before. She
369 reiterated that we need to somehow recognize the group that puts it together.

370

371 Mayor Berentzen told Scott Bennett he did a good job on the cash flow statement and the
372 balance sheets. He said he appreciated that information.

373

374 Executive session to discuss the acquisition of real property.

375 *John Bailey made a motion to close the meeting and move into Executive Session for the*
376 *purpose of discussing the acquisition of real property. Nancy Potter seconded the motion. A vote*
377 *was called and the motion passed unanimously with Nancy Potter, John Bailey, Roger Anderson,*
378 *Damon Cann and Kristen Anderson voting in favor. This occurred at 8:30 p.m.*

379

380 Minutes for this item written under separate cover.

381

382 *Damon Cann made a motion to open the meeting and move out of Executive Session and return*
383 *to the regular City Council meeting. John Bailey seconded the motion. A vote was called and the*
384 *motion passed unanimously with Nancy Potter, John Bailey, Roger Anderson, Damon Cann and*
385 *Kristen Anderson voting in favor. This occurred at 9:12 p.m.*

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387

388 *Damon Cann made a motion to adjourn the meeting. Nancy Potter seconded the motion. A vote*
389 *was called and the motion passed unanimously with Nancy Potter, John Bailey, Roger Anderson,*
390 *Damon Cann and Kristen Anderson voting in favor.*

391

392 The meeting adjourned at: 9:12 p.m.

393

394 Approved by City Council:

November 20, 2013

395


396 Transcribed by Marie Wilhelm

397

398 Recorded by

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Scott Bennett/City Recorder