

1 **Minutes of the North Logan City**  
2 **City Council**  
3 **Held on February 19, 2014**  
4 **At the North Logan City Library, North Logan, Utah**  
5  
6

7 The meeting was called to order by Mayor Lloyd Berentzen at 6:33 p.m.  
8

9 Council members present were: Nancy Potter, John Bailey, Damon Cann and Kristen Anderson.  
10 (Roger Anderson was excused).  
11

12 Others present were: Don Younker, Arlene Younker, Matthew & Carolyn Larson, Jon Keller,  
13 Mardell C. Parrish, Morgan Parrish, 6<sup>th</sup> Ward BSA Troop 360, Cindy Gatherum, Jason Hansen,  
14 Davina Bosshardt, Russell Goodwin, Chelsey Hawkes, Jerry Somers, Cooper Wright, Nathan  
15 Correy #22, Kenton Cooley, Dante Aguilar, Caleb Moritz, Cole Wright, Cole Wright, Hyrum  
16 Brown, Bryton Blake, Connor Hamilton, Luke Adams, John Seamons, Jordan Oldham, Alan Luce,  
17 Cordell Batt, Lydia Embry, Jeff Jorgensen and Marie Wilhelm.  
18

19 The Pledge of Allegiance was led by Jordan Oldham.  
20 An invocation was given by Cordell Batt.  
21

22 **Adoption of Agenda**

23 Mayor Berentzen asked to add an item to the agenda to allow the Mayor of the North Logan  
24 Youth City Council do a brief presentation, after the review of the minutes; to which the council  
25 agreed.  
26

27 *Nancy Potter made a motion to adopt the agenda as presented. John Bailey seconded the*  
28 *motion. A vote was called and the motion passed unanimously with Nancy Potter, John Bailey,*  
29 *Damon Cann and Kristen Anderson voting in favor.*  
30

31 **Approval and Follow-up of Minutes of February 5, 2014 City Council Meeting and Closed**  
32 **Session Minutes**

33 Both sets of minutes were approved as presented.  
34

35 **North Logan Youth Council Presentation**

36 Skye Cole, Mayor of the North Logan Youth Council, along with members of their council,  
37 presented loaves of bread to the City Council in a show of appreciation for all the work they do for  
38 North Logan City. Mayor Berentzen thanked the Youth Council and commended them for all the  
39 work they do; all they have been involved in; the efforts they have made on behalf of the City;  
40 and, thanked them for their willingness to be active and participate.  
41

42 **Follow-up**

43 Nothing at this time.  
44

45 **Review of Action Items**

46 Jeff Jorgensen reviewed the action items list for the council.

47 Jeff referred to the sewer district issue and said a meeting was held with all of the mayors and  
48 public works representatives for the cities that are customers of Logan City's sewer system in an  
49 effort to get Logan City to get involved in a sewer district. Mayor Berentzen further explained the  
50 meeting and the cities involved, which are North Logan, Hyde Park, Smithfield, Nibley, River  
51 Heights and Providence. He explained some of the issues and concerns. He discussed the  
52 issue of the cities potentially getting pulled into something where they will have little to no "say" in  
53 terms of the rates; and further explained the reasoning behind the need for a district. He said  
54 Logan City representatives at the meeting spoke strongly about not wanting to be part of the  
55 district. Mayor Berentzen said that he met with [Logan City] Mayor Peterson and explained their  
56 discussion further; and said that he might actually be more congenial towards the idea than the  
57 staff represented, however. He commented further, and discussed the possibility of doing an  
58 agreement to set up an inter-local entity of some kind, short of doing a district. Mayor Berentzen  
59 explained further.

60 He asked the council for their input and they continued to discuss various items and Mayor  
61 Berentzen addressed their questions. Various options were discussed. Mayor Berentzen said a  
62 feasibility study is being done. The conversation continued at length.  
63 Nancy Potter expressed her frustration that Logan City keeps raising the rates without any  
64 information as to why that is happening; and that we just have to go along with whatever the  
65 increase is.  
66 The discussion continued. Mayor Berentzen said he wonders if there are other options that might  
67 be more cost-effective [than the system Logan City is considering installing], and that haven't yet  
68 been considered.  
69 The council continued their discussion.  
70 Mayor Berentzen said this issue should be on the agenda for every City Council meeting to  
71 continue the discussion.  
72 John Bailey said he would like to see something in writing to Logan City so that it is clear to them  
73 that North Logan City is pursuing other alternatives and not giving them any kind of guarantee of  
74 continued participation based on history; so there is no miscommunication.  
75 This was discussed further.  
76 Mayor Berentzen asked Jeff to draft something that the City Council could review before they  
77 send it out.

78  
79 **New Business**

80 Volunteer Center presentation

81 This item was postponed, as the representative was not in attendance to give the presentation.

82

83 Consider a Concept Plan for a 3 lot subdivision with flag lots (1.5 acres). This proposed  
84 subdivision is located at approximately 1537 E 2100 N, North Logan in the R-1-12 Zone.

85 Cordell Batt presented the item and reviewed the staff report and information given to the council.  
86 He further explained the intention of the developers and what they want to do with their property,  
87 which is to utilize a flag lot and create a three-lot subdivision. He further outlined the information  
88 in the staff report, including which studies staff is requiring of the developers, and which ones are  
89 being waived. Cordell said the owners have existing water rights and through this process will  
90 determine, with the irrigation company, which water rights will go with which lots, which he said  
91 will become a recorded document.

92 Nancy Potter said it was her understanding that there were no water rights; that the previous  
93 owners, the Tingveys, sold the water rights for that property.

94 Cordell said he was told that they do have water rights, so that will have to be clarified with the  
95 Larsons.

96 Matt Larson explained the water rights situation as he understood it, including that he thought that  
97 he had water rights through the Johnson Park Subdivision, which lines go through their property  
98 he explained.

99 Mayor Berentzen said he did not believe this property was part of the Johnson Park Subdivision,  
100 and that the Larsons would have to have canal rights to develop this subdivision.

101 Mr. Larson said that the Tingveys sold the water rights when they went through foreclosure.

102 This was discussed further.

103 Cordell said if they do not have water rights, they can use culinary water.

104 Mayor Berentzen said the council has been clear that from now on, subdivisions that have access  
105 to secondary water should be required to use secondary water to help conserve water.

106 Damon Cann said the council should continue to discuss the other aspects, but said he would not  
107 support taking action on this proposal until they know for certain whether or not there is irrigation  
108 water attached to this land.

109 Nancy Potter asked about the width of the flag lot, and Cordell explained that they have to have  
110 at least thirty feet total (twenty feet for the lane and ten feet between the edge of the lane to the  
111 house), and said they do have that. Mayor Berentzen explained and said it does appear that they  
112 have accounted for that. Cordell said this would be verified at the next step. Cordell said the  
113 applicants have requested that this be done with metes and bounds, rather than a plat; which he

114 explained the City has done in the past with minor subdivisions. He explained this further and  
115 said these documents will be put together and will include the legal descriptions and a map and  
116 all other necessary information, which will then be recorded.

117 The conversation continued.

118 John Bailey discussed the question of the water shares with Mr. Larson, and it was discussed  
119 that this issue is stopping the whole process.

120 Carolyn Larson said since they are at the concept phase, it seemed to her that this could be  
121 resolved at the [point of the] development plan phase, so that they don't have to wait to have  
122 another meeting regarding the concept plan. She said it would certainly not get final approval  
123 until this is done, but that they could resolve these issues and present this along with all of the  
124 other information at the development plan phase. She said they are anxious to move forward, as  
125 it is almost spring; and would like this to not be pushed back to another meeting.

126 Mayor Berentzen explained that the City Council has learned from hard experience that concept  
127 plans can be more binding that one might realize, and commented further. He said the council  
128 could possibly approve this with with the condition that the water rights issue be resolved, and  
129 commented further.

130 Cordell said that the council's obligation at this meeting is just to decide what studies the  
131 applicant should put together; not whether they have water rights or not. He said the water  
132 conservation plan will determine that, which the applicants should have done.

133 The council discussed this further.

134 Mrs. Larson asked the council if they would not pass this if they [the Larsons] cannot either  
135 acquire or confirm that they do have water shares; and asked if they could use culinary water.

136 Mayor Berentzen said that he thought the council would push the Larsons very hard to get water  
137 rights for this property.

138 Cordell said two subdivisions that did not have water shares were recently approved [by the  
139 council]; and Mayor Berentzen said he knows that but that the City Council is regretting that.

140 Jeff said what is being proposed is that their water conservation plan includes secondary  
141 irrigation, and said that is what their proposal was. He told the council that if they approve it as  
142 written, then that is what they are required to do, unless they propose something else that the  
143 council agrees to; and explained further. Jeff said there may be water rights in the City that are  
144 still available; and Mrs. Larson said purchasing some available water rights would be their first  
145 choice.

146 The council continued their discussion, as well as with the Larsons.

147 Damon asked about snow removal and maintenance and whether it would be handled internally;  
148 and Cordell explained that said the Larsons would be doing that and explained further  
149 requirements briefly.

150 Mayor Berentzen suggested that the council make a motion that this plan is subject to having  
151 proof of some kind of secondary water service that will work; and to ensure that the flag lot road  
152 meets the minimum width requirements for the road and border, and will not require a variance;  
153 and that if a variance is required, that they obtain that prior to final approval. Jeff said he  
154 measured the flag lot area, and it meets the requirements, which Mr. Larson concurred with.

155 Damon asked about the surrounding properties and potential future development in relation to  
156 having a "proper" street there, which Cordell and Jeff explained; including Jeff explaining the  
157 requirements of a flag lot and why it was done here, which he said Cordell did a thorough job of  
158 reviewing.

159 This was discussed further.

160

161 *John Bailey made a motion to approve this concept plan, as presented, subject to the*  
162 *qualification that the applicant demonstrate definitively and in writing that there is water through*  
163 *the local irrigation company and tied to the property as stated; and that if that is not the case, that*  
164 *the City is under no obligation at this point to further pursue that. Damon Cann seconded the*  
165 *motion. A vote was called which resulted in a tie vote with Damon Cann and John Bailey voting*  
166 *in favor and Kristen Anderson and Nancy Potter voting against.*

167

168 Kristen Anderson explained that she wants this to work for the Larsons, but wants to make sure

169 that the water rights are obtained and commented further.

170 Mayor Berentzen said he would vote yes [to break the tie and have a quorum for vote] because  
171 he agrees with Jeff Jorgensen's point that if we approve this subject to requiring them to have  
172 water rights, then there is no approval if they cannot obtain them. He said the Larsons would  
173 then have to come back to the City Council with another proposal. Kristen Anderson agreed with  
174 this.

175  
176 *Mayor Lloyd Berentzen voted in favor of the motion which allowed the motion to pass three to two*  
177 *(Mayor Berentzen, John Bailey and Damon Cann voting in favor; Kristen Anderson and Nancy*  
178 *Potter voting against).*

179

180 Discuss plans to extend secondary water services on the east bench.

181 Mayor Berentzen introduced the item and explained that Mardell Parrish is at the meeting to  
182 discuss various related issues regarding secondary water services, as well as North Logan City  
183 approving a pump station and the access to that pump station. Mayor Berentzen referred to the  
184 paperwork that Jeff Jorgensen distributed to the City Council and further explained the situation.

185 Mardell additionally explained the request and requirements, and said he needs a spot to place  
186 the pump and needs to be able to cross the 16 foot right of way between the canal and his son's  
187 (Morgan Parrish) property. He further explained what they would have to do in order to put a  
188 headgate on the east side of the canal. He described a piece that the City owns and said they  
189 would need permission to cross through there and put the headgate down on the water's edge.

190 Per a question from council about how many lots this will service; Mardell said their only request  
191 for this meeting at this point is to be able to get the headgate installed and water to the pump; and  
192 then if possible, to be able to get water to Morgan's property this year. He said he is hopeful that  
193 they can clarify the other items. He commented further.

194 Mardell explained the water situation and ownership of irrigation in the valley and some of the  
195 related history. He explained that there is enough water and shares to water everything between  
196 the upper canal and the highway and commented at length. He said there are shares available  
197 for purchase, and also said if the shares aren't used, they will be lost. He explained that one of  
198 the requirements put on him was to put together a concept plan for the entire east side, which he  
199 said he has done. He said the first pump zone will take every property that is within 138 feet of  
200 the canal, which includes every resident up there and sufficient capacity on the lines to extend it  
201 to other properties that *will* be built. He said he currently has enough shares to water 92-100  
202 homes and explained further. He continued to explain his plans including coverage and rates;  
203 and said he thinks he can charge half of what the City charges.

204 Per a question from Mayor Berentzen regarding the council's concerns; Mardell further explained  
205 the concept plan for Canyon Gates and how the development proceeded. He explained the  
206 situation with the water delivery there and the failure that occurred. Nancy Potter said it is her  
207 understanding from some of the residents there that only one person at a time could use water;  
208 and some of them had to use City water in addition to their irrigation water because they had a lot  
209 of dry spots. Mardell said the only time the water was down was for one day to make a repair,  
210 and explained further. This was discussed further.

211 The conversation between Mardell and the council continued.

212 Nancy said Mardell should not compare culinary water with irrigation water, as there is a huge  
213 difference; and further discussed the additional costs it takes to maintain culinary water.

214 Mayor Berentzen asked the council for their feedback.

215 Morgan Parrish further explained their intentions for development of this water system and asked  
216 if he could at least have a head gate on his lot so that he can get permission to cross that area in  
217 order to service his lot.

218 Jeff said he does not have any problem allowing the Parrishes to use a small part of the right of  
219 way or the open space for a pumping station, that may eventually service 90 lots; but that for  
220 now, if it only services one lot (Morgan's); he said he is fine with that. He said the kind of access  
221 they want is the type of access the City has the right to allow them to have. He commented  
222 further, including regarding the open space next to Morgan's lot. Jeff said however, there will be  
223 a lot of "hoops to go through" to go into another whole utility system for the east bench.

224 The conversation continued.

225 Nancy said the City Council still needs a letter from the canal company stating that this is okay.  
226 Mardell said that they have that for the west side and explained further; and said they were  
227 stopped however when it came to the point of being able to cross the canal to the east side.  
228 Morgan explained that they need permission from the City to go along the 16 foot right of way in  
229 order for the canal board to give the go-ahead.  
230 Mayor Berentzen asked if the council had a copy of the letter from the canal board authorizing the  
231 Parrishes to pump out of the canal, which Damon said is crucial.  
232 Mardell said the three things they need to move forward are permission to install a headgate  
233 between the water's edge; permission to cross the 16 foot right of way into the ravine; and,  
234 permission to stub it off there and put a small pump for Morgan, or go bigger.  
235 Mayor Berentzen asked again about the letter from the canal company. Mardell said they need  
236 permission from the City first, and further explained. Morgan said they need the 16 foot right of  
237 way from the City stating that they approve the Parris's installing in a pipe to Morgan's lot.  
238 They continued to discuss various items at length. Mayor Berentzen asked the council for their  
239 feedback.  
240 John Bailey said he would like the council to have a study session at some point to discuss this  
241 potential further for the future; and per a question from Mayor Berentzen, said he would be in  
242 favor of approving the water going to Morgan's property, in light of that future potential.  
243 Mardell said that if they do not get their headgate in now, they will have to wait for another year.  
244 Damon said he is not comfortable even approving the water going just to Morgan's property and  
245 said he feels they just have not addressed some of the questions the council has been asking of  
246 them since April 2013, and commented further.  
247 Kristen said while she realizes it is a separate issue; she would want to make sure that the issues  
248 in Canyon Gates are resolved for everyone and all is working, before we step into this. She said  
249 she is supportive of figuring out solutions for secondary water, however, and wants to support his;  
250 but reiterated that she wants to make sure [first] that everything in Canyon Gates is running  
251 smoothly before she gives her "stamp of approval" on this.  
252 Nancy said she still feels that the council needs the letter from the canal company, with which  
253 Kristen agreed.  
254 Mardell reiterated his points and said they want to get water to Morgan's property.  
255  
256 *Damon Cann made a motion to table this issue for this meeting, and open up an opportunity for a*  
257 *study session with the City Council very soon.*  
258  
259 Mardell said that they will lose their water rights by April 1<sup>st</sup> if they don't do anything.  
260 Nancy expressed her concern about making sure everything is in order before proceeding.  
261 The conversation continued.  
262  
263 *Damon Cann repeated his motion. Kristen Anderson seconded the motion*  
264  
265 The council discussed when to have the workshop with the Parrishes. The City Council and  
266 Parrishes agreed to hold the workshop on Wednesday, February 26<sup>th</sup> at 7:00 p.m.  
267  
268 *A vote was called and the motion passed unanimously with Kristen Anderson, Damon Cann,*  
269 *John Bailey and Nancy Potter voting in favor.*  
270  
271 Consider approval of RAPZ project submittal.  
272 Jordan Oldham gave a presentation on the current RAPZ proposal, as well as discussing what  
273 was done last year, including as it relates to finishing projects for 2014. He said this is due March  
274 1<sup>st</sup>. He further discussed various future plans.  
275 He addressed various questions from the council.  
276  
277 *Kristen Anderson made a motion to approve the RAPZ project. John Bailey seconded the*  
278 *motion. A vote was called and the motion passed unanimously with Nancy Potter, John Bailey,*  
279 *Damon Cann and Kristen Anderson voting in favor.*

280

281 Consider options for historical street signs for certain corners and lanes.282 Alan Luce gave a presentation on options for street signs that the History Committee put together  
283 for various streets and corners they identified.284 The council discussed this, including discussing at length how some of the names should be  
285 listed on the signs. Kristen Anderson discussed with the council the possibility of tying in the  
286 North Logan City logo with the signs.

287

288 *Damon Cann made a motion to adopt the signs; with the encouragement of the History*  
289 *Committee to post something on the City website, or at the Library to describe describing who*  
290 *each of the people that the signs are named after; and, that Beck's Lane should have the*  
291 *apostrophe "s" after "Beck".*292 Kristen Anderson suggested giving the History Committee the latitude to put the names on the  
293 signs as they feel appropriate.

294 The council further discussed whether to use apostrophe "s" one, some, or none of the names.

295

296 *Nancy Potter seconded the motion.*297 *A vote was called but the motion failed, as there were only two voting in favor of it: Damon Cann*  
298 *and Nancy Potter.*

299

300 Kristen said she felt that this is the first time the council has seen it, and there should be more  
301 discussion about it.302 Arlene Younker discussed the first History Committee meeting when the signs were discussed  
303 and gave her opinion about using an "s" following the various names of the streets and not using  
304 an apostrophe to make it possessive, because they are talking about a number of people, not  
305 whose lane it is. She commented further and the conversation continued.306 It was determined that the History Committee should decide on how to best list the names on the  
307 signs.

308

309 *Damon Cann made a motion to approve the placement of the signs subject to the History*  
310 *Committee's decision on the exact text to appear on the signs. John Bailey seconded the motion.*  
311 *A vote was called and the motion passed unanimously with Kristen Anderson, Damon Cann,*  
312 *John Bailey and Nancy Potter voting in favor.*

313

314 Per a question from Mayor Berentzen, Kristen said she would take this to the History Committee's  
315 next meeting.316 Mayor Berentzen mentioned that the History Committee has been together a little over four years  
317 and gave his appreciation for them and said he would like to see it continue to move forward as it  
318 has. Kristen discussed some of the memories recently recorded on the history of the North  
319 Logan. Nancy commented as well on some of the North Logan City history.320 Mayor Berentzen mentioned that for the July 24<sup>th</sup> celebration, North Logan City is going to have  
321 anyone who has lived in North Logan City for its entire 80 years, be a Grand Marshal. He  
322 commented further.

323

324 **Reports from city officers, boards, and committees**325 Scott Bennett said that Sharon Hoth from Cache County contacted North Logan City about  
326 participating in being a test area for a 100%, vote-by-mail experiment, for this upcoming election.  
327 Scott explained further and the council discussed this.328 Damon Cann said he may have a conflict of interest in that he is under contract as a consultant  
329 with the Lieutenant Governor's office to work on a piece of legislation moving through the state  
330 legislature this year, that would authorize county clerks wholesale to move everything to 100%  
331 vote-by-mail. Per a question from council, Damon said he thinks we should not expect it to  
332 increase voter turn-out in a general election. He said it is a decent money-saving tool, but will  
333 likely not boost turn-out a lot. He said there is some evidence that vote-by-mail decreases turn-  
334 out in general elections, but increases turn-out in primary and municipal elections. He said if  
335 North Logan City was going to volunteer to participate, the time to do it would be in the next  
336 municipal election and commented further.

337 Scott explained that it would be too expensive for North Logan City to do it for a municipal  
338 election.  
339 Damon and Nancy Potter both said they were not proponents of this and commented further.  
340  
341 Nancy mentioned an area around where she lives that she said she always thought was zoned ½  
342 acre, and said she became aware that someone is putting homes in that area on ¼ of an acre.  
343 She said she wondered if the council could look at rezoning that area to ½ acre and said they still  
344 need to look at the density in the City Center. She said the majority of the homes in that area are  
345 ½ acre or bigger, and questions it because someone could come in and use the density bonus  
346 and then make the lots even smaller and put in a lot more homes. She said she feels they need  
347 to look at it further before someone starts to develop a bunch of this farmland that we have.  
348 Cordell said that has been R1-1-12 for a long time.  
349 Mayor Berentzen said we could bring in a map of what is zoned and look over that area, and  
350 make it an agenda item to which Nancy agreed.

351  
352  
353

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

357  
358 The meeting adjourned at: 9:09 p.m.

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361 Approved by City Council: March 19, 2014


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364 Transcribed by Marie Wilhelm

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367 Recorded by

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Scott Bennett/City Recorder