

1 **Minutes of the North Logan City**  
2 **City Council**  
3 **Held on March 5, 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 6:30 p.m.

8  
9 Council members present were: Kristen Anderson, Roger Anderson, John Bailey and Nancy  
10 Potter. (Damon Cann was excused).

11  
12 Planning Commission members present were: Geri Christensen, Brad Crookston, Brett  
13 Robinson, Chris Nelson, Nathan Hult and Kevin Christensen.

14  
15 Others present were: Matthew Wood, Chelsea Cannell, Jaden Cannell, Morgan Parrish, Shari  
16 Boyer, Jacob Cardon, Cameron Slade, Carson Field, Kim W. Hawkes, Laurel Hayes, Linda  
17 Hayes, Everett Peterson, Wyatt Peterson, Mardell C. Parrish, Davi Bosshardt, Curtis Jacobs,  
18 Russell Goodwin, Kevin Christensen, Lydia Embry, Scott Bennett, Jeff Jorgensen and Marie  
19 Wilhelm.

20  
21 The Pledge of Allegiance was led by Roger Anderson.

22 An invocation was given by Kristen Anderson.

23  
24 **Adoption of Agenda**

25 Mayor Berentzen mentioned that they would like to take a half-hour rather than the hour  
26 scheduled, for the discussion with the Planning Commission regarding the General Plan.

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

31  
32 **Review of Action Items**

33 Jeff Jorgensen reviewed the action items list with the council.

34  
35 **New Business**

36 Consider approval of a letter to the board of directors of the Logan, Hyde Park, Smithfield Canal  
37 providing approval for an irrigator to use the city's existing right-of-way along the east side of that  
38 canal. The allowed uses will include the installation of a head gate and some secondary water  
39 pipes. The letter will also assure the canal company of their right to maintenance access to the  
40 irrigation structures being installed within city right-of-way in this area.

41 Mayor Berentzen introduced the item and explained the situation; and discussed the workshop  
42 that was held between the City Council and the Planning Commission.

43  
44 *John Bailey made a motion to approve the letter to the board of directors of the Logan, Hyde*  
45 *Park, Smithfield Canal Company, as drafted. Nancy Potter seconded the motion.*

46  
47 Jeff Jorgensen mentioned some information regarding approval, that he included in the  
48 agreement. The City Council discussed Damon Cann's comments on this at the last meeting and  
49 whether to include them in the motion; which Jeff addressed.

50  
51 *A vote was called and the motion passed unanimously with Kristen Anderson, Roger Anderson,*  
52 *John Bailey and Nancy Potter voting in favor.*

53  
54 Mardell Parrish gave a document and map to the council, which he said he felt clarified what they  
55 understood from the meeting.

56  
57 Consider the Concept Plan for a 10-lot subdivision (8.9 total acres) using the bonus density  
58 subdivision option. This proposed subdivision is located starting at approximately 2350 North and  
59 west of 1250 East and along a new proposed 1200 East. The land is in the RE-1 Zone.  
60 Cordell Batt explained the project and the intentions of the developer (Curtis Jacobs) for this

61 project and oriented the City Council to the site via a projected map of the area. He outlined the  
62 staff report for the council. He said this has been reviewed by the Planning Commission and  
63 passed to the City Council with the Planning Commission's positive recommendation, including  
64 staff's recommendations. Cordell explained that one of the conditions is the need to work out an  
65 agreement in order to be able to develop the seven lots fronting 1200 East.

66 Per a comment from Curtis Jacobs, Jeff said the ancillary agreement will be part of the  
67 developer's development plan.

68 Nancy Potter asked about the size of the road which Curtis explained; and items such as the end  
69 of the road and snow removal were also briefly discussed.

70 Jeff said that this will all be worked out in the development plan and explained further, including  
71 how the road will be worked out. Mayor Berentzen suggested having discussions soon with  
72 Laurel Hayes.

73 Nancy said a lot of people were upset when the council discussed getting rid of [the extension] of  
74 1200 East because it will be a main road through; and said she wants to make sure it is wide  
75 enough to the satisfaction of the valley residents. Curtis said it is still going to be a 66-foot right-  
76 of-way.

77 1200 East was discussed further. Mayor Berentzen said the road will not be 66 feet wide on its  
78 entirety. Jeff explained further that the plan is that 1200 East will have a 66-foot wide right-of-way  
79 but the actual asphalt surface would be between 32 and 39 feet. This was discussed further.  
80 John Bailey asked how much land still needs to be acquired in order to put in 1200 East between  
81 the subdivision and 2300 North. Mayor Berentzen explained that it is the Stroud piece that the  
82 City still needs to purchase [as the City already owns the piece between the Strouds and 2300  
83 North]; and said that staff is currently working with the Strouds on acquiring that piece of the right-  
84 of-way.

85  
86 *Nancy Potter made a motion to adopt the concept plan. Roger Anderson seconded the motion.*  
87 *A vote was called and the motion passed unanimously with Kristen Anderson, Roger Anderson,*  
88 *John Bailey and Nancy Potter voting in favor.*

89  
90 Consider an ordinance making proposed amendments to the North Logan Municipal Code,  
91 specifically the streets and public ways code by adding regulations for the minimum standards for  
92 publicly maintained city streets.

93 Cordell Batt explained this and further discussed the process that this has gone through up to this  
94 point, including being reviewed by the City Council. He said they are now back to the City  
95 Council with a final ordinance for their consideration for approval.

96  
97 *Nancy Potter made a motion to adopt the North Logan ordinance 14-01. Kristen Anderson*  
98 *seconded the motion. A vote was called and the motion passed unanimously with Kristen*  
99 *Anderson, Roger Anderson, John Bailey and Nancy Potter voting in favor.*

100

#### 101 **Reports from city officers, boards, and committees**

102 Chief Kim Hawkes explained the Cache Valley Law Enforcement Academy that is being put  
103 together with the various law enforcement agencies in the valley; and discussed their upcoming  
104 meetings.

105

106 Cordell Batt said he has been attending meetings with UDOT and Cache County regarding a  
107 study being done on the Highway 91 corridor; and said they have been working with each  
108 community from Logan to Smithfield. He said they hired JUB Engineering to help with the study;  
109 and said they have been collecting information on the highway concerning access points and  
110 accidents; and have put together all of this information, as well as some maps. He said because  
111 of the access points and accidents; they have been coming up with recommendations which  
112 include potentially installing raised medians and additional intersection lighting. He said they are  
113 going to present their findings at a public open house on March 26<sup>th</sup> from 4:30 to 6:30 p.m., likely  
114 in the Hyde Park City offices. Cordell said he would have official flyers later. He said it is very  
115 important that the City Council and Planning Commission be there. He said they will also be  
116 inviting the business owners along the highway who will be affected by this. He said the final  
117 report on this will be able to be used as a planning tool when development comes along the  
118 highway in terms of access points and possibly creating shared access between properties, and  
119 more. He commented further.

120 Mayor Berentzen asked that if they make recommendations on raised medians, whether they will  
121 make those recommendations for Logan as well as North Logan; which Cordell said they would  
122 and commented further briefly.  
123

124 Jeff Jorgensen said the piping project for the two canals that has been done over the last two  
125 years came in at about \$2.5 million dollars under budget. He said therefore, the loan that was  
126 taken out to cover part of that will be reduced, and explained further. He said they chose the  
127 option to have a lower annual payment, rather than to have money returned to them. He said  
128 originally that was about \$25K a year, and now it is going to be \$17,692.  
129

130 Jeff said the City has received a request from CNJ Memorial; a family memorial group that was  
131 put together to honor a family member who died of cancer. He said they have some funds and  
132 want to hold a car and custom motorcycle show, which he explained further. He further  
133 discussed the potential venue for this, which might be Meadow View Park; and further discussed  
134 some of the particulars of the event. He said all of the proceeds will go towards Relay for Life.  
135 He said the group is requesting that the City waive the \$45 fee, which Jeff said he recommends  
136 the City do; and also recommended that the event take place at Elk Ridge Park as opposed to  
137 Meadow View Park, which he briefly explained. The City Council discussed this briefly and  
138 agreed to allow Jeff to waive the fee.  
139

140 Jeff referred to the copy of a letter he gave to the City Council regarding the Lin Sock Factory.  
141 He said the EDCU (Economic Development Corporation of Utah) has approved for the Sock  
142 Factory to have some breaks on their payroll taxes and some other things from the state; and  
143 said for the Sock Factory to be qualified to do that, they need some participation from North  
144 Logan City; and referred to the list of possibilities he had given to the council. Jeff said at this  
145 point, he would recommend not charging them their building permit fee and commented further.  
146 Nancy asked how much that would be, and Jeff said it would be based on the value of their  
147 building, and said they are constructing a new building; about the same or a bit larger than their  
148 existing one. Per a question from Mayor Berentzen; Jeff said of the 300 to 400 people they  
149 employee, approximately 130 to 150 of those would be new jobs. He explained various details  
150 further and said they would like the City to put together a redevelopment area for there; but Jeff  
151 said in the current environment, he was not sure that the City would get much from the county  
152 and school district. Jeff said for the Sock Factory to get the advantage from the state, they need  
153 at least a token commitment from North Logan City for something. The council discussed this  
154 further. Per John Bailey's request, Jeff said he would put this on a future City Council agenda for  
155 discussion.  
156

157 Kristen Anderson said she thought the open house for the new police building was nice; and John  
158 Bailey agreed, saying it was very impressive.  
159

160 John Bailey asked Alan Luce if the representatives from Relay for Life got back in touch with him,  
161 which Alan explained. Alan said the situation was explained to them and Mayor Berentzen said it  
162 is clear to them that they know they're not coming. Alan said staff had spoken to their  
163 representatives and made the situation clear, and also said there is another group using the park  
164 for the time that Relay for Life wanted it.  
165

166 Nancy Potter asked if Jeff could update the council regarding the meeting with the Cache County  
167 School District; and Jeff said that will be discussed in closed session.  
168

169 Mayor Berentzen gave an update on the sewage treatment system situation and the meeting that  
170 took place. He further explained the financial situation and the money and loans it will take to  
171 cover the total debt for Logan to build the system they are considering, which is approximately  
172 \$115 million dollars. He further discussed his concerns about them telling North Logan City what  
173 they have to pay, in addition to North Logan City not having any say as this proceeds. He said  
174 they offered some kind of advisory board, which he said they told them was not acceptable. He  
175 explained and discussed the situation further. Mayor Berentzen said he feels that we've made  
176 substantial progress from where we first were.  
177

178 Mayor Berentzen referred to a previously discussed item regarding putting a police commission  
179 together between North Logan City and Hyde Park. He said they asked Smithfield if they had an

180 interest in potentially creating a commission with the three cities, but have not yet heard back  
181 from them. Mayor Berentzen said they are still moving forward with discussions about how the  
182 commission will be set up between Hyde Park and North Logan; and said he just wanted the City  
183 Council to be aware of the possibility of Smithfield being part of this.

184  
185 Discuss with members of the Planning Commission conceptual ideas for proposed changes to  
186 the city General Plan. Specifically to be discussed are "district plans".

187 Cordell Batt introduced the item to the group and explained the documentation he gave to the  
188 City Council on this and the latest draft of the General Plan. He discussed the Land Use Element  
189 and explained the concept of districts.

190 Chris Nelson further discussed various items related to districts.

191 The City Council and Planning Commission discussed various related items at length, including  
192 how to lay out the districts; and forming citizen committees and having their input. They  
193 discussed how to proceed and discussed having additional meetings to continue to discuss this.

194 They discussed reviewing the draft of the Land Use Element that had been sent to each of them  
195 and meeting again at the first meeting in April, and to only discuss the Land Use Element at that  
196 time.

197 Kevin Christensen mentioned that he just re-sent the email that Cordell originally sent out to the  
198 City Council and Planning Commission, with the Land Use Element attached.

199  
200 John Bailey mentioned that he would not be at the first City Council meeting in April. The council  
201 and Planning Commission members present agreed that the second meeting in April would be a  
202 better time for the combined meeting.

203  
204 Executive session (closed) to consider the acquisition of real property.

205 *Mayor Berentzen had to leave the meeting at this time, 8:18 p.m.*

206  
207 *John Bailey made a motion to close the meeting and move into Executive Session for the*  
208 *purpose of discussing the acquisition of real property. Kristen Anderson seconded the motion. A*  
209 *vote was called and the motion passed unanimously with Nancy Potter, John Bailey, Roger*  
210 *Anderson and Kristen Anderson voting in favor. This occurred at 8:18 p.m.*

211  
212 Minutes for this portion of the meeting are written under separate cover.

213  
214 *John Bailey made a motion to open the meeting and move out of Executive Session and return to*  
215 *the regular City Council meeting. Roger Anderson seconded the motion. A vote was called and*  
216 *the motion passed unanimously with Nancy Potter, John Bailey, Roger Anderson and Kristen*  
217 *Anderson voting in favor. This occurred at 8:48 p.m.*

218  
219  
220 *John Bailey made a motion to adjourn the meeting. Kristen Anderson seconded the motion. A*  
221 *vote was called and the motion passed unanimously with Nancy Potter, John Bailey, Roger*  
222 *Anderson and Kristen Anderson voting in favor.*

223  
224  
225 The meeting adjourned at: 8:49 p.m.

226  
227  
228 Approved by City Council:

April 2, 2014

229  
230  
231 Transcribed by Marie Wilhelm

232  
233 Recorded by

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

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236

**NORTH LOGAN CITY COUNCIL  
MEETING NOTICE AND AGENDA  
FEBRUARY 26, 2014**

The North Logan City Council will hold a special workshop meeting on Wednesday, February 26th to discuss plans to extend secondary water services on the east bench. The meeting will be held in the City Council Chambers (meeting room) at the North Logan Library, 475 East 2500 North, North Logan, Utah beginning at 7:00 p.m.

# NORTH LOGAN CITY CITY COUNCIL MEETING

Date: February 26, 2014

Please **PRINT** clearly:

1. Laurel & Linda Hayes
2. MARDELL C PARRISH
3. MORGAN PARRISH
4. RUSSELL GOODWIN
5. Lloyd Beccutzen
6. \_\_\_\_\_
7. \_\_\_\_\_
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In order to keep accurate records of attendance and names of speakers, we would appreciate it if you would clearly **PRINT YOUR NAME.**

IF YOU WISH TO SPEAK DURING THE MEETING:

1. PLEASE WAIT TO BE RECOGNIZED BY THE CHAIR.
2. DO NOT SPEAK FROM THE AUDIENCE.
3. STEP TO THE PODIUM AND **GIVE YOUR NAME** BEFORE PRESENTING YOUR REMARKS.
4. **PLEASE NOTE:** REMARKS NOT MADE AT THE MICROPHONE MAY NOT BECOME PART OF THE OFFICIAL RECORD, NOR BE AVAILABLE FOR COUNCIL MEMBERS TO REVIEW.

Minutes of the North Logan City  
City Council Workshop  
Held on February 26, 2014  
At the North Logan City Library, North Logan, Utah

*Damon Cann made a motion to appoint John Bailey as Mayor Pro Tem in Mayor Lloyd Berentzen's absence. Nancy Potter seconded the motion. A vote was called and the motion passed unanimously with Nancy Potter, John Bailey, Roger Anderson, Damon Cann and Kristen Anderson voting in favor.*

The meeting was called to order by John Bailey at 7:00 p.m.

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

Others present were: Laurel & Linda Hayes, Mardell C. Parrish, Morgan Parrish, Mayor Berentzen (later in the meeting), Lydia Embry, Russell Goodwin, Jeff Jorgensen and Marie Wilhelm.

New Business

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

John Bailey introduced the item, which he said was essentially a continuation of the discussion from the last City Council meeting regarding the extension of secondary water services on the east bench involving Mardell Parrish. He explained that the first main issue from the council is regarding North Logan City getting written documentation showing permission from the canal company allowing the Parrishes to put a headgate in the canal bank in order to use water on the east side of the canal.

The council invited Laurel Hayes, there to represent the canal company, to discuss the situation; and Mardell explained the situation to him, including that the Parrishes need to have permission to have an easement to cross the City's 16-foot park easement on the east side. He further explained their conversations with Fisher's.

Laurel explained that the canal company has an easement on the west side of the canal, but is limited by the property owners, and said they have to get permission/easements from them for any head gates that go in. He said this has not been a problem before, because the only people putting in headgates have been property owners. He said there is a stipulation in the canal company's bylaws now that allows a headgate to be installed on the east side of the canal, which would have to be approved by the canal company; but such cannot be done until they are sure that they have an easement from the property owner allowing the water master to travel the canal bank on the east side to do maintenance (check the headgate, meter, etc.), which in this case, the City is the owner. He said the Parrishes are at a standstill, because they can't build the headgate until the canal company gets that easement. Laurel said he thought all the canal company needs is a written statement, or an easement, stating that the canal company's water master will be allowed to travel on that easement to perform maintenance. He said they are trying to discourage headgates on the east side because it does add to the water master's job, and explained further.

Jeff said the 16 feet in this case is not technically an easement, it is a "right-of-way", and said it is more like a road, and explained further using a projected site map of the location, including Canyon Ridge Subdivision. Per a question from Mardell, Jeff confirmed that the City owns this strip, which he further detailed using the map. Mardell asked if a three-wheeler can be driven on this; and Jeff said that is a different issue and needs to be discussed, and further explained. Jeff said he does not have an issue with the water master walking on the right-of-way to do maintenance; and Mardell said the water master rides his four-wheeler along there. Access was further discussed and Jeff said it could be worked out. Jeff said his understanding was that according to Keith Meikle and others, the canal company has claimed to have a maintenance easement on both the east and west sides of the canal. Laurel Hayes said he questioned whether that was correct.

58 Laurel said the bottom line is that they will not allow a headgate unless they know they can get in,  
59 easily, for the water master to do his maintenance and check things.

60 Damon Cann asked Laurel that if the City allowed access, and even allowed a motorized vehicle  
61 (three or four-wheeler); whether the canal company would grant the Parrishes access.

62 Laurel said that would take a vote of the canal board; but said he knows it won't happen at all  
63 unless they know the Parrishes can have that access. He also said while the canal board is not  
64 in favor of putting headgates on the east side; that since the Parrishes cannot put it on the west  
65 side, he cannot see why the canal would disallow it, but said that it just his opinion.

66 Morgan asked Laurel to explain why the canal changed their previous rule which did not allow  
67 any headgates on the east side, which Laurel explained. He said that until a couple of years ago,  
68 the canal company did not allow water east of the canal at all. He said since land use has  
69 changed, and there is so much development on the bench; the canal company filed for and  
70 received a "change in point of use application" from the state engineer and now they're allowing  
71 water to be taken east of the canal. If water is not being used west of the canal, which was the  
72 historical area for the water's use, it can be diverted east of the canal. He explained further.  
73 Laurel said each case will be considered individually.

74 The conversation continued, including how shares in the canal company are used on the land.  
75 Mardell explained how he will utilize these, and other canal shares for the land east of the canal.

76 Mardell said that they will put into the agreement a "no loss commitment" to anyone who works  
77 with them in Canyon Ridge. He said if they are unable to provide water for any reason, they will  
78 ensure that [the property owner] will not take a loss by hooking up to their secondary water  
79 system. He said they will not pay more than they would have paid to the City until their  
80 connection fee is paid. He explained further; including doing a "lease to buy" water shares option.

81 Laurel Hayes mentioned that they only transfer the point of diversion to a different headgate once  
82 a year. He gave the example that they can't finish in September and transfer it to another place  
83 for October.

84 John Bailey asked about the right-of-way and what controls we have there, which Jeff explained.  
85 John said we need to think about this carefully in terms of setting any precedents.

86 The conversation continued.

87 Nancy Potter asked Mardell if he had a business license for this, which he said he did and  
88 explained briefly. He has a business license under which he runs a number of DBAs.

89 Mardell reiterated the situation and its history, including what he is doing and has done in the  
90 Canyon Gates subdivision.

91 Nancy discussed the issues that occurred with water difficulties again in Canyon Gates and said  
92 they need to make sure everything is working there.

93 The conversation continued with the council and Parrishes.

94 *Mayor Berentzen joined the meeting.*

95 Mardell said what they are putting in will service about 70 homes below the canal and further  
96 discussed the situation.

97 Morgan went through a power point presentation addressing the history of the situation,  
98 concerns, water availability, and their addressing of the water issues with Canyon Gates'  
99 residents.

100 Damon said he would be comfortable with granting access to the City right-of-way; allowing them  
101 to put in the headgate on the east side of the canal and granting that access for a guarantee of  
102 one to two years; and all that subject to making sure that before they expand their system beyond  
103 just Morgan's property, that Canyon Gates is fully operational. He said this would them allow  
104 them to irrigate Morgan's property for now. He said this would allow them to put in the headgate;  
105 and does not commit the City to do more than that, until 1) the Parrishes can demonstrate that  
106 under a fully-operational system, they have Canyon Gates working to the satisfaction of the  
107 residents; and 2) that if that works out, they can then work out some kind of agreement to  
108 continue the water delivery beyond Morgan's property, which may include a type of franchise  
109 agreement for an expanded system.

110 Mayor Berentzen explained that while the conversation can continue; an official motion to  
111 approve anything should not be made until a regular City Council meeting in which this is an  
112 agenda item.  
113 The council discussed how to proceed.  
114 Jeff recommended providing a letter to the council that they could approve at the next City  
115 Council meeting. Such a letter would be sent to the canal company, stating what the City will  
116 allow at this point.  
117 Mardell reiterated his concern that if they don't use the water, they will lose it.  
118 The council continued reviewing with the Parrishes what had been discussed to make sure  
119 everyone understood what was being agreed to.  
120 *Damon Cann left the meeting at this time.*  
121 Mardell passed out to the council an amendment to his documentation regarding water meter  
122 reading.  
123 Mayor Berentzen asked the council to voice any of their concerns.  
124 John Bailey and Kristen Anderson concurred with Damon's comments, particularly in having proof  
125 that Canyon Gates is working sufficiently for the residents before an expanded system in Canyon  
126 Ridge is authorized.  
127  
128  
129 *Nancy Potter made a motion to adjourn the meeting. Kristen Anderson seconded the motion. A*  
130 *vote was called and the motion passed unanimously with Nancy Potter, John Bailey, Roger*  
131 *Anderson and Kristen Anderson voting in favor.*

132  
133  
134 The meeting adjourned at: 8:17 p.m.

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137 Approved by City Council: March 19, 2014

138  
139 Transcribed by Marie Wilhelm

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141  
142 Recorded by

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

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