

1 **Minutes of the North Logan City**
2 **City Council**
3 **Held on August 27, 2014**
4 **At the North Logan City Library, North Logan, Utah**
5
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7 The meeting was called to order by Mayor Lloyd Berentzen at 6:30 p.m.
8

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

12 Others present were: John E. Burton, Adam Winger, Blayze Ashurst, Cristine Ashurst, Mitch
13 Duffin, Gary Anderson, Jon Keller, Peggy Giles, Alan Luce, Kim Hawkes, John & Debbie Mays,
14 Russell Goodwin, Janice A. Stipes, Douglas L. Stipes, Lance Anderson, Cordell Batt, Scott
15 Bennett, Jeff Jorgensen and Marie Wilhelm.
16

17 The Pledge of Allegiance was led by Alan Luce.

18 An invocation was given by Kim Hawkes.
19

20 **Adoption of Agenda**

21 Mayor Berentzen mentioned that Nancy Potter was going to have to leave the meeting early
22 (approximately 7:15 p.m.); and because of the small number of council members in attendance;
23 there will not be enough sitting council members in attendance to have a quorum after she
24 leaves. He said, therefore, that they will need to rearrange the order of the some of the items on
25 the agenda.
26

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

31 **Approval and Follow-up of Minutes of July 9, 2014 City Council Meeting**

32 *The City Council approved the minutes as presented.*
33

34 **Follow-up**

35 Mayor Berentzen asked about the status of a letter needing to be written to the RV Park, which
36 Jeff Jorgensen explained, including that they are operating without a business license. Mayor
37 Berentzen asked Chief Kim Hawkes about what the process is for dealing with businesses
38 operating without a license, which Chief Hawkes explained.
39

40 **Review of Action Items**

41 Jeff Jorgensen reviewed the action items list with the council.
42

43 **New Business**

44 **Eagle Scout Presentation**

45 Eagle Scout Ryan Bills gave a report on his Eagle Scout Project. He said he put on the dinner at
46 the City's 24th July Celebration evening festivities, which helped to raise \$1,190. He then
47 presented a check in that amount to Paul Tullis, representative for the River Heights
48 Humanitarian Center, the charity that Ryan chose for this charity dinner. Mr. Tullis explained
49 what their organization does, which includes providing quilts to CAPSA, the school district, the
50 Catholic Church, and more; they make newborn kits, many of which go abroad; and various toys
51 and hygiene kits that are sent all over the world; and more.
52

53 **Consider the Concept Plan for a proposed four lot subdivision located at approximately 1900**
54 **North 1600 East (northwest quadrant of intersection) in the R-1-12 zone.**

55 Cordell Batt introduced the item and explained the situation and oriented those in attendance to
56 the site. He further detailed the staff report for this project and explained the history of the site in
57 terms of how it was subdivided. He also explained the situation with the right-of-way, which in
58 fact, the City does have. He said this is being done with the minor subdivision process, therefore,
59 the developers will not need to create a plat. He discussed City Attorney, Bruce Jorgensen's

60 recommendations. Cordell further discussed the plans for the project, including installing curb,
61 gutter and sidewalk around the corner of the property. He further detailed which reports staff is
62 requiring, and which ones they will waive. He said it is staff and the Planning Commission's
63 recommendation to approve this, with the Planning Commission's recommendation to include
64 curb, gutter and sidewalk around the entire property, including the corner.

65 The City Council discussed and commented on this; and Cordell addressed questions from the
66 council.

67

68 *Roger Anderson made a motion to approve the concept plan, with comments made by staff, and*
69 *including the Planning Commission's recommendation to have curb, gutter and sidewalk installed*
70 *along the frontage of the entire property. Nancy Potter seconded the motion.*

71

72 Kristen Anderson said there were a lot of places in North Logan that were built without curb,
73 gutter and sidewalk; and asked if this is going to be done in the future. Mayor Berentzen said we
74 will have to look at those on a case-by-case basis. Jeff said we are not requiring anything less
75 than what we do for a subdivision. He said this is essentially a modification of a previous
76 subdivision, and commented further. Jeff said he would like to see a quit claim done for the area
77 on 1600 East and 1900 North, to ensure there are no issues in the future. Jeff explained the
78 situation further.

79

80 *A vote was called and the motion passed unanimously with Nancy Potter, Roger Anderson and*
81 *Kristen Anderson voting in favor.*

82

83 Consideration and recommendation for the Duffin Minor Subdivision Development Plan for a two
84 lot minor subdivision located at 1800 North (Keller Lane) and approximately 1270 East in the R-1-
85 12 zone.

86 Cordell Batt explained the situation, which had previously come before the City Council at the
87 concept plan level, which they had approved. He said the question at that time was about
88 emergency access on the lane. He said the Fire Department reviewed that, which is now part of
89 the staff report. He said the Fire Department is requiring that the lane be twenty feet wide for its
90 entire length, and the outstanding question is regarding the power pole. Cordell said it is staff's
91 recommendation that the developers move the power pole. He said the developers have the
92 option of instead, widening the lane where the power pole is; however, they would have to talk to
93 the adjacent property owners to get their permission to be able to do that. He and the applicant
94 explained the potential power pole move further. Cordell said because it is a private lane, moving
95 the pole will have to be at the expense of the land owner.

96

The conversation continued.

97

Jon Keller explained the situation with the lane, per a comment from Roger Anderson; and said
98 the Fire Department's preference would be to see that pole moved.

99

100 *Nancy Potter made a motion to approve this development plan, with staff's recommendations,*
101 *and with the condition that the power pole be moved. Kristen Anderson seconded the motion. A*
102 *vote was called and the motion passed unanimously with Nancy Potter, Roger Anderson and*
103 *Kristen Anderson voting in favor.*

104

105 The developer asked why the road was allowed to run right up to the power pole [originally]. He
106 also said that the power pole is not even on his property; that it is on the Keller Lane right-of-way.
107 He said the burden of the pole is on him because he bought the next lot up; but that it was
108 approved approximately a year and a half ago with the pole in place. Cordell explained the
109 situation to them, including why it is the responsibility of this developer to deal with the pole. Per
110 a question from Mayor Berentzen; the developer said he has been given an estimate for the cost
111 of moving the pole, which he said will be between \$6,000 and \$10,000.

112

The conversation continued briefly. Mayor Berentzen said he would call George at Rocky
113 Mountain Power and try to negotiate the best situation possible.

114

115 Consider approval of award of bid for the construction of the well house and pump for the new
116 well in Green Canyon.

117

Per a question from Mayor Berentzen, Jeff confirmed that the cost for this is almost \$500K.

118 Mayor Berentzen asked if this needs to be done this year, which Jeff discussed and explained.
119 Jeff agreed with Mayor Berentzen; and said he would like to approve the contractor being
120 proposed; and then between himself, Mayor Berentzen and Alan Luce, determine which items
121 may be postponed and/or paid for later in the year. Jeff discussed this further and addressed
122 minor questions from Mayor Berentzen and the council regarding cash flow and expenses. Alan
123 also commented.

124 The council agreed that this could be done in phases.

125

126 *Kristen Anderson made a motion to approve the bid from Raymond Construction for the*
127 *construction of the well house and pump for the new well in Green Canyon, subject to Raymond*
128 *Construction agreeing to do the project in phases. Nancy Potter seconded the motion. A vote*
129 *was called and the motion passed unanimously with Nancy Potter, Roger Anderson and Kristen*
130 *Anderson voting in favor.*

131

132 Consider scheduling a special meeting for Sept. 3 in lieu of the regular Sept. 10 meeting in order
133 to consider the approval of various bids including portions of the library remodel and some road
134 work.

135 The council members agreed that they could hold this meeting.

136

137 Discuss senior housing and zoning issues at Wasatch Pointe apartments.

138 Kemp Sanders said he and John Burton were at the meeting to represent the Wasatch Point
139 Apartments and are residents there. Mr. Sanders said they have concerns that the complex is no
140 longer just "senior" apartments, as purported, but that now anyone can move in there, which he
141 explained further. Mayor Berentzen and Mr. Sanders said that the agreement was written so that
142 the complex was for "55 and older", and Mr. Sanders said he came in and met with Jeff
143 Jorgensen a couple of weeks prior to this meeting. He said he also met with the management of
144 the complex at least a half dozen times who told them the complex can rent 20% of the units to
145 people under 55 years old. He said they asked management how many under 55 they had
146 rented to, and management would not give them an answer. He explained further and said they
147 have continued to see college students, young families, etc., move into the complex. He
148 explained his discussion to Jeff, and how the City had contacted management of the complex to
149 get information, and further explained. He said every one of the seniors who moved in there were
150 told when they signed the lease about the 20% limitation of under 55; and now find out that they
151 are way over that number.

152 Jeff explained the development agreement that the City has with the development; and said that
153 the way he reads it, is that each apartment should have a senior in there; and that if there are
154 non-seniors in the apartment, such as a spouse or a child who belongs to that senior, *that* is what
155 is allowed to make up that 20%. He said that the complex manager told him that under 55 could
156 be 20% of the *units*. Jeff further explained and said he asked the representative of the complex
157 what their demographics are, and how they are going to bring it into compliance. Jeff said
158 management told him that they realized they had someone in there who was renting the units out
159 "incorrectly", and that they have a "plan" to correct it. Jeff said he does not think their "plan" is
160 going to bring them into compliance according to the development agreement, and explained
161 further. It was also discussed that a doctor's clinic is planned to be built in the front of this
162 complex, as it is a mixed-use development.

163 Mr. Sanders discussed the issues they have had in trying to deal with the management of the
164 complex.

165 The conversation continued.

166 Mr. Burton also explained the situation and his experience in trying to work with management.
167 He also mentioned that he received a postcard in the mail that day advertising their apartment
168 complex as an "adult community", and does not use the word "senior".

169 There was discussion about contacting the developer instead of management, which could be
170 more effective; which Jeff said he was planning to do.

171

172 Discuss acquiring the services of an economic development specialist.

173 The council discussed having Jeff give them more information and revisiting this later at a future
174 meeting.

175

176

Discuss the deer herd control plan.

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Chief Kim Hawkes discussed the copy of the North Logan City Deer Management Plan document that he distributed to the City Council, which included two ordinances as a part of the plan. He explained further, including items such as deer fencing, trapping and relocation. Working with the Division of Wildlife Resources was discussed, including the logistics and costs for trapping and removing the deer. Chief Hawkes discussed the potential for a depredation hunt and the various related logistics. Chief Hawkes brought and set up a trap outside the building, which the City Council reviewed.

184

Chief Hawkes addressed various questions from the council and the conversation continued.

185

186

Receive an update on a draft agreement among North Logan City, Hyde Park City, Cache County and the Cache County School District regarding the outdoor recreation land and the Eccles Ice Center near Meadow View Park as it relates to the planned high school in that area.

187

188

Lance Anderson discussed the copies of the agreements that were distributed to the council, including an inter-local agreement between the Cache County School District, Cache County, North Logan City and Hyde Park; as well as a maintenance agreement between Hyde Park, North Logan City and the Cache County School District; and, an inter-local agreement between North Logan City and the Cache County.

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Mayor Berentzen and the City Council discussed this further with Lance.

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Lance also discussed the roads in this location, using a projected map of the area.

196

Lance explained various items such as maintenance, costs and development responsibilities.

197

Mayor Berentzen suggested having a workshop session with Lance to go over this. Lance said they could do that; and also mentioned that there is a public hearing scheduled for September 9th with Cache County, to propose all of the conversions with the county, and get public comment on that; therefore a workshop would need to take place very soon.

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The conversation continued.

202

Lance also discussed the boundary between North Logan City and Hyde Park.

203

Jeff discussed signage for 200 East. He said the majority of that road will not be 200 East. He said there was previous discussion about possibly naming the road after the future high school mascot; but that until that is known, Jeff recommended calling it "North Park Boulevard" for now; and explained further. The Council agreed.

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Reports from city officers, boards, and committees

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Adam Winger reviewed an update on the bids for the library renovation; a list of which he gave to the council for review. He discussed the need to get approval from the council for some of the items. Per a question from Mayor Berentzen, Jeff confirmed that the library does not officially *have* to get the council's approval on any of the bids; but it would be good to get the council's support and to let them be aware of what is taking place as well as making a change to the budget that will be approved by the Council.

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Alan Luce mentioned the Day of Service taking place on September 20th. He said there is list of projects on the City's website that people can review and then call Jeff or Alan if they're interested. He also mentioned that they met with Rocky Mountain Power, who is putting together a program for swapping out LED lights in street lamps. Alan said he will have an update for the council in the coming months.

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Jeff said he was approached by Brenda Anthony about having a musical group at our employee Christmas party, which he explained; and asked the Council if they would be interested in that. The location of our Christmas party was discussed, and it was agreed that the room would not be sufficient to include this musical group. Nancy also said she would rather see the \$200 for this go to the employees.

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Mayor Berentzen mentioned that Bike to Work day is September 9th.

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

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Nancy Potter made a motion to close the meeting and move into Executive Session for the

232 *purpose of discussing the acquisition of real property. Kristen Anderson seconded the motion. A*
233 *vote was called and the motion passed unanimously with Nancy Potter, Roger Anderson and*
234 *Kristen Anderson voting in favor. This occurred at 8:31 p.m.*

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236 Minutes for this portion of the minutes written are under separate cover.

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238 *Nancy Potter made a motion to open the meeting and move out of Executive Session and return*
239 *to the regular City Council meeting. Kristen Anderson seconded the motion. A vote was called*
240 *and the motion passed unanimously with Nancy Potter, Roger Anderson and Kristen Anderson*
241 *voting in favor. This occurred at 8:39.*

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244 *Nancy Potter made a motion to adjourn the meeting. Kristen Anderson seconded the motion. A*
245 *vote was called and the motion passed unanimously with Nancy Potter, Roger Anderson and*
246 *Kristen Anderson voting in favor.*

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249 The meeting adjourned at: 8:40 p.m.

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252 Approved by City Council:

October 8, 2014

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255 Transcribed by Marie Wilhelm

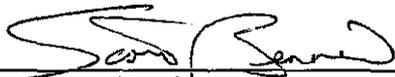
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257 Recorded by

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Scott Bennett/City Recorder