

1 **Minutes of the North Logan City**
2 **City Council**
3 **Held on December 10, 2014**
4 **At the North Logan City Library, North Logan, Utah**
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7 The meeting was called to order by Mayor Lloyd Berentzen at 6:30 p.m.

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

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12 Others present were: Brent Nyman, Matt Lott, DeAnna Fry, Diana Cannell, Alan Luce, Jon Keller,
13 Russell Goodwin, Val Potter, Varn Garg, Cordell Batt, Adam Winger, Lance Anderson, Scott
14 Bennett and Jeff Jorgensen.

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16 The Pledge of Allegiance was led by Mayor Berentzen.

17 An invocation was given by Nancy Potter.

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19 **Adoption of Agenda**

20 Mayor Berentzen said they needed to remove agenda item #7; and, he referred to the change on
21 item #4, which now asks the City Council to consider approving the inter-local agreement.

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

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27 **Approval and Follow-up of Minutes of October 22, 2014 City Council Meeting, October 22,**
28 **2014 Executive (Closed) Session Meeting, and November 12, 2014 City Council Meeting.**

29 *The council approved these minutes as presented.*

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31 **Follow-up**

32 Nothing at this time.

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34 **Review of Action Items**

35 Jeff Jorgensen addressed some questions from the council and Mayor regarding some of the
36 items on the actions items list, including items regarding 200 East, and the deer control issue.

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38 **New Business**

39 **Receive report from the financial audit for the city for FY2014.**

40 Diana Cannell presented the financial audit report for the City for FY 2014. Diana discussed the
41 "findings" in relation to expense documentation and specifically, credit card receipts. She further
42 discussed the problem with receipts not being produced, and that the largest problem with this
43 was with the library. She explained this further and said this is the third year of this finding. Jeff
44 Jorgensen and the council discussed this further, particularly staff's efforts in re-producing the
45 receipts, which were in fact mostly from the library, and were purchases made on-line. Scott
46 Bennett explained further, and said he feels this issue is essentially resolved. Diana commented
47 further on this, as well as how to better manage it in the future. Damon Cann asked for all credit
48 card users to work with Scott Bennett, to do a mini-audit for how things are going, monthly, for the
49 first six months of the fiscal year; and to come back into the council to show that this is taken care
50 of. He said as long as he has been on the council, this has been an issue. Jeff Jorgensen
51 agreed it was a good idea to do this.

52 Nancy Potter also commented that this problem has been going on for quite a while, and that
53 something needs to be done to manage this.

54 Diana commented on this further, and said she agreed with doing a "mini-audit", particularly since
55 they are going to be testing this at 100% in the future.

56 The council continued to discuss this, briefly.

57 Diana discussed and explained year-end adjustment entries, as well as the taxes for mass transit
58 and their need to be accounted for as part of the budget, even though the City never actually gets
59 these funds. She further detailed the other sections of the report.

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Consideration and approval for a Concept Plan (Cache Recreational Complex Subdivision) an eight (8) lot subdivision in the FR (Forest Recreation) zone located from approximately 2750 North to 3100 North along the new proposed North Park Boulevard.

Cordell Batt explained the situation for this concept plan, and said that as part of the plat, they have to designate different ownerships on this 116K-plus acres; with eight lots that will be in North Logan, and two that will be annexed into Hyde Park. He said staff recommends that all of the studies be done, some of which have already been completed. He said the Planning Commission reviewed this and gave a positive recommendation for this concept plan. Cordell said that Lance Anderson could better answer more specific questions from the council.

Mayor Berentzen asked about the boundary line being moved further to the north, which Lance Anderson and Jeff Jorgensen addressed and explained. Other related items were discussed, and Lance explained the plans for one of the lots and its related boundaries.

Lance additionally explained various details of this plan, including the agreement with Hyde Park.

Jeff explained the three agreements that will be coming to the City Council for approval, this being the first of the three. He said this first one is in regard to the land exchanges and the agreement with the County and the four other cities regarding the county's Bureau of Recreation Land; the second agreement will be the development agreement for this subdivision, which he explained further; and, the third agreement will be the ongoing maintenance agreement between North Logan City and the school.

Lance explained the various agreements further, and said the document before the City Council for consideration at this time was the concept plan for the subdivision. The other agreements among the county and the four cities and the school district would be worked on further and brought back at another time. The council discussed the situation further.

Damon Cann made a motion to approve the concept plan for the Cache Recreational Complex Subdivision. 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.

Update council on progress of the construction/design of the new 200 East corridor and agreements relating to the land for the new high school and regional park to be constructed near the ice center plus the conversion of County owned Land and Water Conservation Fund property in that area. Includes the Council considering for approval an interlocal agreement among Cache County and the cities of North Logan, Hyde Park, Newton, and Nibley regarding this land.

Lance Anderson further explained the timeline for these agreements, and gave some of the other entities' involvement to date, including that Nibley and Newton approved their agreements. He said the county also approved it, but said that approval was subject to the other cities' approvals. He discussed the agreements further, as well as how to proceed, and what that entails.

Lance also discussed with the council what exactly can and cannot be done on this land.

The council discussed the conversion process with Lance, particularly the potential for an indoor soccer field.

John Bailey asked what North Logan City's estimated portion of the costs are going to be, which Lance said he had given to the City Council before, but explained to them again.

Damon Cann discussed the portion of the agreement that states that North Logan City is obligated to get certain parcels of land; and suggested including language that states that if these parcels are unattainable or unaffordable, then the City will commit to identifying other parcels, and commented further.

Mayor Berentzen agreed and said it would be good to include language that in the event that we cannot obtain these parcels, there will be a reasonable effort made to acquire other parcels.

Lance said the agreement could be amended to say that.

Lance continued to discuss the details of the agreements with the council, as well as address their various questions.

Damon Cann clarified the changes the City Council wanted to make to the agreement, which are: on 3.a "if these parcels cannot be obtained, North Logan City will make all reasonable efforts to obtain other parcels"; and, on 3.d, instead of "...North Logan shall develop a *park* on its replacement property in compliance..." it should be "North Logan shall develop a *recreational*

117 *component* on its replacement property.....". Jeff confirmed with Lance that City Attorney, Bruce
118 Jorgensen already has that wording on the *recreational component* to include in and amend the
119 agreement and has already made those changes; and Lance said the other cities have already
120 approved that change.

121 Damon also mentioned the change on 2.c which states "the county *will provide 50%* of the
122 projects costs, instead of "the county *will provide up to 50%* of the project costs".

123 Lance explained that is included in the amendments and has been approved.

124

125 *Damon Cann made a motion to ratify the interlocal agreement among Cache County and the*
126 *cities of North Logan, Hyde Park, Newton, and Nibley with the changes as discussed, to sections*
127 *2.c, 3.a, and 3.d. Nancy Potter seconded the motion.*

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129 Per a question from John Bailey, Lance explained how the changes will be made evident to the
130 other cities, and how their approval of such will be managed. The council continued their
131 discussion regarding how approval is done, which was clarified by Lance.

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

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136 Consider for approval final release of bond for the Green Canyon View Subdivision.

137 Cordell Batt explained the paperwork he had given to the council. He said it has been one year
138 and everything has been completed; so they are requesting the final release on the bond.

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140 *John Bailey made a motion to approve the final release of the bond, based on the report from*
141 *staff. Nancy Potter seconded the motion. A vote was called and the motion passed with Nancy*
142 *Potter, John Bailey, Roger Anderson and Damon Cann voting in favor, and Kristen Anderson*
143 *abstained citing the potential for an appearance of conflict of interest.*

144

145 Consider approval of a resolution changing the City's Master Fee Schedule, increasing the
146 Emergency Communication Charge by \$1.00. The extra \$1.00 is to provide funding for the
147 ongoing cost of a countywide radio system.

148 Chief Jon Keller explained that approving this resolution would help to fund the ongoing costs for
149 the radio system, which the fire department, EMS and police use. He further detailed the costs
150 for various items, and how the equipment is utilized. Chief Keller addressed various questions
151 from the council. The mandate requiring the department to upgrade was discussed.

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153 *Roger Anderson made a motion to approve the resolution changing the Master Fee Schedule to*
154 *have a \$1.00 increase to cover the increased cost for the Emergency Communication Charge.*
155 *John Bailey seconded the motion. A vote was called and the motion passed unanimously with*
156 *Nancy Potter, John Bailey, Roger Anderson, Damon Cann and Kristen Anderson voting in favor.*

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158 Kristen Anderson asked about the police department having to now wear body cameras, and
159 asked if that is going to be a significant cost to the City. Mayor Berentzen said he understood
160 that is being done with Federal officers, as opposed to state officers, and discussed this further.
161 Nancy Potter agreed with Kristen Anderson that she thought she heard that every officer would
162 have to wear them.

163 The council discussed having to consider including this in future budgets.

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165 Consider approval of bid for asphalt work to be done in repairing the streets in the Johnson Park
166 Subdivision.

167 Alan Luce explained the situation and the bid process. Mayor Berentzen discussed with the
168 council the problems the City has had with the Rupps' company, including a situation on 1200
169 East where a resident's driveway was damaged, and they did not take responsibility for it. Mayor
170 Berentzen said this issue has still not been resolved, and he and the council discussed this
171 further. Mayor Berentzen said he feels a need for a lot of caution in choosing Rupps, even
172 though it is the lower bid. Alan addressed further questions from the council regarding the
173 bidding, which the council discussed further; including potential issues with not choosing the
174 lowest bid [i.e., Rupps]. Mayor Berentzen reiterated that Rupps should get the message about
175 the need to be respectful when they work. The council further discussed how to proceed, with

176 Alan and Jeff Jorgensen, including putting conditions on Rupps based on how they perform.
177 Mayor Berentzen suggested approving this with the lowest bid, with some stipulations in the
178 motion. The council discussed this further. Mayor Berentzen recommended approving Rupps to
179 do this project with the condition that they repair and correct the driveway situation on 1200 East,
180 to the City's satisfaction. This was further discussed. John Bailey recommended having the city
181 attorney review this situation, particularly outlining what would justify *not* accepting the lowest bid.
182 The council continued to discuss how to proceed, including waiting until the next City Council
183 meeting in January to accept the bid; and stating to them that the council did not accept their bid
184 because they have issues that the City is reviewing with their attorney. After further discussion,
185 Damon Cann recommended taking no action, until there is information from the city attorney
186 regarding what would be appropriate grounds for not accepting the lowest bid; and what kind of
187 documentation the council would need to justify making that choice; and then move from there
188 regarding meeting to make a decision. The discussion continued.

189 The council agreed to table this item until the next meeting. Mayor Berentzen discussed meeting
190 the following week for this item.

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192 Approve lists of excess city property.

193 The council discussed the list, and particularly the safety of the hard drives in the computers to be
194 surplus. The council agreed to have them removed before letting them go.

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196 *Kristen Anderson made a motion to approve the list of excess city property, to surplus the*
197 *computers, after the city removes the hard drives. Damon Cann seconded the motion. A vote*
198 *was called and the motion passed unanimously with Nancy Potter, John Bailey, Roger Anderson,*
199 *Damon Cann and Kristen Anderson voting in favor.*

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201 Reports from city officers, boards, and committees

202 Adam Winger briefly discussed the renovation of the library with the council. Mayor Berentzen
203 discussed the Christmas program done by the Storytelling Festival people, and commented on
204 the capability of using our library for various functions, and adapting it for such.

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206 Alan Luce discussed the progress of the building of the well house in Green Canyon. Alan also
207 discussed North Logan's annual Christmas Lighting contest with the council.

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209 Kristen Anderson discussed the branding class she attended and said she would pass the
210 information on the City Council when she receives it.

211

212 Roger Anderson discussed a comment he received regarding a subdivision still not having a
213 street sign, which Alan Luce addressed. Roger also mentioned an issue with the fact that there is
214 supposed to be one mailbox where all of the subdivision's residents are supposed to get their
215 mail; but said he is seeing individual mailboxes in front of the homes. He asked who is supposed
216 to enforce that, and commented further. Alan said that typically, if the mailbox is not in the correct
217 location, the post office will not deliver the mail.

218 Roger also discussed the need for water conservation, and to potentially put this on a future
219 action item, so that if there is an issue this year, the City is ready to deal with it. Alan commented
220 on this.

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222 Nancy Potter asked if the City is still going to be able to get the flashing stop signs for the
223 intersection of 400 East and 2200 North. Mayor Berentzen said that will be discussed with the
224 Safety Committee. John Bailey said there are four-way stops at 400 East and 2500 North, and at
225 400 East and 1800 North; and suggested that it needs to be done at this location as well, and
226 mentioned the continued accidents that occur there [at 400 East and 2200 North]. The council
227 and Alan Luce discussed this further. Kristen Anderson said she would be in favor of flashing
228 stop signs, and *not* a four-way stop. The council continued their discussion, including the costs
229 for flashing stop signs as well as a round-about. Jeff said he would review the situation.

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231 Mayor Berentzen updated the council on the Mayor's meeting that he and Jeff Jorgensen
232 attended that day regarding the sewer district. He said an attorney by the name of Todd Godfrey
233 has been hired to represent the six [contracting] cities, and commented further on the attorney's
234 background and when they would be meeting with him again. Mayor Berentzen discussed the
235 situation further with the council.

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Executive session (closed) to discuss real estate and litigation issues.
John Bailey made a motion to move into executive (closed) session for the purpose of discussing real estate and litigation issues. 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 8:48 p.m.

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

Damon Cann made a motion to open the meeting and move out of Executive Session and return to the regular City Council meeting. 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 adjourned at 9:30 p.m.

Alan Luce discussed the City taking the steps to having its own recreational soccer program, which he said the City would run, as opposed to another group, like District 7 has done in the past. He explained the various aspects further, including the logistical and financial benefits of running this program in-house. Alan addressed various, minor questions from the council, and also told the council to expect some potential negative feedback from some individuals.

Kristen Anderson made a motion to adjourn the meeting. 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.

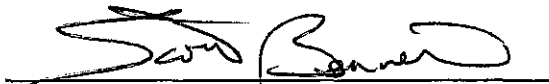
The meeting adjourned at: 9:42 p.m.

Approved by City Council:

February 25, 2015

Transcribed by Marie Wilhelm

Recorded by



Scott Bennett/City Recorder