

1 **Minutes of the North Logan City**
2 **City Council**
3 **Held on May 27, 2015**
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: Nancy Potter, Damon Cann, Roger Anderson, Kristen Anderson
10 and John Bailey.
11

12 Others present were: Kim Hawkes, Joshua Campbell, Gildardo Anaya, Frank K. Woo, Rogelio
13 Anaya, Tracee Stephens, Lynn Krebs, Deanna E. Fry, DeSiree Stoddart, Bret Randall, Jason
14 Killinen, Calvin & Kitty Jensen, Randy Grover, Ward Taylor, Randy Crouther, Laurel Hayes, Ty
15 Thomas, Joy Robison, Caleb Robison, Charles Hansen, Bruce Lee, Russell Goodwin, Brad
16 Crookston, Cameron Cooney, Peggy Giles, Gordon Wood, MarDell C. Parrish, Danielle Grover,
17 Devin Jones, Raquel Bushman, Lydia Embry, Alan Luce, Scott Bennett, Jason Killinen, Cordell
18 Batt, Adam Winger, Jeff Jorgensen and Marie Wilhelm.
19

20 The Pledge of Allegiance was led by Adam Winger.

21 An invocation was given by Alan Luce.
22

23 **Adoption of Agenda**

24 *Damon Cann made a motion to approve the agenda as presented. Kristen Anderson seconded*
25 *the motion. A vote was called and the motion passed unanimously with Nancy Potter, John*
26 *Bailey, Roger Anderson, Damon Cann and Kristen Anderson voting in favor.*
27

28 **Review of Action Items**

29 There were no Actions Items to review.
30

31 **New Business**

32 **6:35 Public Hearings** to receive input on: 1) a proposed revision to the FY2015 municipal
33 budget; and 2) a proposed FY2016 municipal budget - including funding of the water and sewer
34 lines to be installed along 200 East using multiple funding sources.

35 Jeff Jorgensen reviewed the budget documentation and explained the revisions and changes
36 throughout. He asked the council for any input or recommendations.

37 Mayor Berentzen explained "cash on hand" in some of the funds in relation to large projects that
38 have been done this year, and commented further that the City will need to be conservative for a
39 while. The Council discussed the proposed funding for the proposed utilities project for the 200
40 East Corridor. There was some discussion about paying for the project through a combination of
41 tax increment funds from the Redevelopment Agency, impact fees, and fund balance from the
42 water and sewer fund. It was decided that the city would pay for the 200 East utilities project with
43 a combination of tax increment money and impact fees plus use existing funds including the
44 Water Fund's depreciation funds in its fund balance as previously discussed. That water fund
45 would then be paid back over the next few years for those portions of the project which the
46 Redevelopment Fund *could* pay for based on the amount of the project that serviced City Center
47 and Gateway areas. This could be done without taking out any loans for now.

48 Mayor Berentzen read aloud the rules for speaking at the public hearing.
49

50 *Mayor Berentzen opened the public hearing at 6:44 p.m.*
51

52 John Morrey pointed out budget line #513 [Equestrian Facilities] and encouraged the council to
53 keep some funds there to continue to maintain the existing equestrian facility. He said the users
54 of the facility recognized the need to move the equestrian facility and he proposed putting
55 together a community equestrian committee to meet with city officials and develop a plan for
56 relocating the facility and maintaining it in the future.
57

58 Tracee Stephens, president of local riding club, said she loved the facility and appreciated it and
59 knows it has to move. Currently they are weeding it and cleaning it, and would like to be involved

60 in moving it and helping to keep it around.

61 Mayor Berentzen asked if Gina Saunders was part of their group. Tracee and John said they do
62 not work with her but they did know many of the other people that use the facility.

63

64 Lydia Embry asked some questions about the budget including questions about the cost of
65 personnel relative to the total budget, the potential acquisition of land, the parks plan, and other
66 miscellaneous concerns.

67

68 *Mayor Berentzen closed the public hearing at 6:55 p.m.*

69

70 Jeff confirmed that there will be continued discussion about changes to the current year's budget
71 at the next City Council meeting. He reminded the council that the current budget could be
72 revised through the end of the fiscal year while the budget for next year had to be adopted before
73 June 21st.

74

75 **6:40 Public Hearing to receive input on the proposed annexation of 5.86 acres at approximately**
76 **600 East and 2650 North.**

77 Jeff Jorgensen introduced the item and explained the situation, using an overhead projected
78 aerial photograph of the site.

79

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

80

81 Hyde Park City Councilman Brent Randall discussed the situation and his concerns about the
82 access as it relates to the property being considered for annexation. He claimed that 50 East in
83 Hyde Park does not have the structural ability to handle the traffic on to that road. He expressed
84 his concern that traffic from the construction of the proposed subdivision as well as the traffic from
85 twelve lots to be built there would significantly impact the people in Hyde Park. He said, for
86 disclosure, that his home is on 50 East adjacent to the area being considered for annexation by
87 North Logan. He asked that the vote on the annexation be withheld until the Hyde Park City
88 Council had an opportunity to consider whether or not they wanted to annex the area into Hyde
89 Park.

89

90 Calvin Jensen said he concurred with Brent Randall's suggestion that Hyde Park get a chance to
91 consider annexing this land.

92

93 Daniel Grover said he lived on 730 South in Hyde Park. He said he is just now finding out about
94 this proposed annexation and the subdivision development. His main concern is the traffic this
95 will create. He would like to see access to this property from North Logan and not from Hyde
96 Park. He said people already go fast on his road. He suggested that if North Logan was going to
97 annex this area, to make sure the density stays low enough. He said he would like to see the
98 access on a North Logan road where the subdivision is going to be in North Logan.

99

100 Lydia Embry asked some questions about the city's access and how it fits with the existing
101 developments.

102

103 Charlie Hansen said he lives in that same subdivision in Hyde Park as the others that had
104 spoken. He said that after speaking with the other residents in the area, they all have the same
105 concerns about the additional traffic through the roads in front of their homes.

106

107 *Mayor Berentzen closed the public hearing at 7:07 p.m.*

108

109 Mayor Berentzen suggested that the council get some input from Hyde Park before they made a
110 decision. He said he was concerned about the master roads plan and how traffic will go in the
111 future. He suggested that the road plans for the two cities and interconnectivity be part of the
112 discussion on this annexation.

113

114 Damon Cann pointed out that if the council was going to pass the annexation on to Hyde Park
115 instead of North Logan, North Logan should get a commitment from Hyde Park that 600 East will
116 continue through this area. He said he would like to get Hyde Park's input before he moved
117 forward with approving the annexation.

117

118 It was decided to try to have a combined meeting with the two city councils to discuss this issue
before the annexation was adopted. Jeff was asked to try to put something together.

119

120 Re-consider a proposed ordinance modifying certain regulations relating to the transfer of real
121 property to and from the city.

122 Alan Luce introduced the item and reviewed the minor changes to the document that had been
123 made since this was last before the City Council, and further explained. He addressed minor
124 questions from the council.

125

126 *Damon Cann made a motion to adopt Ordinance 15-05. Nancy Potter seconded the motion. A*
127 *vote was called and the motion passed unanimously with Kristen Anderson, Roger Anderson,*
128 *Damon Cann, John Bailey and Nancy Potter voting in favor.*

129

130 Discuss and consider staff recommendations and concerns related to allowing the development
131 of only a portion of the second phase of Canyon Gates Subdivision rather than all of this second
132 phase.

133 Jeff explained why this issue was on the agenda. He explained that the developers [including Ty
134 Thomas] were asking for approval to be allowed to build only a portion of phase two rather than
135 all of phase two. Jeff expressed his concern that doing so, in his opinion, did not provide him
136 adequate information about how the grading for the next phase would be done and would also
137 put off getting 2300 North built through this area. He said since the development plan did not
138 provide for splitting the various phases up, he recommended that the council approve any
139 changes to the phasing plan previously agreed upon.

140 Nancy Potter asked if all the work in the previously approved phases had been done.

141 Ty Thomas said that all the lots had been sold, the majority are built on, but there were still some
142 technical things that need to be done. They felt they were getting close to final approval on the
143 remaining parts of phase one. He explained an issue with the sidewalk, and said it was difficult to
144 finish some of the work during the winter.

145 Jeff Jorgensen said that because of the land's previous use as an unapproved gravel pit location,
146 and recognizing that was done before these developers bought it, these developers were
147 responsible to resolve some of the issues of grading the area to mitigate some of the problems
148 resulting from that use. Jeff said he would like to at least see a detailed grading plan of all of
149 phase two. Doing so, he felt, would answer his questions about how the road is to be placed and
150 how roads connect into the next phase to the south, and how the flood plain issues are resolved.
151 He said he wanted a mass balance done for the soils removal to see how much soil has been
152 removed from the site since the developers took over, and if still more needs to come out; or if the
153 soils just need to be moved around rather than have further removal. He explained how his
154 understanding of the development agreement called for digging out of only one of the two gravel
155 pits at a time.

156 Kristen Anderson discussed her concerns about the lack of a second access if only a part of
157 phase two was constructed without access from a new 2300 North to 1600 East. She said she
158 thinks it's really important that the road [2300 North] gets put in.

159 Damon Cann asked if there could be an east/west split; do the part near 1600 East first and then
160 do the east half of phase two.

161 Nancy Potter said for the residents who are going to live in there, there will be a lot of unhappy
162 residents if they don't have another way out.

163 Mayor Berentzen asked if something could be worked out and brought back.

164 Ty Thomas said he would rather just go ahead and do all of phase two as previously planned and
165 would agree to that,

166 Roger Anderson said he also thinks the whole thing should be done. He said he understands
167 that lots are selling better now and thinks they should do all of phase two.

168 Jeff Jorgensen said doing all of phase two should also provide the city with detailed information
169 on what the city's financial responsibility is going to be for participation in the construction of this
170 part of 2300 North. He also said that the developers should at least begin the process of working
171 with FEMA to get the flood plain issues resolved and officially changed.

172

173 7:00 The City Council (meeting as the North Logan Redevelopment Agency) to hold a **Public**
174 Hearing to receive public input on: 1) a proposed revision to the FY2015 RDA budget; and 2) a
175 proposed FY2016 RDA budget - including funding of the water and sewer lines to be installed
176 along 200 East using multiple funding sources.

177

178 *Damon Cann made a motion to adjourn the City Council meeting and convene to a meeting of the*
179 *North Logan Redevelopment Agency. Roger Anderson seconded the motion. A vote was called*
180 *and the motion passed unanimously with all voting in favor. This occurred at 7:38 p.m.*

181

182 Minutes for this portion for the meeting written under separate cover.

183

184 *Nancy Potter made a motion to adjourn the RDA meeting and return to the regular portion of the*
185 *City Council meeting. Damon Cann seconded the motion. A vote was called and the motion*
186 *passed unanimously with all voting in favor. This occurred at 7:40 p.m.*

187

188 Consider approval of a Condominium Plat for the Green Canyon Plaza, about .9 acres located at
189 the NW corner of 1600 North and 200 East in the (CG) General Commercial zone. (Green
190 Canyon Plaza, LLC)

191 Cordell Batt introduced the item and explained how the building was being divided. He said that
192 the Planning Commission made a positive recommendation but the Commission wants to ensure
193 there is some kind of agreement in the business association to spell out how each part of the
194 building and common area is to be taken care of. The owner said he brought a copy of the old
195 agreement, which he said he is working on updating and such will be done. Cordell said staff
196 recommends approval. In response to a question from the Planning Commission, the owner
197 explained that they want to separate each unit, so that they can be owned and sold and
198 purchased separately.

199

200 *John Bailey made a motion to approve the condominium plat as proposed. Roger Anderson*
201 *seconded the motion. A vote was called and the motion passed unanimously with Kristen*
202 *Anderson, Roger Anderson, Damon Cann, John Bailey and Nancy Potter voting in favor.*

203

204 Consider approval of a Condominium Plat revision for the Cache Valley Medical Office Building at
205 2380 N and 400 East in the (HOSP) Hospital zone creating a new Unit I from Units E & F.
206 (Cache Valley Ear, Nose and Throat)

207 Cordell Batt briefly reviewed the hospital's proposal.

208

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

212

213 Consider an ordinance to rezone approximately 26.03 acres of residential single-family estate
214 (RE-1) zoning to R-1-30. The area proposed for rezoning is the area between 2200/2300 N and
215 2500 N and east of Elk Ridge Park to 1250 E. If the re-zone ordinance is approved the council
216 may consider the Concept Plan for the Elk Meadows Farm Subdivision (12 Lots) on 9.25 acres
217 located at approximately 2470 and 1200 East.

218 Josh Campbell gave a presentation answering some of the questions from the last meeting via a
219 Power Point presentation. He explained how he wanted the lots set up and how the existing
220 zoning just does not make for a good configuration of lots on this property. He pointed out that
221 many of the surrounding lots were similar in size, and for the most part smaller, than the lots he
222 was proposing. He explained how he had tried to work out a way to get an adequate number of
223 lots, even using the density-bonus option for subdivisions and dedicating some land to the park,
224 but it just did not work out. He suggested that if the city was willing to help with some of the costs
225 of the road [1200 East] he might be able to work it out financially, in how to develop the
226 subdivision using RE-1 zoning. He gave a comparison about financing the construction of roads
227 for R-1-30 zoning vs. RE-1 zoning and how it is much more difficult to develop one acre zoning
228 economically.

229

230 Mayor Berentzen said he had talked to Jeff Gilbert about the possibility of getting CCCOG
231 funding for 1200 East. Mayor Berentzen said if we can convince some of the other mayors in the
232 CMPO about the value of this road, we might get some support to build 1200 East in this area.
233 He said Jeff Gilbert was very supportive, but the mayors make the decision.

233

234 Mayor Berentzen also asked what amount of park land donations it would take to get the
235 numbers to work out to get nine lots in the subdivision.

235

Roger Anderson said he attended a meeting with some of the neighbors as they got together to

236 discuss this zoning change. He said there was a common theme that many neighbors who
237 bought and moved there, did so because it was a RE-1 zone. He said they also felt that one-acre
238 lots were supported by the water there.

239 Damon Cann said he doesn't feel comfortable changing the zoning for this developer when that
240 was not allowed for the previous developer who had asked for the same thing. He said he felt the
241 CMPO needs to put up some funds to support putting 1200 East through.

242 Kristen Anderson said she would love to see something work with the CMPO if that's possible.
243 She said she appreciated all that Josh did to make a nice development, but would like to see
244 what could be done to get a little closer to the number of lots he wanted without a re-zone

245 Nancy Potter said we need to stick with what we have unless, like the city had worked out with
246 Curtis Jacobs, there was a way to get what was wanted using the current ordinances. She said it
247 took a long time to work out the deal with Curtis. She said she doesn't want to allow smaller lots
248 "just because".

249 Josh explained that he had run the numbers to try to get Method 3 to work but it would require
250 over an acre of land to be donated and that would mean either giving up a whole lot on the west
251 side or making those lots unbuildable. He said it just didn't work.

252 Mayor Berentzen reminded the council that he told Curtis Jacobs that he probably could not get a
253 rezone, and not even to ask. He said now the council is talking about allowing a rezone, and he
254 was not comfortable in doing that after what he had told Curtis.

255 Damon Cann discussed rejecting two other proposals previously asking for rezones.

256 Nancy Potter discussed her opposition to high-density and asked the developer to try to work out
257 something different.

258

259 *Damon Cann made a motion to deny the rezone request. Kristen Anderson seconded the*
260 *motion.*

261

262 John Bailey asked Josh if the rezone was denied, whether he would go ahead with the second
263 development plan which he had shown. Josh discussed some other things he thought he might
264 do with the land for now.

265 Mayor Berentzen clarified that if money came through for the road, then perhaps Josh would be
266 amiable to going ahead with development.

267

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

270

271 Consider an ordinance changing the permissible number of Off-Premises Beer Licenses from two
272 (2) to four (4).

273 Jeff said we have a request to sell beer for off-premises consumption at Anaya's Market, which
274 he further explained. He listed the other outlets which have the same license to sell beer. He
275 said this would be a fourth license.

276 John Bailey asked what if someone else comes in to get a license to sell, and whether they would
277 be denied and if we would have the authority to deny them. Jeff pointed out that denying a
278 license for a "mom and pop" store and then allowing a new Macy's or Harmon's grocery store to
279 sell beer may cause the city some legal problems. He went on to say that the way our
280 ordinances are set up now, any new off-premise beer license would need to be approved by the
281 council, we would have to address it again. John said perhaps we don't want to do this on a
282 case-by-case basis. Jeff said he has suggested that. Nancy Potter said she felt there should be
283 a limited number. Jeff said he felt there was currently no specific criteria for disallowing someone
284 and perhaps there should be.

285 The council discussed this further with Jeff. Damon Cann wanted to make sure that minors did
286 not have access to buying alcohol. Chief Kim Hawkes explained the programs they have to keep
287 minors from being able to purchase alcohol.

288

289 *Damon Cann made a motion to approve the proposed ordinance changing the number of allowed*
290 *Off-Premises Beer Licenses in the city from two (2) to four (4). John Bailey seconded the motion.*
291 *A vote was called and the motion passed unanimously with Kristen Anderson, Roger Anderson,*
292 *Damon Cann, John Bailey and Nancy Potter voting in favor.*

293

294 Consider approval of the revised agreement relating to the development of the Cache
295 Recreational Complex - the previously approved agreement among North Logan City, Hyde Park
296 City, Cache County and the Cache County School District regarding the Land and Water
297 Conservation Act property owned by Cache County with the proposed changes included.
298 Lance Anderson, Cache Landmark Engineering, reviewed the general provisions of the proposed
299 agreement. He explained that the agreement outlined who was responsible for developing what
300 in the area, within and around the new high school including the Cache Recreational Complex.

301
302 *Damon Cann made a motion to approve the revised agreement as presented. Kristen Anderson*
303 *seconded the motion. A vote was called and the motion passed unanimously.*
304

305 The council asked Lance to send the copies of the agreement to the council via email.

306
307 Consider approval of the city's water shortage management plan.

308 Alan Luce explained the water shortage management plan to the council, including its purpose.

309 John Bailey asked, regarding reduction strategies for exterior watering, what the baseline is and
310 how is that quantified. Alan explained that it's based on people that water four days a week.

311 Alan said we can include verbiage in the plan that explains that. It was reiterated that this
312 document can be changed as deemed necessary.

313

314 *Roger Anderson made a motion to adopt the North Logan City water shortage management plan*
315 *as presented. Damon Cann seconded the motion. A vote was called and the motion passed*
316 *unanimously with Kristen Anderson, Roger Anderson, Damon Cann, John Bailey and Nancy*
317 *Potter voting in favor.*

318

319 Consider approval of resolution updating the North Logan Personnel Policy to account for
320 requested and regulatory changes.

321 Scott Bennett introduced the item and explained some of the proposed revisions. He explained
322 that it was his understanding that these changes needed to be made to comply with the
323 Affordable Health Care Act, particularly as it relates to using high-deductible health plans with
324 health savings accounts and how the city counts employees' hours to determine if they are full
325 time or not.

326 Nancy Potter asked about non-employees using city vehicles. Jeff said he would look into it but it
327 was his understanding that volunteers who were working as agents for the city were covered by
328 our vehicle insurance.

329 There was discussion about whether or not the personnel policy should be specific in stating how
330 much of the health care premiums should be paid by the city vs. the employee. It was discussed
331 that such should probably be set each year as part of the budget process.

332

333 *John Bailey made a motion to approve the resolution revising the city's personnel policy, as*
334 *presented, subject to reexamining at a future time whether or not the city should specify the*
335 *amount of the premium the city or the employee should pay as part of the personnel policy or*
336 *have such determined as part of the annual budget process. Damon Cann seconded the motion.*
337

338 Damon made a friendly amendment to make recommended language changes to paragraph A in
339 Section 3. He asked that the second sentence be changed to read "Health insurance is provided
340 as a benefit to all regular, seasonal employees who are full-time employees (minimum of 30
341 hours per week or 130 per month)." John Bailey accepted the friendly amendment.

342

343 *A vote was called and the motion passed unanimously with Kristen Anderson, Roger Anderson,*
344 *Damon Cann, John Bailey and Nancy Potter voting in favor.*
345

346 **Reports from city officers, boards, and committees**

347 Scott Bennett asked the council if they wanted to encourage more employees to take the high
348 deductible plans by adding funds from the city to an employee's HSA. Scott Bennett explained
349 the options further. The council talked about what might incentivize the employees to take these
350 less expensive plans.

351 Mayor Berentzen pointed out that next year the bond for the library building will be paid off. He
352 asked that the council consider reducing the library tax or asking the public if they would support

353 that the equivalent tax be set aside to support a bond for a new city office building. He said he
354 would like to put that on the ballot to see the public's interest in it. Jeff explained the various
355 options for handling a ballot issue. Adam gave his opinion in support of doing something with the
356 funds currently needed for the library bond.

357 Nancy Potter thanked the staff for helping put on the Memorial Day program.

358 Mayor Berentzen recommended that Duane and Pat Chadwick be the Grand Marshal for the 24th
359 of July Parade.

360 Jeff mentioned the document he gave the council regarding 200 East and the sewer line, and
361 discussed it with the council. Jeff asked the council to come in and discuss the budget with him,
362 if they had any concerns, as it needs to be passed in a couple of weeks. He said there will be a
363 public hearing at the next meeting on the budget so that we can make an approval on it before
364 the end of June.

365 Kristen Anderson said she will be out of town the last meeting in June.

366 John Bailey said we've had two City Council meetings with heavy agendas. He said there is too
367 much documentation and too many issues to deal with all in one meeting. He suggested having
368 more time to digest the information before a meeting takes place and commented further. He
369 reiterated a previous suggestion where there would be one meeting a month that is more of a
370 study session, and one each month that is for considerations.

371 Mayor Berentzen said he thinks there is a need for some training for the City Council and
372 Planning Commission to allow them to operate more officially. They need to understand their role
373 as a legislative body and to allow the Planning Commission to do their job as they are supposed
374 to.

375 John Bailey said he feels the City Council gets bogged down in details which they don't need to
376 spend time discussing. The Mayor discussed the efficiency of the Cache County Council. He
377 said he thought maybe David Church could provide some training, and commented further.

378 Damon Cann said he appreciates having more time to review the materials before the meeting,
379 and commented further.

380

381 Executive session (closed) to discuss real estate and litigation issues.

382 *Damon Cann made a motion to close the meeting and move into Executive Session for the*
383 *purpose of discussing real estate acquisitions and litigation issues. Kristen Anderson seconded*
384 *the motion. A vote was called and the motion passed unanimously with Nancy Potter, Roger*
385 *Anderson, Damon Cann and Kristen Anderson voting in favor. This occurred at 10:09 p.m.*
386

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

388

389 *Damon Cann made a motion to open the meeting and move out of Executive Session and return*
390 *to the regular City Council meeting. Nancy Potter seconded the motion. A vote was called and*
391 *the motion passed unanimously with Nancy Potter, Roger Anderson, Damon Cann, John Bailey*
392 *and Kristen Anderson voting in favor. This occurred at 10:21 p.m.*
393

394 *Nancy Potter made a motion to adjourn the meeting. Kristen Anderson seconded the motion. A*
395 *vote was called and the motion passed unanimously with Nancy Potter, Roger Anderson, Damon*
396 *Cann, John Bailey and Kristen Anderson voting in favor.*
397

398 The meeting adjourned at: 10:21 pm

399

400 Approved by City Council:

September 23, 2015

401

402 Transcribed by Marie Wilhelm

403

404 Recorded by

405



Scott Bennett/City Recorder