

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58

**Minutes of the North Logan City
City Council
Held on July 22, 2015
At the North Logan City Library, North Logan, Utah**

The meeting was called to order by Mayor Lloyd Berentzen at 6:30 p.m.

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

Others present were: Greg Larsen, Nick Larsen, Teresa Theurer, Scott Theurer, Laurel Hayes, Linda Hayes, Caleb Smart, Lauralyn Larsen, Russell Goodwin, Peggy Giles, Gordon Younker, Randy Grover, Gene Thomson, Mark R. Hurd, Mark Lynne, Lydia Embry, Jon Keller, Kim Hawkes, Alan Luce, Cordell Batt, Jeff Jorgensen and Marie Wilhelm.

Others that joined later when the combined meeting with Hyde Park started: Hyde Park Mayor and Council - Bryan Cox, Brent Kelly, Bob Christensen, Bret Randall, Sharidean Flint, and Charles Wheeler, plus Hyde Park City Recorder - Donja Wright.

The Pledge of Allegiance was led by Jeff Jorgensen
An invocation was given by Mayor Bryan Cox

Adoption of Agenda

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

New Business

Consider approval of a revised franchise agreement between the City and COMCAST.

Jeff Jorgensen introduced the item and that it came about in relation to getting ready for building 200 East. When Jeff reviewed their agreement he found it was outdated, and didn't include all that either side wanted to see in it, as it was approximately 25 years old. He got together with Comcast and put a more current agreement together. He explained this is not an exclusive agreement for use of the city's rights of way, and briefly outlined other items.

Damon Cann asked if there was a timeline on this contract, and Jeff said it is for ten years. Damon also mentioned that there have been a number of complaints against them and issues with customer service; and he suggested giving them some feedback and asking them to improve their customer service. He also asked about whether we have approached them about getting service to the Wildercrest Subdivision, which Jeff said we hadn't. Damon said this would be a good time to speak to them about this.

Jeff explained that the city attorney had some minor revisions recommended and those changes would be made to the agreement before it was signed.

Kristen Anderson made a motion to approve the agreement with the changes recommend by legal counsel. John Bailey seconded the motion. A vote was called and the motion passed unanimously with Kristen Anderson, Roger Anderson, Damon Cann, John Bailey and Nancy Potter voting in favor.

Consider approval of bids for road and curb and gutter work in the Montage Subdivision and bids for equipment purchases.

Mayor Berentzen introduced the item and reviewed the documentation on the bids the city received. Alan further explained the bids and said Staker Parsons was the low bidder for the asphalt part of the job and LeGrand Johnson was the low bidder to the concrete work. It was further explained that Johnson's was the low bidder, but only after accounting for the fact that their bid included the cost of the rock, which the others did not. Alan recommended accepting Parson's bid for the asphalt work and Johnson's bid for the concrete work.

Damon Cann asked how this compared to the budget. Jeff said it is \$20K less than what was

59 budgeted.

60

61 *Damon Cann moved to approve the bid for Staker Parsons for the asphalt. Nancy Potter*
62 *seconded the motion. A vote was called and the motion passed unanimously with Kristen*
63 *Anderson, Roger Anderson, Damon Cann, John Bailey and Nancy Potter voting in favor.*

64

65 *Kristen Anderson moved to approve the bid for LeGrand Johnson's for the concrete work [curb*
66 *and gutter]. Damon Cann seconded the motion. A vote was called and the motion passed*
67 *unanimously with Kristen Anderson, Roger Anderson, Damon Cann, John Bailey and Nancy*
68 *Potter voting in favor.*

69

70 Alan discussed the bids for acquiring a truck for public works and a fire truck. Mayor Berentzen
71 asked if the top bid includes state registration. Alan said he would check on that and make sure it
72 would.

73

74 *Nancy Potter made a motion to approve the acquisition of public work's truck and the fire truck.*
75 *John Bailey seconded the motion. A vote was called and the motion passed unanimously with*
76 *Kristen Anderson, Roger Anderson, Damon Cann, John Bailey and Nancy Potter voting in favor.*

77

78 Discuss and consider approval of a Development Plan and Agreement, a Real Estate Purchase
79 Contract, and a Re-development Agency reimbursement agreement for Maple Springs LLC, a
80 development that includes an assisted living center and nursing care facilities south of 2200 N
81 between 300 and 400 East.

82 Cordell Batt said this will be the first project in the 40-acre, main part of the City Center and
83 further explained the project, which encompasses two zones. He further discussed the
84 documentation given to the City Council, and the elements that the developers have taken care of
85 to this point in the development. Cordell said this is an assisted living center with 113 beds and
86 some skilled nursing area as well. He said this development went before Planning Commission
87 in their June meeting and they made a positive recommendation to the City Council on this. He
88 said the detailed development agreement is still being worked on.

89 Jeff Jorgensen said there are four things needing to be approved to move forward, including the
90 development plan, which he explained, as well as certain design elements. He said the second
91 item needing approval is the development agreement, which he explained. He said the third item
92 is the land sale, which includes the purchase of about two acres of land from the city. He said the
93 fourth item needing to be approved is an agreement with the RDA on reimbursement of tax
94 increment funds, but he does not want to approve that at this meeting.

95 John Bailey asked about the accesses in relation to the nearby developments and how they
96 relate to one another. Jeff explained that the current plan is for 300 East to be offset from the
97 entrance into Leisure Villas but they would try to minimize the impact for the access going in on
98 the north [into Leisure Villas]. There was also discussion in relation to the people across the
99 street regarding whether the new facility would be one story or two. The other question was who
100 would be responsible for building the round-about.

101 Jeff said his plan was that the development will build one fourth of the circle's sidewalk and the
102 curb and gutter which was on their property on that intersection. He said the round-about will be
103 entirely designed, and when we want to put in the rest of it, we can, but it is not in the city's
104 budget to finish it at this point. In the agreement, it says that the developer will pay for a fourth of
105 the circle, as well as well as one of the four pedestrian zones and one-fourth of the center circle.

106 Cordell answered the concerns about the height of the buildings and explained that the
107 developers designed this to match just what the City Center ordinance required, which he further
108 explained. He explained that the higher parts of the buildings are further back into the
109 development and away from the street. He said it will complement the residential development
110 across the street to the north.

111 Damon Cann asked questions about what the tax increment funds would be used for. Jeff
112 explained that the reimbursement funds would be similar to the Four Seasons which were entirely
113 for roads. In this case the tax increment funds would be considered to be paying mostly for
114 infrastructure development - mostly roads. The redevelopment plans for this area say that the
115 funds can also be used to cover the cost of water mains, and sewer mains and even land

116 acquisitions but in this case there are plenty of road costs to offset the expected tax increment
117 reimbursement being projected.

118
119 The North Logan City Council agreed to come back to this item after the combined session with
120 Hyde Park's City Council.

121
122 **This part of the meeting started at 7:00 p.m.**

123
124 **Hyde Park City Council joins at 7:00 pm**

125 Opening Business by Hyde Park City Council including:

- 126 • Roll Call
127 • Adoption of agenda

128
129 *Bob Christensen made a motion to approve the agenda as presented for Hyde Park City Council.*
130 *Sharidean Flint seconded the motion. A vote was called and the motion passed unanimously*
131 *with Brent Kelly, Bob Christensen, Bret Randall, Sharidean Flint, and Charles Wheeler voting in*
132 *favor.*

133
134 Discuss a project to install a fence along the north property line for the North Logan Library and
135 Police Agency building.

136 Manju Oberoi who lives on the north side of the police building at 538 Aspen Meadows Dr., North
137 Logan, approached both Councils and informed them that before the police building was
138 constructed, she was informed that the police department would help install a fence to give her
139 some privacy from the Police Building and Library. She said that she feels like she lives in the
140 police station and snakes and rats are crawling in from the undeveloped portion of the of the
141 police department property into her yard. She does not spend any time outside and would like
142 some resolution.

143 Mayor Berentzen asked her if the neighbors to the east of her property were in agreement. She
144 informed the Council that both neighbors east of her are currently not living in their houses. Jeff
145 Jorgensen, North Logan City Administrator, informed the Council that he put together a cost
146 estimate of putting in a fence along all three properties and Hyde Park's portion would be
147 approximately \$500. Hyde Park Council member Flint recommended that the Cities could split
148 the cost of putting in one portion of fence along her property and if the other property owners
149 want a fence, it could be installed at a later date when they could give their consent. Both
150 Councils agreed to cover the costs for 50% of the fence.

151 Chief Hawkes will approach the other home owners to see if they would like a fence installed
152 behind their property.

153
154 Consider adopting ordinances for each city on a proposed boundary change between the two
155 cities in the approximate area of 2850 to 3100 North and between Main Street and 400 East. The
156 area is where the new high school is being built.

157 [Hyde Park City] Mayor Cox introduced the item, and Jeff explained the situation, via an overhead
158 projected map of the site. He explained both city's ordinances that are in place. He further
159 explained the new outline of the area.

160
161 *Hyde Park Council member Kelly made a motion to approve Hyde Park Ordinance 15-5, an*
162 *ordinance adjusting the municipal boundary of the City of Hyde Park with a change to Section 1,*
163 *paragraph 2 to read "The following parcels shall be removed from Hyde Park's corporate*
164 *boundaries and included within North Logan's corporate boundaries". Hyde Park Council*
165 *member Wheeler seconded the motion. Council members Kelly, Christensen, Randall, Flint and*
166 *Wheeler voted in favor. The motion carried 5/0.*

167
168 *John Bailey made a motion to approve North Logan Ordinance 15-07 adjusting the municipal*
169 *boundary between North Logan and Hyde Park. Nancy Potter seconded the motion. A vote was*
170 *called and the motion passed unanimously with Kristen Anderson, Roger Anderson, Damon*
171 *Cann, John Bailey and Nancy Potter voting in favor.*

172
173 Mayor Berentzen asked Mayor Cox if Hyde Park was planning on using CCCOG funds for the
174 development of 3100 North, and said that North Logan would be interested in supporting Hyde

175 Park on such a request. This was discussed further between the two councils. Jeff
176 recommended pushing hard for CCCOG funds for this project, and commented further. The
177 councils and mayors agreed that this needs to be done soon.

178 Mayor Cox asked what it would take to get a traffic signal light at the highway at 3100 North – Jeff
179 said he thought that was possible, especially when the school goes in.

180

181 Discuss the proposed annexation of 5.14 acres at approximately 600 East and 2650 North (North
182 Logan City addressing). The two councils will discuss which city should annex the two
183 unincorporated and adjoining parcels. If it is decided that North Logan City should annex the
184 parcels, the NL Council would then consider adopting an ordinance approving the proposed
185 annexation. If it is decided that Hyde Park should annex the property, the HP Council would
186 begin that process and consider approval of a resolution expressing Hyde Park's intent to do so.
187 The two Councils met to discuss which city should annex the unincorporated and adjoining
188 parcels. If it is decided that North Logan City should annex the parcels, the NLC Council would
189 then consider adopting an ordinance approving the proposed annexation. If it is decided that
190 Hyde Park should annex the property, the HP Council would begin that process and consider
191 approval of a resolution expressing Hyde Park's intent to do so.

192 Mayor Berentzen informed the Councils that discussions about this development have been in
193 the works for quite a while. The two parcels make a peninsula in an unincorporated area
194 between the two cities. Approximately 12 years ago, the cities created an agreement outlining
195 which city would annex each of the unincorporated portions between Hyde Park and North
196 Logan. The agreement puts these two parcels in North Logan's jurisdiction. North Logan started
197 the annexation process and held a public hearing. HP Council member Randall informed the
198 Councils that Hyde Park City Council voted to consider the option of annexing the parcels into
199 Hyde Park if North Logan chose not to annex them.

200 Jeff Jorgensen informed the Councils that the sewer is probably better serviced by North Logan
201 but the water would be easier to service from Hyde Park. Road access is currently from Hyde
202 Park but North Logan has plans to put in a road along 600 East that would access the
203 development. Mayor Cox informed the Council that 50 East in Hyde Park is a farm road with no
204 curb and gutter that currently dead ends at 200 south.

205 The developer and property owner, Dan Cox, approached the Councils and informed them that it
206 would have a significant financial impact on him if the development were to be annexed into Hyde
207 Park. In North Logan, the zoning requirements allow him to have the proposed twelve lots and in
208 Hyde Park, he would only be allowed five. Mr. Cox informed the Councils that one of the reasons
209 they purchased the property was that it would be annexed into North Logan. He has been
210 working with North Logan for the past two years getting a reasonable plan put together. He said
211 that the traffic would flow on 50 east for only 200 yards and then would come out into the
212 Northern Meadows Subdivision which has 66' roads and dumps out into North Logan. This
213 natural transition would not cause a bottle neck. HP Council member Randall informed Mr. Cox
214 and the Council that the water would be coming from 2500 north and water conveyance over 500'
215 requires state approval. The state may not approve the water line as there may not be adequate
216 pressure. Mr. Cox informed Mr. Randall that he has been working with engineers and North
217 Logan City staff to design services from outside of Hyde Park that they are adequate to facilitate
218 the needs of the development.

219 Mr. Randall disclosed that he lives next to the two parcels being discussed and is therefore
220 personally vested. He informed the Councils that his neighborhood would be greatly impacted by
221 the traffic from the development as proposed. He estimated that the average household does
222 about seven trips a day from their home. He said with the twelve homes proposed that makes
223 over 80 trips a day, and if they have teenagers those numbers could be a lot higher. All these
224 trips will mostly end up driving down 730 south. Council member Randall expressed his concern
225 about North Logan plows driving a mile to plow two small streets, while driving on Hyde Park
226 Roads which that city pays to maintain. HP Council member Kelly informed the Council that
227 Hyde Park City has created road access by putting down ground asphalt as a temporary road.
228 He suggested that North Logan consider this along 600 east, going south to 2500 North.

229 Mayor Berentzen informed the Councils that he felt that no decisions could be made until the
230 North Logan and Hyde Park annexation limit and cost sharing agreement is discussed with legal
231 counsel. It was recommended that both councils continue to take this discussion under
232 advisement.

233

234

Consider approval of a canal maintenance agreement with the Hyde Park Canal Company.

235

Council member Kelly informed the Councils that a few years ago the other canal companies created an agreement for the Cities to sign. This agreement has the same wording except for the names of the parties involved.

236

237

238

239

There was a discussion about Page 11 item (c) Trash Gates: The agreement states that "each of the Cities shall be responsible for monitoring the trash gates situated within their respective boundaries throughout the year and arrange for cleaning and maintenance as required, at the Cities' sole expense". Both councils determined that the canal company should share mutual responsibility for cleaning the grates. Mark Hurd from the Hyde Park Canal Company board informed the Council that the intent is not that the Cities would have to pay for the maintenance but the work would be counted as work-in-kind. The language will be changed in the next couple of weeks for Council approval.

240

241

242

243

244

245

246

247

248

Council member Kelly made a motion to approve the Operating Agreement with the Hyde Park Canal Company with the exception of Page 11, Section (c) Trash Grates. Council member Christensen seconded the motion. Council members Kelly, Christensen, Randall, Flint and Wheeler voted in favor. The motion carried 5/0.

249

250

251

252

253

Damon Cann made a motion to approve the agreement with changes, as discussed, to paragraph 12C being addressed meaning that the canal company will also take care of the trash grates.

254

255

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

256

257

258

Generally discuss a variety of misc. issues impacting both cities to include the construction of 3100 North (Main to 200 East), the development of the Logan & Northern Canal and using it for storm water, and the interconnectivity of roads.

259

260

261

Jeff Jorgensen discussed the draft he received that day from JUB on the interconnectivity road among the three cities of North Logan, Hyde Park, and Smithfield. The Councils discussed the plan. When the plan is complete, it will come to the both City Councils to be approved as part of each city's master road plan. Council member Wheeler recommended looking at connecting future roads further east than 1600 East before developments go in.

262

263

264

265

266

267

Reports from either city's officers, boards, and committees as applicable.

268

Mayor Cox and Mayor Berentzen mentioned that David Church, attorney for the League of Cities and Towns, would be doing a presentation to both cities at the North Logan Planning Commission meeting tomorrow night. They discussed the purpose of the presentation.

269

270

271

It was discussed that on August 5th North Logan and Hyde Park will meet to sign the police agency agreement. The meeting will be held at the police department at 6:30 pm.

272

273

274

The Hyde Park City Council left the meeting at this point.

275

276

North Logan City - continue with agenda item #4:

277

Discuss and consider approval of a Development Plan and Agreement, a Real Estate Purchase Contract, and a Re-development Agency reimbursement agreement for Maple Springs LLC, a development that includes an assisted living center and nursing care facilities south of 2200 N between 300 and 400 East. - Continued from Earlier

278

279

280

281

The developers addressed various questions from the council.

282

Kristen Anderson expressed her concern about the exterior finish for the building. She said she was under the understanding that there had been extensive discussion regarding stucco not being allowed in this area per the City Center Code. She said that it was discussed that stucco not be used, which was addressed by the developer.

283

284

285

286

Nancy Potter also mentioned that in her opinion stucco was something that the city did not want here.

287

288

Cordell answered that the code that was passed actually listed stucco as one of the allowed finishes within the City Center area.

289

290

Nancy asked about making sure that secondary water would be used in the development for

291 irrigating landscaping.

292 Jeff Jorgensen explained the developers' original plan, and said they have since worked
293 something out to do a joint venture to also provide secondary water for the City park. He
294 explained further. Nancy said that is not in the documentation and that it needs to be part of the
295 agreement, to which Jeff agreed.

296 Bill Larsen said they are still checking to see if water rights are attached to the property. This was
297 discussed further. Cordell said he did some research and cannot find documentation that the
298 water follows the property. Jeff said it needs to be checked with the canal company.

299
300 *John Bailey made a motion to approve the real estate purchase contract as presented. Roger
301 Anderson seconded the motion. A vote was called and the motion passed unanimously with
302 Kristen Anderson, Roger Anderson, John Bailey and Nancy Potter voting in favor and Damon
303 Cann abstained.*

304
305 *Roger Anderson made a motion to approve the development plan, pending determining from the
306 ordinance if stucco is allowed and that they have to comply with the ordinance. John Bailey
307 seconded the motion. A vote was called and the motion passed unanimously with Kristen
308 Anderson, Roger Anderson, Damon Cann, John Bailey and Nancy Potter voting in favor.*

309
310 John Bailey said he also wants clarification on the secondary water issue. Jeff said they could
311 add language that a second, separate agreement would be done to share jointly in the
312 development of secondary water for the development as well as the city park land to the south.

313
314 *John Bailey made a motion to approve the development agreement including the changes as
315 discussed, which is to have a stipulation/language in the agreement that there will be a separate
316 agreement for shared secondary water. Roger Anderson seconded the motion. A vote was
317 called and the motion passed unanimously with Kristen Anderson, Roger Anderson, Damon
318 Cann, John Bailey and Nancy Potter voting in favor.*

319
320 Cordell Batt expressed that the Planning Commission wants to move forward with the approval of
321 the Land Use Element, and it will be on the agenda for the next City Council meeting, and further
322 discussed with the council how they would like to proceed.

323
324 Kim Hawkes reminded the council that on Friday morning they could volunteer as cooks for the
325 Pioneer Day breakfast. The events of the July 24th celebration were further discussed.

326
327 Jeff explained about a meeting that was held with the representatives from the Storytelling
328 Festival, and that it was not a positive experience this year. He further explained the revenue,
329 expenses, and the resulting over spending. The council discussed this year's event, as well as
330 last year's; and further discussed how to proceed in the future. The council further discussed
331 how to manage future events.

332
333 Nancy Potter discussed the RV park and they discussed shutting off culinary water to the park.

334
335 *Damon Cann made a motion to adjourn the meeting. Kristen Anderson seconded the motion. A
336 vote was called and the motion passed unanimously with Nancy Potter, Roger Anderson, Damon
337 Cann, John Bailey and Kristen Anderson voting in favor.*

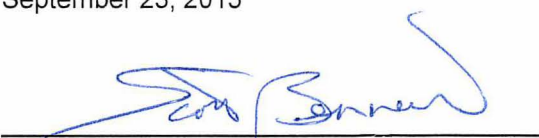
338
339 The meeting adjourned at: 10:02 pm.

340
341 Approved by City Council:

September 23, 2015

342
343 Transcribed by Marie Wilhelm

344
345 Recorded by



Scott Bennett/City Recorder

346
347