

**Minutes of the North Logan City  
City Council  
Held on August 26, 2015  
At the North Logan City Library, North Logan, Utah**

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*Damon Cann moved to appoint Nancy Potter Mayor Pro-Tem in the temporary absence of Mayor Berentzen. Kristen Anderson seconded the motion. A vote was called and the motion passed unanimously with John Bailey, Kristen Anderson, Nancy Potter, Roger Anderson, and Damon Cann voting in favor.*

The meeting was called to order by Mayor Pro-Tem Nancy Potter at 6:30 p.m.

Council members present were: John Bailey, Kristen Anderson, Nancy Potter, Damon Cann, and Roger Anderson. Mayor Berentzen arrived slightly later in the meeting [6:58 p.m.].

Others present were: Hannah Anderson, Esterlee Molyneux, Cat Bennett, Debbie Murray, Neil Murray, Aspen Gorry, Madeleine Harris, Morgan Parrish, Greg Larsen, RaNae Randall, Thomas Clark, John Worley, Matthew Blake, Sean Michael, Dan Cox, Steven Condie, Jenn Twiss, DeeAnn Wood, Matthew Wood, Gordon Younker, Lydia Embry, Lance Anderson, Alan Luce, Scott Bennett, Cordell Batt, Jeff Jorgensen, and Marie Wilhelm.

The Pledge of Allegiance was led by Alan Luce.

An invocation was given by Cordell Batt.

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

**Review of Action Items**

Jeff Jorgensen reviewed the action items list with the council.

**New Business**

**Presentation by North Logan City Royalty to "The Family Place" of check for proceeds from the Pioneer Day Charity Dinner.**

Hannah Anderson, Elizabeth Archibald, and Madeleine Harris presented a check to Esterlee Molyneux from the Family Place. In thanking the young women for the money, Ms. Molyneux explained that the Family Place, recently renamed from being the Child and Family Support Center, has been here since 1982. It is a private non-profit organization established to help families be stronger and protect children.

**6:35 Public Hearing to receive public input on proposed property transfer or property sale agreements for the transfer of various pieces of real property in the following locations. Following the public hearing the council will consider approving each of the agreements.**

- a. Approximately two acres owned by North Logan within the City Center area being sold to the adjacent property owners to the north to provide sufficient land area for their proposed development and in accordance with the city's city center layout for the future park in the city center.
- b. A strip of land along the east side of 1200 East beginning at the intersection of 2300 North being transferred to the adjacent property owned by Robert and Linda Burt.
- c. A triangular shaped piece at the east end of 1730 North, squaring off that road end with the land being transferred to the adjacent property owned by Thomas and Tammie Clark.
- d. A portion of the designated open space within the Foothills North Subdivision on the corner of 1800 East and 3025 North being transferred to the adjacent property owned by Sean E. and Dolores D. Michael.
- e. The storm water retention pond area (Parcel 1) within Phase One, Canyon Gates Subdivision being transferred to the adjacent property owned by Eric Dodson.
- f. The open space along 1600 East south of 2450 North (Parcel 2) within Phase One, Canyon Gates Subdivision being transferred to the adjacent property owned by Corey N.

60 and Brandy R. Monson.

61 g. A portion of the designated park area within the Canyon Ridge Subdivision (Parcel 04-  
62 112-0003) on the west side of Canyon Ridge Drive at approximately 2995 North being  
63 transferred to the adjacent property owned by Morgan W. and Rachel M. Parrish.

64 *Nancy Potter opened the public hearing at 6:43 p.m.*

65

66 Lydia Embry had several questions about the property being sold to Maple Springs and the  
67 regulating plan for the City Center but gave no input about what should be done with regard to  
68 any of these pieces of property. She also made statements about each of the other properties  
69 but again gave no opinion about what she expected to be done. Nancy asked Lydia to give a  
70 copy of her comments and questions to Marie Wilhelm.

71

72 Mayor Berentzen arrived at this time, 6:58 p.m.

73

74 Lance Anderson, speaking about the Michael property, commented that he enjoys the open  
75 space around his property which is adjacent to the land, and said there has been discussion  
76 about how that is going to continue. Lance said he wanted to make sure that other property  
77 owners next to this open space also had the opportunity to have some of the land transferred to  
78 them, him included. He cautioned that there should be some continuity in how the land should be  
79 developed through this area if all the land was eventually to be transferred to the adjacent  
80 property owners, which he recommended be done. He suggested that the land owners in the  
81 area work together to present a plan for the entire area to be transferred to the adjacent property  
82 owners. He suggested that the property be divided either along where the trail would be or the  
83 bottom of the natural drainage.

84

85 Sean Michael talked about how he teaches a landscaping and architectural planning class at  
86 USU and he would plan to use members of his class to help design the landscaping for this area;  
87 that it would be a natural landscape and be designed to use very little water and include a trail  
88 through the area. He also recommended more of the area be transferred into private ownership  
89 and also recommended some type of continuity throughout the subdivision. He handed out to the  
90 council a concept plan showing his ideas about how he would develop the property.

91

92 Steven Condie one of the developers and planners for the Canyon Gates Subdivision expressed  
93 concerns about changing the master plan for the subdivision that had been agreed upon between  
94 the developers and the city, and also his concerns about perpetual maintenance of this property.

95

96 Aspen Gorry said that they really do enjoy the open space in this area and also some of the  
97 concept plans and said he agrees that the area could be better developed and maintained if it  
98 was owned by the adjacent property owners.

99

100 Morgan Parrish explained that the area he is planning on being transferred to him from the city is  
101 not prime property that the city would be giving way, it's a steep ditch and will be hard to maintain.  
102 He said he thinks the city is doing the right thing by transferring some of these open spaces. He  
103 said he had no problem establishing a public access trail through this area.

104

105 Gordon Younker discussed the history of when these pieces of property were originally  
106 considered, and explained how a lot of these properties ended up being the City's responsibility.  
107 He reiterated previous concerns that the city should ensure that the open spaces and public  
108 access to the properties that was included in the original intent and requirements of the  
109 subdivisions needs to be retained if the land is to be transferred.

110

111 Lance Anderson explained his understanding that a private property owner has no personal injury  
112 liability on their property if the public uses their property as long as it is open to the public and no  
113 fee is charged for access.

114

115 *Mayor Berentzen closed the public hearing at 7:21 p.m.*

116

117 Mayor Berentzen reminded the council that they don't have to take action on these agreements at  
118 this time, that the City Council can take time to review these, but there may be some that are  
119 more straight forward that they can approve.

120 Damon Cann commented on the two pieces of land in the Canyon Gate Subdivision and said he  
121 would like to look at those development agreements more closely. He asked if the city has some  
122 legally binding agreements on these properties that he could look at to see if we have to keep  
123 ownership of those properties. He said he would however agree to approve the Burt's and the  
124 Clark's pieces.

125 Mayor Berentzen [speaking of the property to be transferred to the Burts] said he would hate to  
126 give up property, and then realize later that we may in fact need that property, and asked if a  
127 lease might be possible, and commented further. He said he wants to avoid having to pay for  
128 land in the future that we shouldn't have given up.

129 John Bailey said he would be okay with approving the transfer of the Clark piece, but is not as  
130 sure about the Burt piece.

131 Mayor Berentzen asked if a lease or some kind of easement could be done instead of transferring  
132 the land. Jeff said he could review that with the City Attorney, and also commented about other  
133 easement situations in the city.

134 Nancy Potter suggested waiting one more meeting and reviewing these further.

135 Jeff Jorgensen said the council was not planning on having another meeting for four weeks. He  
136 went on to say that, in his opinion, the only property transfer that really needed to be decided  
137 tonight would be the first item, the sale of the city's land to the Maple Springs developers.

138  
139 *Damon Cann made a motion approve Item "a", the sale of two acres to the Maple Springs*  
140 *development. Nancy Potter seconded the motion.*

141  
142 John Bailey asked if we should clarify for the record, that the sale of the two acres does not mean  
143 that long term we are planning to decrease the size of the City Center green space. Jeff said our  
144 long-term plan is that we divest ourselves of two acres and acquire land elsewhere to make up  
145 the difference. It was explained that these two acres have never been a part of where we  
146 planned the City Center Green.

147  
148 *A vote was called and the motion passed unanimously with Kristen Anderson, Roger Anderson,*  
149 *Damon Cann, John Bailey and Nancy Potter voting in favor.*

150  
151 Jeff commented that the idea of how to transfer properties such as these is something we have  
152 been working on for years, and we should work hard to make sure these are all done well, and  
153 explained further their reasoning behind how they want to manage this.

154  
155 *John Bailey made a motion to approve the land transfer agreement item "c", the piece to the*  
156 *Clarks, as presented. Kristen Anderson seconded the motion. A vote was called and the motion*  
157 *passed unanimously with Kristen Anderson, Roger Anderson, Damon Cann, John Bailey and*  
158 *Nancy Potter voting in favor.*

159  
160 Meeting as the North Logan Redevelopment Agency, the Council will consider approval of a  
161 reimbursement agreement using tax-increment funds from the City Center Community  
162 Development Area to reimburse the Maple Springs Development for a variety of infrastructure  
163 improvements in the area of the City Center.

164 *Nancy Potter made a motion to adjourn the City Council meeting and convene to the meeting of*  
165 *the North Logan Redevelopment Agency. Damon Cann seconded the motion. A vote was called*  
166 *and the motion passed unanimously with Nancy Potter, John Bailey, Roger Anderson, Damon*  
167 *Cann and Kristen Anderson voting in favor. 7:39 p.m.*

168  
169 Minutes for this portion of the meeting are written under separate cover.

170  
171 *Kristen Anderson made a motion to adjourn the RDA meeting and return to the regular portion of*  
172 *the City Council meeting. Damon Cann seconded the motion. A vote was called and the motion*

173 *passed unanimously with Nancy Potter, John Bailey, Roger Anderson, Damon Cann and Kristen*  
174 *Anderson voting in favor. 7:43 pm.*

175

176 Consider approval of an addition to the Cache Valley Hospital. Being considered is the addition  
177 of a proposed women's and newborn unit.

178 Cordell Batt presented the situation and explained what will be added in the proposed expansion  
179 of the hospital.

180 Nancy Potter asked about the neighbor's letter complaining about the noise from the hospital's  
181 HVAC system and backup power generator. The neighbor requested that sound walls be  
182 installed around the equipment. She also requested a change in the flight pattern for the  
183 helicopters. Nancy said that she hoped that the hospital would do something to mitigate what  
184 they can, any problem that affects the neighbors who live across the canal.

185 John Worley, the hospital administrator said he had not seen the letter that was being discussed,  
186 but would happy to look at it and investigate the purported problem. He said it sounds like a fair  
187 question and he would be happy to respond as soon as he sees it.

188 Mr. Worley discussed the things they have done so far on the project, and said they would like to  
189 move in by October or December of next year, but if we don't do certain things before the ground  
190 freezes, they will be held up another six months out.

191 Mayor Berentzen discussed the flight pattern where the helicopter comes in and asked if there is  
192 a different flight pattern that could be used, one that had less impact on the neighbors. Mr.  
193 Worley responded that there are certain things they can do but a lot of their constraints are set by  
194 the F.A.A.

195 Damon agreed that we need to get the noise issue taken care of before the city approves the  
196 addition. The council discussed meeting again to deal with this.

197 The Council asked that the mayor work with Worley to go through these issues and meet again  
198 for a short time to consider this during the next meeting. The council will likely meet on  
199 September 9<sup>th</sup>.

200

201 Consider approval of the Concept Plan for the Ashley Point Subdivision (12 Lots) on 5.02 acres  
202 located at approximately 2650 North and 600 East in the R-1-12 zone.

203 Mayor Berentzen said he is going to advise the council not to take action because Hyde Park has  
204 put on their agenda a discussion to dead end their 50 East road. He explained his conversation  
205 with the Hyde Park Mayor pointing out that this is not what they promised in the past, but Mayor  
206 Berentzen said he would still like to wait until he sees what Hyde Park comes up with.

207 John Bailey asked if this should be on the Police Commission agenda. Jeff said he thought that  
208 would be appropriate since this road was planned as an access road for the police department to  
209 get out and to quickly get north into Hyde Park as well as south to North Logan.

210 Mayor Berentzen suggested that the council could still discuss the issue but he would rather not  
211 take action tonight.

212 Damon Cann discussed the costs of the road and asked what the potential is for covering the  
213 costs, which Jeff addressed.

214 ReNae Randall asked some questions about specifically where part of the boundary was  
215 between the two cities.

216 Nancy Potter asked about the comments from the Public Works department about the  
217 subdivision. Dan Cox said he has already gone through every line of it with Alan Luce.

218 It was decided to take no action on this issue until some feedback from the Hyde Park City  
219 Council was received.

220

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

222 Update from the Police Agency regarding the urban deer herd management plan.

223 Chief Kim Hawkes presented the status and situation of the urban deer herd management plan.

224 Mayor Berentzen said he had just discussed this issue with Logan's Mayor who had been told  
225 they could not qualify for a catch and relocate program but only a catch and kill program. Chief  
226 went on to explain that he was told the same thing in a letter from DNR that explained how our  
227 city could no longer transport deer back to the mountains and would only be allowed to kill or

228 release the deer we trapped. He explained that the change was because of a diseased elk that  
229 had been found and DNR stopped all transfer of deer out of our urban areas.

230  
231 Cordell Batt reported that in cooperation with Logan City UDOT said they are going to signalize  
232 1600 North and Main, and investigate the possibility of medians from 1400 to 1600 North and  
233 perhaps more. He said there was to be set up a September 30<sup>th</sup> meeting at their city offices to  
234 work with Logan and the business that will be affected, to discuss this issue. Cordell also asked  
235 that the council put the land use element on one of the upcoming agendas.

236  
237 Kristen Anderson asked if the city followed up with the affected residents regarding the small park  
238 in the Green Canyon View Estates subdivision. Alan said he has not yet received anything about  
239 it. Kristen said she would forward the information to Alan.

240  
241 Nancy Potter asked about the progress on issues about the RV Park. Mayor Berentzen and Jeff  
242 Jorgensen said they are going to follow up with John Jenkins. Mayor said that James Swink  
243 [County Attorney] asked that we have the police down there monitoring what's going on. Mayor  
244 Berentzen discussed the meeting that took place in which they discussed how the RV park issues  
245 were going to be handled.

246  
247 Scott Bennett mentioned that the revised meeting schedule that was being discussed would  
248 conflict with the Meet the Candidates Night on the first Wednesday in October.

249  
250 Mayor Berentzen reported that the CVTD Board met and he got some information about their  
251 budget. He went on to say that there was discussion among a few of the mayors about whether  
252 we should appoint elected officials to that board rather than citizens at large.

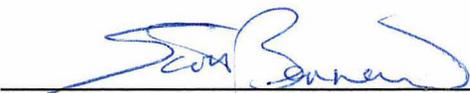
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254  
255 *Nancy Potter made a motion to adjourn the meeting. John Bailey seconded the motion. A vote*  
256 *was called and the motion passed unanimously with Nancy Potter, Roger Anderson, Damon*  
257 *Cann, John Bailey and Kristen Anderson voting in favor.*

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259 The meeting adjourned at 8:05 pm.

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261 Approved by City Council: September 23, 2015

262  
263 Transcribed by Marie Wilhelm

264  
265 Recorded by

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

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