

1 **Minutes of the North Logan City**
 2 **City Council**
 3 **Held on February 17, 2016**
 4 **At the North Logan City Library, North Logan, Utah**
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8 The meeting was called to order by Mayor Lloyd Berentzen at 6:30 p.m.

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

12
13 Others present were: Mayor Bryan Cox, Mark Hurd, Ranae Randall, J.J. Gabriel, Connor
14 Casselman, Neil Murray, Will Smithee, Samuel Smithee, Dan Cox, Sharidean Flint, Alan Luce,
15 Cordell Batt, Jason Killinen, Kim Hawkes, Lydia Embry, Scott Bennett, Jeff Jorgensen and Marie
16 Wilhelm.

17
18 The Pledge of Allegiance was led by Scott Bennett.
19 An invocation was given by Jeff Jorgensen.

20
21 **Adoption of Agenda**

22 Mayor Berentzen asked to have the second budget item under agenda item number seven
23 removed.

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

28
29 **Approval and Follow-up of Minutes of February 3, 2015 City Council Meeting and RDA**
30 **Meeting**

31 *Both sets of minutes (regular and closed session) were approved as presented.*

32
33 **Review of Action Items**

34 Jeff Jorgensen reviewed the action items list for the council.

35
36 **New Business**

37 Consider the proposed concept plan for the Fowers Lane Subdivision (2 lots - .817 acres) located
38 at 1200 East 1800 North (Keller Lane).

39 Cordell Batt detailed the situation and location, and explained that the owners are splitting the
40 parcel into two lots. He further explained various details of this, including that no improvements
41 are necessary; and that they do have access to water and sewer, but they will have to work with
42 the neighbors to the east to bring the water line down. He discussed further details outlined in the
43 staff report. He said there will be a note on the plat that will list which secondary water shares go
44 with which lots.

45 Cordell addressed some minor questions from the council.

46
47 *Kristen Anderson made a motion to approve the concept plan for the Fowers Lane Subdivision*
48 *along with the comments from Public Works. Roger Anderson seconded the motion. A vote was*
49 *called and the motion passed unanimously with John Bailey, Roger Anderson, Damon Cann and*
50 *Kristen Anderson voting in favor.*

51
52 Approve the selection of a street name for the 200 East Corridor being constructed in 2016/17.
53 *Kristen Anderson made a motion to approve the street name of "Wolf Pack Way" for the 200 East*
54 *Corridor. Damon Cann seconded the motion. A vote was called and the motion passed*
55 *unanimously with Kristen Anderson, Roger Anderson, Damon Cann and John Bailey voting in*
56 *favor.*

57
58 Consider a resolution adopting the annual Wastewater Treatment Plan - Self Assessment Report
59 Alan Luce reviewed the report with the council. He mentioned that the only area where there was
60 a problem, was is in relation to potentially not having enough funds to install a new trunk line that

61 goes all the way to the new wastewater treatment facility. He said we are in complete compliance
62 with all other state standards.

63

64 *Damon Cann made a motion to approve resolution 16-04. Kristen Anderson seconded the*
65 *motion. A vote was called and the motion passed unanimously with Kristen Anderson, Roger*
66 *Anderson, Damon Cann and John Bailey voting in favor.*

67

68 **City Council Work Session Items**

69 Discuss the development plan, development agreement and preliminary plat for the Ashley Court
70 Subdivision (12 lots) located at approximately 2625 North 600 East in the R-1-12 zone.

71 Mayor Berentzen said he wanted to give Mayor Cox from Hyde Park a chance to comment if he
72 wanted to.

73 Jeff Jorgensen introduced the item and discussed the difference in the agenda format.

74 Jeff gave a brief history of this situation, and referred to the outstanding issues regarding the
75 development of the road, that he said developer Dan Cox would like to speak to the council
76 about.

77 Mayor Berentzen said that the next time North Logan City applies for CCCOG [Cache County
78 Council of Governments] money, connecting 600 East from 2500 North to the boundary with
79 Hyde Park is one of the City's highest priorities.

80 Dan Cox discussed the situation with the access and the road. He explained that in order to
81 mitigate the effect of the road on the subdivision to the west of them [Aspen Meadows] where the
82 City has a right-of-way, Dan has shifted a lot of that road area onto his own development,
83 reducing their lot sizes, and working with the City to be able to do this creatively. He said
84 typically, when a developer develops a road, they develop one half, and the other developer
85 develops their half. He said in this case, that did not happen because a previous [North Logan]
86 City Council did not require the other developer [of Aspen Meadows] on the west side of the road
87 to develop their half of the road. Dan said in order to work it out, he has shifted the road onto his
88 property so as to not affect the Aspen Meadows subdivision; however it leaves about a ten-foot
89 section of road that needs to be developed by the other property owner. He said he is asking the
90 City to work with him in the place of "that property owner" and not request him to develop both
91 halves of the road, as he is already developing more than half of the road. He said in terms of
92 that remaining ten-foot section, he could develop his half and just leave it; but the City does not
93 have another developer to develop the other half of the road. He said what makes the most
94 sense is for the City to work with him on this. Dan said his development already has the crew
95 there and are doing the construction, and putting in the road; and said it would make the most
96 sense to do it all at the same time.

97 Jeff addressed various questions regarding the City's plans for the design of that road, including
98 putting in just the curb and about three feet of park strip on the west side to match what's there
99 and eliminating the park strip and the sidewalk on that west side of 600 East.

100 Mayor Berentzen said he understood Dan's points, but pointed out that he does benefit from the
101 City prioritizing this road as a CCCOG project and developing 600 East out to 2500 North; and
102 said it might have been years before the City developed that extra six-hundred feet if not for this
103 development. Mayor Berentzen told Dan that he wants to push him as much as he can to take
104 care of as much of the development of the road as he can. Mayor Berentzen said the big issue is
105 the connectivity of his subdivision to Hyde Park, and encouraged Dan to get together with Hyde
106 Park to work that out.

107 Dan said he understands that the City's funds are limited; but that from a developer's side, he
108 said he feels that North Logan City's previous City Council made a mistake in not having 600
109 East developed when the subdivision went in at that time. He said because that wasn't done, he
110 has shifted more road onto his property, has given up additional land, his lots are smaller, and
111 things that he would normally be able to turn into revenue he cannot do, and this should not have
112 happened. He said he will give as much as he possibly can, but is asking the City to meet him
113 part of the way on this. He said there will not be a problem for him selling the lots, but said that
114 this will be beneficial to everyone to have this road developed and commented further. He said if
115 the City Council feels that he should pay to also develop the other developer's side of the road,
116 he would like them to explain the reason to him. He said he agrees with the Mayor's comments
117 about the need for connectivity, and has been discussing this with some of the neighbors on this.
118 He said he is trying to work through this to make it as little an impact as possible. He said 600
119 East has been on the general plans to be developed for a long time. He further stated that there

120 have been two subdivisions built in Hyde Park in that area, and that it was required of the most
121 recent one to develop and expand 600 East, and said for some reason, in some Hyde Park City
122 Council meeting, they did not require that of the subdivision just north of his, and now he is faced
123 with the outcome of that decision. He said that road is continually used and is a platted road. He
124 also said that AT&T uses that road and commented further on why he feels this road should be
125 improved. He said his development is already absorbing much of those costs and reiterated his
126 recommendation for the City to participate in developing this with him.

127 Mayor and Dan continued their discussion. Mayor Berentzen briefly explained the history of the
128 Aspen Meadows PUD and what took place.

129 Hyde Park Mayor Bryan Cox discussed the road situation in his city, and how their city handles
130 development and growth. He said Dan Cox should be discussing this situation with Hyde Park
131 City rather than the neighbors, and work with Hyde Park City officials on how the connectivity can
132 be done, and commented further.

133 The discussion continued, including having the cities meet with Dan to work out connectivity.

134 Dan commented that he didn't know he needed to meet with *Hyde Park City Council* to get
135 approval on a subdivision he's developing in *North Logan*.

136 Mayor Berentzen agreed, but reiterated that at some point, Dan is going to have to meet with
137 Hyde Park to work out connectivity, which he discussed further.

138 Dan said he is in a similar situation with Providence, and does not typically have to meet with a
139 different city than where his development is being done. He discussed the comments that Hyde
140 Park City Council members have made that have had a negative impact on this project, including
141 stating that they do not want the road to go through, and their comments that they would rather
142 just put a cul-de-sac there to block the road. He said he has a hard time accepting that they are
143 going to allow another City Council from a different city to dictate whether he can or cannot build
144 in the city where he purchased property. Dan said he would like North Logan's official response.

145 The conversation continued and Mayor Berentzen said he is going to need to get some legal
146 advice on this. He said there is going to *have* to be a feasible means for ingress and egress out
147 of that area, and said it would be best for all parties to meet together and work through this. He
148 said this development is co-dependent on the access happening in Hyde Park until the other end
149 of the road is done.

150 The discussion continued and Mayor Berentzen said if Dan meets all of the requirements of the
151 subdivision, it is going to get approved, but said there needs to be agreement in how the varying
152 parties see the development of the road taking place.

153 Jeff said that he and Alan Luce met with Bob Christensen and Mike Grunig and worked out a
154 "starting point" that they felt they could present to the City Council. He said Dan has to put
155 forward a development agreement which will include how much of the road the City does or does
156 not pay for. Jeff said the City put together a few things that they felt should be in the
157 development agreement, which he further explained. He said it means that each of the parties
158 will have to sacrifice a little bit; but together we could hopefully come up with a workable
159 resolution. He suggested that Dan would have his engineer design 600 East to the next
160 intersection into Hyde Park, which he further explained. He said Dan would do this by working
161 with Hyde Park to determine their needs for the road. He said then they need to look at the costs
162 of installing just a drive-able surface, and perhaps having Hyde Park and Dan split the cost of
163 this. He said then North Logan could determine how much they would contribute towards the
164 road by using road impact fees. Jeff explained further, and addressed various questions from the
165 council. Jeff and Mayor Berentzen discussed the possibility of using the road impact fees
166 generated from the new lots in the subdivision and asked if those fees could be used for the road.

167 Dan said he has a lot of that information put together, but needs to determine what those
168 numbers would be, and commented further.

169 The conversation continued. Jeff said that North Logan and Hyde Park also need to apply jointly
170 for CCCOG funds to build the rest of that road to 2500 North, and commented further.

171 Mayor Berentzen discussed getting the three parties together to discuss this further.

172 Jeff said the first thing that needs to take place is for Dan to agree to get his engineers to put
173 some cost figures together for the extension of that road and further explained.

174 The discussion continued.

175 Dan said he agrees, but wants to make sure that there is someone from each group present, and
176 commented further. He agreed to have his engineers put something together for the costs of the

177 road.

178 The discussion about how to proceed continued. Jeff said nothing can be set up until the
179 Engineer has met with Hyde Park and determined how the road is going to be worked out to the
180 next intersection to the north. This was discussed further.

181

182 2017 Budget Presentations

183 • Protective Inspection and Engineering

184 Alan Luce presented the budget for this department, and discussed the ways in which they are
185 trying to keep costs down; including that the inspectors have been very proactive in purchasing
186 their supplies in a timely manner, as well as doing their training and maintaining their licenses,
187 which has reduced costs significantly. He continued to explain the items in the budget and
188 additional ways they are keeping costs down. He said this year the department will have a
189 significant profit, which he explained.

190 Damon Cann said the Fire Department sets aside money for future vehicle needs and various
191 expenditures and asked if this department could do something similar, which Alan addressed.

192 Alan also mentioned a vehicle replacement program they are considering and agreed with
193 Damon that this is something they need to look into.

194 Roger Anderson asked if we were comparable to other cities in what we charge for fees, and Jeff
195 Jorgensen said we are charging what is standard throughout the county.

196

197 Discuss proposed issues relating to the next phase of Wildercrest Subdivision specifically 198 participating in providing underground power and the construction of roads including 2300 N.

199 Jeff Jorgensen discussed the situation with trying to get something done to get 2300 North
200 developed from 1600 East to the Wildercrest Subdivision, particularly in light of the situation with
201 the need to get the school bus up to that area. He further discussed the access and road issues
202 for Canyon Gates and Wildercrest subdivisions, as well as some potential cooperation between
203 North Logan City, Canyon Gates and Wildercrest to get 2300 North built. He explained that
204 Wildercrest was supposed to develop and extend the north end of White Pine Lane to make a
205 connection through to a future 2600 North during their Phase I, but it has not yet been done, and
206 is essentially a "road to nowhere", and explained further. He said the City is responsible for
207 building a large part of 2300 North, which he explained briefly. He said it benefits Wildercrest to
208 get 2300 North in. He discussed the potential of having the Wildercrest developer build at least a
209 part of 2300 North instead of the City, and transferring to the City the responsibility to develop the
210 north end of White Pine Lane. He said perhaps Wildercrest could build the bridge across the
211 upper canal to give access to 2600 North instead of building the north end of White Pine Lane.

212 The council and Jeff discussed various aspects of this at length, and Jeff addressed the council's
213 questions. Jeff also discussed a proposal for installing electrical power up to that area, and the
214 relative of putting it either above ground, or underground, which Jeff detailed. Jeff suggested
215 having the City participate by digging the trench; then the cost to the developer would be about
216 the same, the line would be underground, and the City would have electrical power to the
217 cemetery, as well as for other development in the area.

218 Jeff discussed with them whether these various proposals were worth looking into and the
219 discussion continued.

220 Alan Luce discussed his conversation with the school district about potentially allowing a bus to
221 back up in the Wildercrest subdivision if the parents accept the liability of that, and commented
222 further.

223 Damon Cann expressed his concern about putting money into this and then potentially having
224 Canyon Gates deciding to not finish their development.

225 Kristen Anderson discussed her concerns about putting this money into what would be a
226 temporary road, and then up having to re-do it properly later, and whether we'd end up spending
227 more money in the long-run.

228 Jeff addressed this, explaining that the road base would be there, it just wouldn't have the
229 finished elements, such as final asphalt surface, curb, gutter and sidewalk.

230 The discussion continued at length, and Jeff and Alan addressed the council's various questions.

231 Damon expressed his concerns about the City having to put funds into this road, as well as the
232 one for Ashley Court subdivision and whether the City has the monies to put into these projects
233 with our limited budget constraints.

234 Mayor Berentzen discussed the need to have access up in that area.

235 The discussion continued.

236

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

238 Jeff Jorgensen discussed a plan for how to deal with the Daines' property that he gave the
239 information on to the City Council; and asked them to review the information and ideas about how
240 to potentially deal with that situation.

241

242 Mayor Berentzen asked about having City Attorney, Bruce Jorgensen, review the Ashley Court
243 situation.

244

245 John Bailey discussed a presentation he attended regarding the radon program and some of the
246 data that was presented. He said he felt it should be worth some further review whether the City
247 should increase public awareness of what the problem is and commented further.

248 Dan Cox recommended potentially giving rebates on building permits if the permittees get their
249 site tested for radon and put in place radon mitigation, if needed. The council discussed this
250 further.

251

252 Mayor Berentzen mentioned a call he received from Val Swenson regarding the crew who is
253 working on the canal, tearing up the road base in the area of the driveway into the Elk Ridge Park
254 green waste bins area, and that the crew was dismissive about it when questioned. Alan Luce
255 said he is going to an upcoming meeting in order to deal with this.

256

257

258 *John Bailey made a motion to adjourn the meeting. Damon Cann seconded the motion. A vote*
259 *was called and the motion passed unanimously with John Bailey, Roger Anderson, Damon Cann*
260 *and Kristen Anderson voting in favor.*

261

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

263

264 Approved by City Council:

March 16, 2016

265

266 Transcribed by Marie Wilhelm

267

268 Recorded by

Scott Bennett/City Recorder

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