

**Minutes of the North Logan City  
City Council  
Held on January 4, 2017  
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: Roger Anderson, Nancy Potter, Damon Cann, John Bailey and Kristen Anderson.

Others present were: Paul Woodland, Jake Thompson, Curtis Jacobs, Craig Winder, Mark Hancey, Alan Luce, Cordell Batt, Jordan Oldham, Brian Koch, Scott Gilgen, Alex Wilhelm, John\_\_\_\_\_, Lydia Embry and Marie Wilhelm.

The Pledge of Allegiance was led by Alan Luce.  
An invocation was given by Scott Bennett.

**Adoption of Agenda**

Mayor Berentzen mentioned that they are going to try to keep the meeting as short as possible due to the heavy snow storm.

Mayor Berentzen recommended that agenda item #6 regarding a rezone get postponed until January 2017. Mayor asked the council if they wanted to discuss the two new added items, one regarding setting the meeting date and time for the year; and the second regarding releasing the warranty bond for Ridgeline View Estates.

Nancy Potter said without any paper on the warranty bond situation, she said she didn't think they should vote on that tonight.

Cordell Batt addressed that and said that it is a typical, simple situation and explained it further; and addressed minor questions from the council.

*Damon Cann made a motion to adopt the revised agenda, removing item #6 regarding the rezone, from the agenda. John Bailey seconded the motion. A vote was called and the motion passed unanimously with Nancy Potter, John Bailey, Roger Anderson, Damon Cann and Kristen Anderson voting in favor.*

**Follow-up**

Mayor Berentzen presented a special bonus in the form of gift cards to the streets crew for the hard work they have been doing on our roads, particularly all of the extra snow plowing they have had to do, including working on Christmas Day when a large snowstorm came in.

**New Business**

Consider for approval Resolution establishing the day, time, and place for city council meetings for 2017.

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

Final release of warranty bond for Ridgeline View Estates subdivision.

Mayor Berentzen introduced the item and Cordell Batt explained further, and addressed minor questions from the council.

*John Bailey made a motion to release the warranty bond. Damon Cann seconded the motion. A vote was called and the motion passed unanimously with Nancy Potter, John Bailey, Roger Anderson, Damon Cann and Kristen Anderson voting in favor.*

Nancy Potter and Mayor Berentzen asked to have some paperwork the next time, giving a timeline of what was done and the completion dates.

Consider approval of appointments to vacancies on various city committees and boards to include but not limited to the Library Board and the Cache Mosquito Abatement District.

Mayor Berentzen presented two names: Elaine Nelson for the Mosquito Abatement District; and

61 Flora Shroud for the Library Board, which he explained further.

62

63 *Damon Cann made a motion to approve the Mayor's appointment, per the Library Board's*  
64 *recommendation, of Flora Shroud to serve on the Library Board. John Bailey seconded the*  
65 *motion. A vote was called and the motion passed unanimously with Nancy Potter, John Bailey,*  
66 *Roger Anderson, Damon Cann and Kristen Anderson voting in favor.*

67

68 *Damon Cann made a motion to approve the Mayor's appointment of Elaine Nelson to the*  
69 *Mosquito Abatement District. Nancy Potter seconded the motion. A vote was called and the*  
70 *motion passed unanimously with Nancy Potter, John Bailey, Roger Anderson, Damon Cann and*  
71 *Kristen Anderson voting in favor.*

72

73 Mayor Berentzen mentioned that Brett Robinson has resigned his position on the Planning  
74 Commission, and commented further. He asked the council to recommend anyone they may  
75 think appropriate for that position, and said it really should be done by the next City Council  
76 meeting.

77

78 Re-consider approval of the proposed development plan and preliminary plat for the for Brook  
79 Haven [Brookhaven] Senior Living, a city center development of 7.7 acres with 46 units (23  
80 duplexes) on the East side of 400 East at about 1900 to 2000 North.

81 City Attorney, Mark Hancey, discussed with the council the emails he sent to the City Council,  
82 yesterday and today. He further explained how to legally manage the senior-living designation  
83 and requirement for this project. The council discussed various items, and Mark addressed their  
84 questions. Alan Luce addressed Kristen Anderson's questions regarding water conservation and  
85 metering and how that is managed.

86

87 *Damon Cann made a motion to approve the Qualifying Senior Community Designation with*  
88 *option 1 on each one. John Bailey seconded the motion.*

89

90 Curtis Jacobs asked about the section regarding "penalties", which Mark Hancey addressed.  
91 Curtis also referred to the section regarding "reporting requirements" on page one; and asked  
92 what the ordinance is, which Mark explained is the ordinance that Curtis' project required in order  
93 to have the senior family community. Curtis asked about the wording that requires the title holder  
94 to sign something every year that states who is living in that home and whether it still falls under  
95 the qualifications of the community, which Curtis argued against, and asked if it could be  
96 simplified.

97 Mark said that this is being done under HUD requirements which he further explained. Mark said  
98 it could potentially be done annually via mail.

99 Craig Winder addressed this and said it is his understanding that it doesn't require this particular  
100 form of verification; that it requires verification to be done by the community, which in this case  
101 would be the HOA, and further explained another way this can be done.

102 The discussion continued at length.

103 Damon Cann withdrew his motion, to which John Bailey agreed.

104 Mark, Alan Luce and the council further discussed how to manage the verification of qualifying  
105 residents.

106 Craig Winder discussed HUD requirements, and said these communities should be doing this  
107 verification anyway, because if they aren't, they aren't complying with HUD. He also said they do  
108 it every two years, and commented further.

109 Nancy Potter said she has a problem with every two years, because a lot can happen during that  
110 time. Mayor Berentzen said it can be done every year.

111 This was discussed further. Mayor Berentzen suggested changing the verbiage from "all such  
112 verifications are subject to audit by the City" to "all such verifications are subject to request by the  
113 City". Damon recommended stating "the audit would take place upon fourteen days notice by the  
114 City Administrator". He said we could then do it every year and if it is determined that it is too  
115 burdensome for the City, then we can change it and commented further.

116 Damon said there is still the question of whether it should refer to the title holder of the lot, or the  
117 resident, which Mark addressed, and said it should be the record title-holder.

118 The discussion continued.

119

120 *Damon Cann made a motion to approve the Qualifying Senior Community Designation with edits*  
121 *as follows: that under "reporting requirements of each record title holder" it would read:*  
122 *"consistent with ordinance 16-05, to ensure enforcement of the required restrictions on*  
123 *occupancy based on age, the record title holder of each lot or unit, and/or at the City's discretion,*  
124 *the occupant within the development, shall upon fourteen day's notice by the City Administrator,*  
125 *verify under oath...". John Bailey seconded the motion. A vote was called and the motion*  
126 *passed unanimously with Nancy Potter, John Bailey, Roger Anderson, Damon Cann and Kristen*  
127 *Anderson voting in favor.*

128

129 Cordell Batt reminded the council that they need to approve the development and preliminary  
130 plat.

131

132 *Damon Cann made a motion to approve the development agreement and preliminary plat subject*  
133 *to public works' comments. Kristen Anderson seconded the motion. A vote was called and the*  
134 *motion passed unanimously with Kristen Anderson, Roger Anderson, Damon Cann, John Bailey*  
135 *and Nancy Potter voting in favor.*

136

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

138 Mayor Berentzen discussed the item that was omitted from this evening's agenda [item #6  
139 regarding the rezone] and asked the council to review the information carefully for their  
140 discussions of these items at the next meeting. The council discussed this item further. Mayor  
141 Berentzen suggested that the council members discuss their concerns with Cordell prior to the  
142 meeting, with which Cordell concurred, and commented further.

143

144 John Bailey mentioned a letter the City Council received from Cache County regarding inviting  
145 applications for membership on the board of the Water District, and asked if that needed to be  
146 reviewed.

147 Mayor Berentzen said he would really like to see one of the council members be on that district  
148 and have North Logan City represented, and commented further. They discussed this further.

149 Mayor Berentzen said he received a letter from the CVTD Board regarding Sally Peterson being  
150 on there for eight years, and their request to potentially have a new appointment for that board;  
151 and Mayor Berentzen said it needs to be done as soon as possible. Mayor Berentzen said it  
152 would be beneficial to have a North Logan City Council person on that board. This was further  
153 discussed. Nancy Potter said she would be interested, and said she will determine when their  
154 meetings are held to see if that will work for her.

155

156 Kristen Anderson asked if anyone had responded to Dayton Crites. Alan Luce said he has  
157 spoken to him and explained further.

158 Kristen said our Streets Department staff did a great job.

159

160

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

164

165

166 The meeting adjourned at: 7:48 p.m.

167

168 Approved by City Council: March 15, 2017

169

170 Transcribed by Marie Wilhelm

171

172 Recorded by

173

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

174