

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
59

**Minutes of the North Logan City
City Council
Held on July 19, 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: Nancy Potter, John Bailey, Roger Anderson and Damon Cann. (Kristen Anderson was excused).

Others present were: Lee Gyllenskog, Carolyn Krebs, Lynn Krebs, Boyd Pugmire, Crystal Francks, Caleb Francks, Marty Israelsen, John Cracroft, Sydnie Erickson, Jason Watterson, Ray & Marilyn Wilhelm, Debbie Murray, Neil Murray, Carolyn Barrus, Doug Tingey, Kenzie Tingey, Craig Winder, Judi Poorte, DeAnna E. Fry, Kami & Ben Huntzinger, Monte Wilhelm, Patricia Dietz, Brian Howe, Don Schroeder, Rod & LuAnn Wilhelm, Kirk Larsen, Craig Humphreys, Lydia Embry, Scott Bennett, Cordell Batt, Jordan Oldham, Alan Luce and Marie Wilhelm.

The Pledge of Allegiance was led by Scott Bennett.

An invocation was given by Craig Humphreys.

Adoption of Agenda

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

Approval and Follow-up of Minutes of May 17, 2017 City Council Meeting, Regular and Executive (Closed) Session

Both sets of minutes were approved as presented.

Review of Action Items

Alan Luce reviewed the new action items list on line, with the council.

Recognition of Exemplary Staff Member

Mayor Berentzen presented a gift card for Javier’s Restaurant to North Logan City Accounts Payable employee Crystal Francks for her exemplary work in her department. Mayor Berentzen commented on how sharp she is; and that she has done an exceptional job keeping on top of things, and has had extra responsibilities doing work for two departments.

New Business

Utah Local Governments Trust presentation of the Trust Accountability Program Award to North Logan City. (Jason Watterson)

Jason Watterson presented North Logan City with the Trust Accountability Program Award, which program he further explained.

Consider approval of the Election Judges for the upcoming Primary Election.

Scott Bennett presented a list of eight poll workers, who will serve as Election Judges for the upcoming Primary election, as well as four City staff members; two who will be helping at the front desk in the City offices with early voting, and two who will serve as election officials, as Scott said he will be out of town at that time. He explained further.

Nancy Potter asked if having Jeff Jorgensen as an Election Judge is a conflict of interest, which Scott addressed and said would not be the case. Alan Luce also mentioned that the election officials will also be contacting the Herald Journal and Cache Valley Daily with the poll results.

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

60 Consider approval of Ironwood Subdivision Concept Plan. The proposed subdivision is located at
61 approximately 300E 2400N.

62 Cordell Batt introduced the item and asked developer, Craig Winder to explain the current draft of
63 the concept plan and what has taken place since he presented at the last meeting.

64 Craig Winder presented the latest concept of the plan, using a projected plat of the site, and
65 explained various details at length.

66 Mayor Berentzen asked Craig if he had met with the area residents as the City Council had
67 requested; and also mentioned that the City Council had visited the area and had some feedback
68 for Craig. Craig said that they had sent out approximately 150 notices and that they did meet with
69 them; and further described the meeting that was held with area property owners. He discussed
70 some of their concerns, including that 300 East is too narrow, as is the section of it that turns into
71 2400 North, which he further explained. He also that they sent a letter to the owner of the
72 Cinnamon Ridge, LLC in order to try to work something out with them on that curve, and
73 potentially restructure it. This was discussed further. Craig further explained some of the
74 concerns which related to potential parking issues, in which he said they've included more than
75 what the City ordinance required; and also said they'd be willing to adjust things to ensure there is
76 not too much density, to further lessen the potential burden on parking. He also discussed
77 concerns about the location of the townhomes; the height of the townhomes; and explained other,
78 various details.

79 Whether there was a legal turn-around for fire safety on the section of 300 East adjacent to the
80 townhome was discussed; and Craig said that Jason Killinen from the North Logan Fire
81 Department told them that their concept did not include a legal turn-around.

82 Craig continued his presentation, and summarized by reiterating some of his points. He
83 explained the parking situation, per a question from John Bailey.

84 Mayor Berentzen referred to a comment Craig made at the previous meeting, that if the City
85 Council does not feel good about this project, that he would be "willing to walk away"; and asked
86 Craig if that was still the case.

87 Craig said if the City Council feels that doing a 55-and-over community is the only way they are
88 comfortable with an MR7 zone, then he said yes, they would "walk away".

89 Mayor Berentzen discussed the feeling that some have that the MR7 zone was granted based on
90 the idea that we would have an additional 55-and-over community. He said there seems to be a
91 sense of disingenuousness in how the plan has changed to something after being proposed as
92 something else, which he said is likely where a lot of the bad feelings are coming from, and
93 commented further. Mayor Berentzen asked further questions, which Craig addressed; including
94 Mayor Berentzen stating that *something* would need to be done with that corner on 300 East to
95 widen that; and further discussed the major concerns that Ray Wilhelm has in regards to his
96 pipes and fields, and making sure those are not impacted. Mayor Berentzen also mentioned an
97 ordinance that the City has been working on which essentially requires a developer to pay a
98 landowner for the impact they had on their property, and explained further.

99 Mayor Berentzen said his guess is that Ray is not interested, and that there would have to be
100 some compensation and commented further on various items, including the road situation.

101 Nancy Potter told Craig that when he was at the last meeting, he said he spoke to the residents,
102 as well as to Ray Wilhelm, who Craig said was okay with this; and that she had wanted that in
103 writing. She said the City Council however, currently has a letter from Ray saying that he had not
104 spoken to Craig; just that he met with Craig to indicate where the pipes were; and that he is *not*
105 that okay with what is being proposed. She said Ray is very concerned about his pipes, including
106 in relation to snow removal and other things. She said this is why she asked for something in
107 writing, because they really want to protect the property owners around this, and commented
108 further.

109 Craig said he wanted to make it very clear that he did not ask Mr. Wilhelm about how he felt
110 about his project and that "Mr. Wilhelm is not the decision maker here", he is [just] a neighboring
111 property owner. Craig said Mr. Wilhelm is entitled to have the facilities that deliver his irrigation
112 water not be negatively impacted, and said *that* was the purpose of their meeting. Craig
113 commented further reiterating his point that he had not asked Mr. Wilhelm if he was okay with his
114 project, and also stated that they are still committed to ensuring that his irrigation is not negatively
115 impacted, and that they have reached out to Mr. Wilhelm but he did not answer his call. He said
116 with all due respect to Mr. Wilhelm, he is entitled to make sure those facilities are not negatively

117 impacted; but that he does not sit on this City Council and does not have the right to tell the
118 neighboring property owner what is okay for that neighboring property owner to do; that that's the
119 City Council's job.

120 Damon Cann gave his comments on this and some of the issues in moving forward in a typical
121 way. He said he would like to change the zoning back to where it was originally, start with a
122 "clean slate" and go from there; in order to work to provide the property owner with an opportunity
123 to find something that will work within the constraints of what the City feels comfortable with in
124 terms of zoning, "rather than trying to muddle through with what feels like an odd situation".

125 Craig said he created the situation, which Damon said he understood; and the discussion
126 continued.

127 Damon said one of the neighbor's concerns is regarding the width of the road [300 East as it
128 turns into 2400 North], which he said is his concern as well.

129 Craig said that portion of the road is not even part of this subdivision; and said that seems to be
130 the portion that is being focused on, and said he wanted to remind the City Council that that is
131 something they cannot do anything about, and commented further.

132 Mayor Berentzen commented on this and discussed ways that the developers could actually do
133 something about it. Craig said that is "exaction" and that they just "fought Smithfield City on it and
134 we won". The discussion continued.

135 Craig said he felt that they have shown a willingness to work with North Logan City and that they
136 have been "at this" for over a year now.

137 Mayor Berentzen explained that the City recently required a developer to do beyond what would
138 have normally been required in order to cooperate with parties' interests, with the potential of the
139 developer benefiting from that in the future; and that the developer was willing to participate.

140 The discussion continued at length. Roger Anderson commented on this, including that the road
141 would not have been as much of an issue with the 55-and-over project; that the developers trying
142 to limit occupancy is not realistic; that Craig can likely sell these lots for a large profit due to the
143 current market; that he is okay with density in the right area; and more.

144 Craig reiterated his point that the owner of this land would be frustrated by the focus being on the
145 issue of the corner road situation, which he said is a *City* problem and not in the "footprint" of this
146 subdivision; and said this is not something that he, as a landowner, should have to address, nor
147 should the developers, and commented further.

148 Roger commented that there would not be an issue with this if these were for single-family lots
149 with less density.

150 They continued to discuss various issues, concerns and possibilities at length. Nancy Potter
151 discussed the significant concerns regarding traffic. John Bailey commented on this and
152 discussed his issues with various items, including that he said historically, this area was
153 developed as a senior care region with various types of facilities. He also discussed his concerns
154 about the council's need to be cautious about continuing to bear the burdens of having to pay for
155 parts of the effects of developments.

156 *Damon Cann made a motion to express the intent of the City Council to revert to the previous*
157 *zoning by working through that process; but also leaving the door open to continued*
158 *conversations with Craig Winder and Ironwood on whether there are other things that might be*
159 *able to work there.*

160 Craig said if the City does that, they would have to essentially start over with a rezone application.

161 Mayor Berentzen said the council can initiate that; that it would not have to be done by the
162 developer.

163 Damon said he did not think that the developers should have to pay for the rezone fee again.

164 The discussion continued.

165 *Damon Cann rescinded his previous motion.*

166

167 *Damon Cann made a motion to deny this concept plan. John Bailey seconded the motion. A*
168 *vote was called and the motion passed unanimously with Roger Anderson, Damon Cann, John*
169 *Bailey and Nancy Potter voting in favor.*

170

171 Craig Winder said he appreciated everyone's time, including the people who came to the
172 meeting.

173

174 Consider approval of Rocky Mountain Dermatology Condominium Conversion/Plat at 1760N
175 200E, North Logan. (Robert Young).

176 Cordell Batt introduced the item and also used a projected map of the site to explain the request,
177 which essentially allows the site to be broken up into two lots, with common space, and allows the
178 owners to sell portions of the building to different buyers. He explained further, briefly.

179 Cordell and the developer answered minor questions from the council.

180

181 *Nancy Potter made a motion to approve this condominium conversion/plat. John Bailey*
182 *seconded the motion. A vote was called and the motion passed unanimously with Roger*
183 *Anderson, Damon Cann, John Bailey and Nancy Potter voting in favor.*

184

185 Consider the approval of the list of items to be declared as surplus by North Logan City.

186 Jordan Oldham explained the reason for some of the items on the list being sold in trying to be
187 more cost efficient; and selling these vehicles to recoup some of the costs the City has had to
188 spend on repairs to these vehicles. He addressed minor questions from the council.

189

190 *John Bailey made a motion to approve the list of items. Nancy Potter seconded the motion. A*
191 *vote was called and the motion passed unanimously with Roger Anderson, Damon Cann, John*
192 *Bailey and Nancy Potter voting in favor.*

193

194 Consider nomination of Alan Luce to serve on the Regional Wastewater Treatment Rate
195 Committee.

196 Mayor Berentzen introduced the item and briefly explained the situation and answered minor
197 questions from the council.

198

199 *John Bailey made a motion to approve the nomination of Alan Luce to serve on the Regional*
200 *Wastewater Treatment Rate Committee. Damon Cann seconded the motion. A vote was called*
201 *and the motion passed unanimously with Roger Anderson, Damon Cann, John Bailey and Nancy*
202 *Potter voting in favor.*

203

204 **City Council Work Session Items**

205 Update on the status of the Sugar Plum Subdivision, located in Logan City, and their request for
206 connection to the North Logan City sewer system.

207 Alan Luce introduced the item and explained the situation with two subdivisions in this area, and
208 used a projected map to further explain the location to the council, which is essentially located on
209 1200 East near Foothill Mart. He discussed the meeting he had with Logan City two weeks prior,
210 along with Damon Cann and Jordan Oldham. He said they reviewed the details of the
211 subdivision with Logan City, and discussed their primary concern, which is not being able to
212 provide sewer to the portion of the project, just north of the Foothill Mart. He explained the
213 situation further, including that Logan City had already approved both subdivisions in March. He
214 discussed the difficult process the developers would have to do to provide sewer to their project;
215 and further discussed the possibility of either, allowing them to connect to North Logan City to
216 provide this service for a fee; North Logan City changing the zoning for this area; or not helping
217 them, in which case Logan would have to pay for installing their own lift station and pressurize
218 that, at great expense, potentially costing several hundred thousand dollars.

219 Mayor Berentzen commented that he feels that they should have known this before Logan City
220 approved this, and should not be coming to us "after the fact". He said if this subdivision had
221 come to North Logan, he does not think our City Council would have approved it, because of the
222 nature of it; and said he really has issues with this.

223 Alan mentioned that if this is approved and they don't move forward with their project by February
224 or March of next year, they will have to go back again to get it approved again.

225 The discussion continued and Alan addressed various questions from the council.

226 Roger Anderson mentioned that the original developer sold it to the current one because of the
227 cost of the sewer situation; and further commented that he felt it might acceptable if this was for

228 one or two homes hooking up to this, but said he is concerned with the number of homes in this
229 project that would be hooking into the system.

230 The discussion continued, including how to potentially proceed.

231 Alan recommended remaining committed to the City's intention to continue "cleaning up" the
232 City's boundaries with each of the surrounding communities; and waiting until next year to see
233 where this situation stands, and moving forward from there.

234
235 Discussion of Sewer Rate increases that will take place in the coming weeks.

236 Alan Luce said he is presenting this in order to begin the discussions with the City Council, as
237 well as throughout the community, to discuss the forthcoming sewer rate increases. He
238 summarized the situation with Logan City's installation of a new wastewater mechanical treatment
239 plant for a cost of approximately \$115 million dollars. Alan and Mayor Berentzen briefly
240 discussed the cost break-down that will be split between the seven participating communities.
241 Alan said that each city is working on different methods of dealing with the costs by increasing
242 their user rate, and used a projected document to show the different rate increases among the
243 various participating cities, and how they are managing those increases. He further discussed
244 the challenge in determining our rate increase due to the complexity of our rates being based on
245 the meter size, rather than having a flat rate as most cities do, which he explained further. He
246 also said we are looking into doing a tiered water rate system as required by the state, as well as
247 reviewing our impact fees; and also mentioned that we need to move forward on this, as it was
248 supposed to be enacted in July. He also mentioned that when the City Council had the
249 discussion regarding the energy, sales and use tax [increase], citizens came to the meeting to
250 discuss their fixed-income status; and Alan said this is something that needs to be considered
251 because some citizens could be hit very hard with this rate due to being on a fixed-income, if we
252 do that increase all in one year.

253 Mayor Berentzen asked how Hyde Park justified doing it that way; and Alan said they just wanted
254 to do it in one year rather than spreading it out. He said Hyde Park was the only city to do that,
255 as the others are gradually increasing their rates over either three or five years.

256 Alan asked the council about combining the two fee studies the City is already doing, with the
257 sewer rate fee study; which Mayor Berentzen said he thought would be the right thing to do. Alan
258 confirmed that the council will still have to approve it when it is completed in approximately two to
259 three months; but that it will give the City a better idea of the exact amount we should be raising
260 the rate.

261 Mayor Berentzen asked about the situation with the sewer costs; Scott Bennett said the sewer
262 fund is currently "not maintaining itself" even with the rate adjustment, and is still "in the red".

263 Mayor Berentzen said he would like to find out how much we need to keep the fee "even" at this
264 point with a small incremental increase until the study is done; so that we don't have to make up a
265 larger amount later on. Mayor Berentzen asked Scott if he could come up with that figure; which
266 Scott said he could, and would bring it to the next meeting.

267 Alan and the council continued their discussion, including how to fairly and equitably manage the
268 sewer fee increase. Alan also discussed various ways the City is trying to address the issue of
269 the depleting sewer budget, including reviewing the accuracy of the meter; and tightening up the
270 controls of our system in general, and explained further.

271 The discussion continued. Mayor Berentzen discussed the benefits of having the rate committee
272 in place.

273 Alan said as this is essentially just a discussion at this point; and he asked the council to send
274 him any comments, ideas or thoughts they have on this.

275

276 Update from City Center Task Force.

277 Alan Luce updated the council on the meeting held with the task force and what came from that,
278 and the comments that were made to the City Center Design Criteria document. He said the
279 document has essentially been a guide; and that he spoke to City Attorney, Mark Hancey about
280 putting more "teeth" into it to actually have it be part of City code and allow it to be enforced,
281 which he explained further.

282 The City Council discussed various related items, and Alan addressed their comments and
283 questions.

284 John Bailey expressed his concern about the citizenry not having a good sense of what is being
285 planned for that area and asked how the citizens could get more informed about it.

286 This was discussed further.

287 Mayor Berentzen discussed the costs for the infrastructure of the City Center; and explained that
288 there is a specific fiscal plan which does not impact any additional taxes or other costs in the City,
289 and that there are specific monies that have been identified to pay for that project. He explained
290 and commented further.

291 The discussion continued. There was further discussion about how to inform the public on the
292 project and the process.

293

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

295 Fire Chief Jon Keller gave an update on the notifications made on the latest fireworks ban, and
296 further discussed the current fire dangers. This was discussed further.

297 Chief Keller discussed the staffing issues taking place with his department. He explained that
298 they are down nine employees since the first of July which he said puts a big strain on their
299 department during the day; which he explained further, including that he has had to go out on
300 calls by himself.

301

302 Police Chief Kim Hawkes discussed the virtual training simulator he arranged for the Wednesday
303 evening of the Utah League of Cities and Towns Convention, and explained further.

304

305 Jordan Oldham discussed the chip seal that will be done on 800 East.

306 Jordan also discussed the various, upcoming festivities for the 24th of July celebration.

307

308 Alan Luce brought up an issue that the Friends of the Library wanted him to discuss with the City
309 Council regarding their lack of storage, particularly for their book sales and related supplies. He
310 further discussed the trailer they had, that ended up getting used for library storage; and their
311 desire to purchase another one for their specific use. Alan discussed the benefits of having a
312 trailer, particularly in having the ability to resell it.

313 The council discussed their various concerns and questions, as well as possible ways of dealing
314 with this, and the potential, related costs for the different options. There was discussion about
315 whether this is really a profitable venture.

316 Mayor Berentzen said we need to look into this further; and Alan said he will have additional
317 discussions with the Friends group.

318

319 John Bailey discussed the Library Board Chairman who has retired, as well as another member
320 who has served for many years and is retiring, [Nan Isaacson and Jean Hanks, respectively]; and
321 recommended recognizing them at a forthcoming City Council meeting, which Mayor Berentzen
322 agreed with and asked Alan to get together with him on this.

323

324 Nancy Potter referred to her discussions with Alan Luce and the residents regarding having one
325 section on the east side of 300E, between 2400N and 2500N potentially be a "no parking"
326 section. Alan discussed the process for putting "no parking" sections along this road. She said
327 she also wants to talk to Chief Hawkes about removing the two cars on 300 East which she said
328 have been there for many years.

329 Nancy also mentioned that there is a resident in this area who is shooting fireworks off and when
330 they called, no one came to stop it.

331

332 **Executive Session (Closed) to discuss litigation, potential real estate acquisitions, personnel**
333 **issues.**

334 *John Bailey made a motion to close the meeting and move into Executive (Closed) Session for*
335 *the purpose of discussing litigation, potential real estate acquisitions and personnel issues.*

336 *Nancy Potter seconded the motion. A vote was called and the motion passed unanimously with*
337 *Nancy Potter, John Bailey, Roger Anderson and Damon Cann voting in favor. This occurred at*
338 *8:39 p.m.*

339

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

341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364

Damon Cann made a motion to open the meeting and move out of Executive Session and return to the regular City Council meeting. Nancy Potter seconded the motion. A vote was called and the motion passed unanimously with Nancy Potter, John Bailey, Roger Anderson and Damon Cann voting in favor. This occurred at 9:43 p.m.

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

The meeting adjourned at: 9:43 p.m.

Approved by City Council: November 1, 2017

Transcribed by Marie Wilhelm

Recorded by _____
Scott Bennett/City Recorder