

**Minutes of the North Logan City  
City Council  
Held on October 2, 2024  
At the North Logan City Offices, North Logan, Utah**

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**Item #1 - Opening Business**

The meeting was called to order by Mayor Lyndsay Peterson at 6:31 p.m.

Council members present were: Joni Kartchner, Emily Schmidt, Kenny Reese, and Mark Hancey. (Buzzy Mullahkhel was excused.)

Others present were: Madelyn L. Parrish, Morgan Parrish, Alexis Ault, Maddie Soto, Russell Goodwin, Linda Young, Barbara Middleton, Bob Strebel, Police Chief Kent Goodrich, North Park Police Department Code Enforcement Officer Chris Bollschweiler, Jordan Oldham, Scott Perkes, Scott Bennett, Alan Luce, and Marie Power.

The Pledge of Allegiance was led by Kenny Reese.

An invocation was given by Mark Hancey.

**Adoption of Agenda**

Mayor Peterson mentioned that they could strike Item #7 from the agenda, but Alan Luce said they could still review the item, and would not have to amend the agenda.

**Motion**

*Kenny Reese made a motion to adopt the agenda, as presented. Emily Schmidt seconded the motion. A vote was called and the motion passed unanimously with Joni Kartchner, Emily Schmidt, Kenny Reese, and Mark Hancey voting in favor.*

**Approval and Follow-up of Minutes of the September 18, 2024 City Council Meeting.**

**Motion**

*Mark Hancey made a motion to approve the above-referenced set of minutes, as presented. Kenny Reese seconded the motion. A vote was called and the motion passed unanimously with Joni Kartchner, Emily Schmidt, Kenny Reese, and Mark Hancey voting in favor.*

**Recognition of Exemplary Staff Member**

Mayor Peterson recognized Marie Power, North Logan City's Executive Secretary and PIO (Public Information Officer) for her exemplary work in writing outstanding City Council and Planning Commission meeting minutes; as well as for producing and publishing the City's monthly newsletter, along with being the City's PIO, among other duties. Marie was nominated by Debbie Bond, City Treasurer.

**Review of Action Items**

Alan Luce reviewed the list with the council.

**New Business**

**Current Action Items**

**Item #2 - 6:35 Public Hearing** to receive input regarding proposed changes to the North Logan City Master Fee Schedule, specifically related to Water, Sewer, Road, and Park Impact Fees. Once the public hearing has taken place, the City Council may consider a resolution amending the Master Fee Schedule.

Mayor Peterson introduced the item and said the City Council received a very extensive explanation and outline of all that is involved from the consultant and staff, in how the fees are calculated. She said the City is required to wait 90 days until we officially adjust our Master Fee Schedule to reflect the changes recommended by the consultant. Per a question from Mayor Peterson, Jordan Oldham confirmed that there have been no further changes to this since the

presentation was made.

Kenny Reese referred to a change that the consultant recommended from the initial analysis, when she did her presentation; and asked Jordan if that was included, and if there have been no deviations from her recommendations, which Jordan said was correct.

*Mayor Lyndsay Peterson read aloud the guidelines for speaking at a public hearing, and opened the public hearing at 6:46 p.m., and then closed it as there were no public comments forthcoming. [Note that this is the first public hearing which now includes the change to allow public speakers three minutes to express comments, rather than the previous two minutes; which was discussed and agreed upon by the City Council at a recent meeting, after the Utah League of Cities and Towns conference where this was recommended.]*

#### **Motion**

*Emily Schmidt made a motion to approve Resolution 24-21 amending the Master Fee Schedule, as presented. Kenny Reese seconded the motion. A vote was called and the motion passed unanimously with Joni Kartchner, Emily Schmidt, Kenny Reese, and Mark Hancey voting in favor.*

#### Item #3 - Presentation from CAPSA regarding Domestic Violence Awareness Month (October).

Maddie Soto, from CAPSA, gave a presentation detailing the kinds of things that CAPSA does to help and support individuals in a myriad of challenging, and at times dire and dangerous, situations. She also gave the most recent annual stats for the different types of issues and circumstances where they have provided financial, mental, legal, and logistical support; including for situations of abuse, suicide, rape and assault, immigration issues, housing needs, and much more.

Maddie asked the City Council members to sign a pledge board, indicating North Logan's public support for the work CAPSA does, and to stand with survivors to help raise awareness, which they did; and also took a picture with her, along with the pledge board, which she asked if they could share on their social media sites.

#### Item #4 - Consider an appointment to the North Logan City Planning Commission.

Mayor Lyndsay Peterson explained that a member of the Planning Commission, Herond Hoyt, will be leaving his position as a regular member of the commission, after serving for three years; and expressed the City's appreciation for all of his hard work, perspective, and contributions.

She explained that she has received a recommendation to appoint Porter Wilkins as a new member of the Planning Commission; and discussed her meeting with him and a bit of his background, and explained why she thinks he will do a great job serving on the Planning Commission.

#### **Motion**

*Mark Hancey made a motion to approve the Mayor's recommended appointment of Porter Wilkins to serve as an alternate member of the Planning Commission, as discussed. Emily Schmidt seconded the motion. A vote was called and the motion passed unanimously with Joni Kartchner, Emily Schmidt, Kenny Reese, and Mark Hancey voting in favor.*

#### **Motion**

*Mark Hancey made a motion to approve the Mayor's recommendation to move Tracy Walker from the position of alternate on the Planning Commission, to the position of regular member, as discussed. Kenny Reese seconded the motion. A vote was called and the motion passed unanimously with Joni Kartchner, Emily Schmidt, Kenny Reese, and Mark Hancey voting in favor.*

#### Item #5 - Updates from the North Park Police Code Enforcement Officer.

Chris Bollschweiler, new North Park Police Department Code Enforcement Officer, gave a presentation on the various code enforcement cases he is working on, since being hired, and gave some status reports on some of the cases. He also outlined the procedures that are in place for managing Code Enforcement.

Emily Schmidt asked about the potential of enforcement for snow removal for an area that is deemed as a "safe route to school" which Officer Bollschweiler said is something they are already considering, and explained further.

Emily also mentioned to Officer Bollschweiler all of the comments she has received from citizens expressing gratitude for the weed removal and management in various areas.

Per a question from Joni Kartchner, Officer Bollschweiler said he works hard with individuals to give them every opportunity to help them correct their issues of non-compliance.

Officer Bollschweiler continued his presentation and addressed questions and comments from the City Council.

Item #6 - Consideration of a North Logan City subdivision ordinance regarding secondary water requirements for new development.

Mayor Lyndsay Peterson introduced the item and also outlined the process that has been undertaken, largely by Scott Perkes, to address this situation, and work on this ordinance; and further explained the pressure on him to do this in a timely fashion, as there are development items potentially pending approval of this ordinance.

Scott reviewed the staff report for this, and outlined the imperative issues that are included and the change made to address the issues with culinary and secondary water, and additional intentions of this ordinance. He detailed how things were managed with secondary water for subdivisions previously, and the changes made to the ordinance to handle how secondary water will be handled in the future for new development, in various, specific areas in North Logan, which he explained in detail. He continued to discuss the various issues with developments, canal companies, irrigation companies, and the distribution systems; as well as HOAs that manage some of these secondary water situations.

Scott and the council also discussed at length, the issue of tying water rights, or shares, to a property, the owner, or the developer to maintain it within the subdivision, and/or property, and the options for managing this. Scott explained that determining the legality of this was discussed by the Planning Commission, and that they recommended having this reviewed by the City Attorney. He said they took this issue to the City Attorney, who verified that a right or share cannot be tied to the deed of a property and make it pertinent to the property, as there is not a legal mechanism that exists in the state of Utah to do this. He said with that understood, they agreed that a right or share needs to be in the form of a certificate, that is private property, owned by the lot owner. He said they updated the language in this current draft; and explained that it is the clarification to state that if the rights cannot be tied to the property, then it needs to be tied to the owner; and that ownership needs to then transfer to the successive property owner.

Scott explained various, related details further, and addressed comments and questions from the City Council. They continued to discuss the ownership and transferring of rights, as well as discussing the issue of management of easements.

They continued to discuss what actual legal rights people have to hold on to their water shares/certificates. Scott discussed tiered water rates, and stressing the financial benefits of using secondary water, as using culinary water gets very expensive; and discussed people being incentivized to ensure that they are receiving those water shares, and commented further.

This was discussed further, at length.

**Motion**

*Emily Schmidt made a motion to adopt the North Logan City Subdivision Ordinance 24-05, regarding secondary water requirements for new development, as presented, along with the facts, findings, and conditions in the staff report.*

Bob Strebel asked from his chair in the audience, for the City Council to delay their decision.

Mayor Peterson said she will allow him to speak in just a moment as they were in the middle of a motion.

*Mark Hancey seconded the motion.*

Mayor Peterson asked the City Council if they had any further discussion on this, which they did not.

Mayor Peterson told Bob Strebel, that at this time, if he wanted to come to the mic, the City Council would be happy to hear any questions he may have.

Bob Strebel said he wanted to ask Mayor Peterson and the council to delay a decision on this ordinance and consider having another public hearing; or at least provide additional time for comment. He said he wanted to explain why he's requesting that. He said first of all, he knows there was one public hearing in June, but that [staff] mentioned there were two; and said he's been watching the minutes [agendas] religiously, and said he only saw the one public hearing. He said it's news to him if there were two public hearings, as he's been following this process since the initial public hearing back in June. He said none of his neighbors were aware of the hearing, and that he only became aware the day of the hearing, and commented that he came grossly unprepared. He said he knows it's their own responsibility to be involved, and that he's not trying to make excuses for any of them, but said he's been communicating with Councilman [Kenny] Reese and his neighbors in regards to this issue ever since that June public hearing. He said he's noticed it's been discussed at most of the planning meetings, but that he hasn't attended those because of what he and Kenny discussed. He said his neighbors have concerns they would like to express to the council; but that they have all been waiting for the public hearing that he and Kenny both thought would happen after the ordinance was finalized. He continued, that he had reassured his neighbors they would have a time and a place to respond. He said if the council passes this tonight, he will feel partly responsible for the reason the council has not heard everyone's concerns and ideas; and commented that he suspected that Councilman Reese will feel likewise. He said their concern is not with most of this ordinance; it's only with the property above the canal, and that's what they want to express their concerns about.

Mayor Peterson thanked Mr. Strebel for his comments and asked Morgan Parrish if he wanted to comment, and said he also had three minutes at the mic.

Morgan Parrish thanked the council for giving him the time, and said he is a representative from Canyon Gates Irrigation company. He said he sent a letter earlier on just asking if [the City] would look at grandfathering in their system. He said they have provided the Cadillac of water systems for the last ten years to the subdivision. He said unfortunately, it did not go forward in progression with all the rest of it, but said it is a very complicated situation where the next phases are incorporated with the initial phase. He said what that would cause, is for them to lose their business, and they would no longer be able to provide to "those 26" that the buyer and the builder would have to build. He said that seems very unfair to him and to his family, who have put time and effort and money into the system. He said these are "wet-stamped plans" and that it has already been proven that they can run a system. He said this is going to be a big development of 200+ homes; and that he is asking for the City to allow them to continue with their business, allow them to run the system with this new developer, and, go about how they had it planned.

Kenny Reese said he unintentionally misled Mr. Strebel, as he is a "newbie" on the council, and thought there was going to be another public hearing prior to the final vote; and asked Scott to give some background on the issue regarding "660 feet above the upper canal."

Scott explained the meeting schedule and the official public hearing that took place in June, as discussed; as well as additional public comment that was received at a Planning Commission meeting in August, when he said, the commission used their discretion to allow public comment from the people who were in attendance at that meeting. He explained further.

Mayor Peterson clarified that the public can *always* communicate with the Mayor, City Council, and staff; and that these items can be adjusted, and that one public hearing is not the "end all, be all."

Joni Kartchner asked if they could table this for one more public hearing, and commented further; and said she would like to address a few things.

Emily Schmidt said she would be against tabling this; not only because of the long time they have spent discussing this, but also that it may lessen any say the City has in terms of new

development.

Mark Hancey agreed, and said there is a bit of a "black hole" that we need to fix; and that if we can amend this if necessary.

Emily agreed and commented further, including the need to protect people coming in, to ensure that they have access to secondary water.

The discussion continued.

Mayor Peterson called for a vote on the motion.

*A vote was called and the motion passed unanimously with Joni Kartchner, Emily Schmidt, Kenny Reese, and Mark Hancey voting in favor.*

Mayor Peterson said she appreciate the input, and reiterated that this is not the "end" and that the City Council members have all expressed a willingness to adjust the ordinance if necessary; and that if anyone has input on this, to please meet with staff, and feel free to email any of them on the City Council.

**Item #7 - Consider approval of a Development Agreement for Sage Hills Subdivision.**

Alan Luce introduced the item and said he would give an overview, but said that it is not ready to be passed at this point. He explained the issues with the passing of SB174, in that the state does not want public hearings, or public comment, and they do not want the City Councils to review subdivisions. Alan said North Logan is one of the only cities in the state that holds public hearings at the Planning Commission level for new subdivisions; and commented on the benefit of receiving public input. He also discussed the problems with the passing of this bill in terms of the Planning Commission's ability to deal with funds related to certain improvements, and impact fees. He explained further, and said they are still fine-tuning the dollar amount for the road project associated with this; and that when that is worked out, this will likely come before the City Council at their next meeting on October 16<sup>th</sup>. He explained that that is the meeting in which the General Plan joint work session will be held with the City Council and Planning Commission, and that this will likely be the only item on that agenda before they move into the work session.

**City Council Work Session Items**

**Item #8 - Updates regarding the North Logan City General Plan.**

Scott Perkes discussed the status of the rewrite of the General Plan project, and also explained the upcoming workshop and meetings for the City Council and Planning Commission to review this further. He said a draft copy of the plan went out via email, and that the Planning Commission, City Council, and steering committee will do a read-through of the first draft, as a rough, though complete, full document, beginning October 7<sup>th</sup> which he commented on further. He said they all can then review it at the workshop being held on October 16<sup>th</sup>; and further discussed various related items, and how this will move forward.

**Item #9 - Updates regarding North Logan's water capital improvement projects.**

Jordan Oldham gave an update on the status of items related to the City's water improvement projects, including the progress on the development of the well.

**Item #10 - Updates on Civic Center.**

Alan Luce gave updates on the status of the development of the community center.

**Item #11 - Reports from City officers, boards, and committees.**

After a comment from the council, Police Chief Kent Goodrich discussed what a great job the new Code Enforcement Officer is already doing; and that they are not wanting to "micromanage" people or their properties, but more just having a conversation with people, and further commented.

Chief Goodrich also gave the recent stats for the department, and discussed some of the cases they've been working on. He also mentioned the upcoming Police Commission meeting, as well as events taking place in a few weeks. He also discussed the drug Dropbox in their lobby, as

280 well as trainings taking place with their officers.

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282 Alan reviewed the list of upcoming events with the council.

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284 **Motion**

285 *Emily Schmidt made a motion to adjourn the meeting. Kenny Reese seconded the motion. A*  
286 *vote was called and the motion passed unanimously with Joni Kartchner, Emily Schmidt, Kenny*  
287 *Reese, and Mark Hancey voting in favor.*

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289 The meeting adjourned at: 7:52 p.m.

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292 Approved by City Council:

October 16, 2024

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294 Transcribed by: Marie Power

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296 Recorded by:

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Scott Bennett/City Recorder