

**Minutes of the North Logan City  
City Council  
Held on October 21, 2015  
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, Roger Anderson, Damon Cann and Kristen Anderson (who arrived at 6:58 p.m.). (John Bailey was excused).

Others present were: Jaesea Gatherum, Melissa Haeffner, Bill Bullen, Jon Keller, Adam Winger, Debra Murray, Neil Murray, Kelley Warby, Joseph Warby, Barbara Middleton, Kim Hawkes, Alan Luce, Scott Bennett, Lydia Embry, Jeff Jorgensen and Marie Wilhelm.

The Pledge of Allegiance was led by Scott Bennett.

An invocation was given by Mayor Berentzen.

**Adoption of Agenda**

Mayor Berentzen said he wanted to add an item, "7.5", to consider a resolution on the general fund balance, which will be further discussed at that time.

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

**Approval and Follow-up of Minutes of September 9, 2015 and September 23, 2015 City Council Meetings**

*Nancy Potter made a motion to approve the September 9, 2015 minutes as presented, and the September 23, 2015 minutes as amended. Damon Cann seconded the motion. A vote was called and the motion passed unanimously with Nancy Potter, Roger Anderson and Damon Cann voting in favor.*

**Review of Action Items**

Jeff Jorgensen reviewed the action items list with the council. He pointed out that the annexation process had been completed for the area near Hyde Park at 600 East and about 2600 North. He also explained some issues with the audit.

**New Business**

Receive report from USU's water use survey. (Melissa Haeffner, USU 797-5732)

Melissa Haeffner presented the finding from USU's water use survey. Mayor Berentzen said he would like to include this information in the City newsletter, and Ms. Haeffner said North Logan City is allowed to duplicate this information. Ms. Haeffner agreed to email a PDF of the document presented to the City Council, to Jeff Jorgensen for use in the newsletter.

Consider approval of the Development Plan and Preliminary Plat for the Bullen Brothers Commercial Subdivision (5 lots, 18 acres) located at 2500 North and Main (northeast corner).

Jeff Jorgensen introduced this item and said that essentially, this plan entails adjusting their property because a road [200 East] is going to go through their land, and detailed the plan further. He said they are not developing their land; they just want to be able to split it up.

Mayor Berentzen discussed the comments from planning and public works; and Jeff explained that the City will require a note to be on the plat that states that the other infrastructure that needs to be developed will be done by a separate agreement, when such future development comes in.

Jeff and developer Bill Bullen addressed various, minor questions from the council

*Kristen Anderson arrived at this time, 6:58 p.m.*

*Damon Cann made a motion to approve the preliminary plat subject to complying with staff's recommendations and public works' comments, as well as making sure there is a note on the plat that the cost of the infrastructure development on the properties will be borne by the people as they develop it. A vote was called and the motion passed unanimously with Kristen Anderson, Roger Anderson, Damon Cann and Nancy Potter voting in favor.*

62 Consider approving the following land transfer agreements:

- 63 a. The storm water retention pond area (Parcel 1) within Phase One, Canyon  
64 Gates Subdivision being transferred to the adjacent property owned by Eric  
65 Dodson.
- 66 b. The open space along 1600 East south of 2450 North (Parcel 2) within  
67 Phase One, Canyon Gates Subdivision being transferred to the adjacent  
68 property owned by Corey N. and Brandy R. Monson.

69 Mayor Berentzen introduced the item and explained it briefly, including that it had been  
70 discussed previously by the council. Jeff Jorgensen explained that there were more  
71 recent drafts of this put out today that are the ones that should be discussed, and  
72 explained some of the other details.

73 Nancy Potter asked how much we are being charged for water in these two basin areas  
74 that we are transferring. Jeff and Alan Luce said we spent about \$800 to \$1000 this year  
75 for water, for approximately three and half months of the summer. This was discussed  
76 further.

77 Kristen Anderson said that former counsels approved this previously as a pocket park, but  
78 their intent was to have open space for the community; and asked whether we want to  
79 change the original intent of this area at this point, based on the cost, and commented  
80 further.

81 Nancy said it has to remain open space, and explained further; including that originally,  
82 the City felt that these pocket parks were a good idea, but subsequently realized that  
83 these open spaces were too expensive to maintain. Jeff said really, the original intent was  
84 to use it for drainage, and the park use was secondary, and explained further.

85 This was discussed further. Per Kristen's point, Damon asked whether the Dodsons  
86 would still be willing to consider this if the City did not allow a fence there. Alan said he  
87 asked the Dodsons that question indirectly that day, and said they are not building a fence  
88 right away, but really want that as an option, and explained further.

89 Damon also asked about the information he heard at the League convention from David  
90 Church about getting land through an exaction process, and whether or not the land had  
91 to be offered back to the previous owner before the city could release any of the land.  
92 Alan said he asked City Attorney, Bruce Jorgensen these same questions which Bruce  
93 explained to him, including that property in those situations are pieces of land typically  
94 acquired through condemnation.

95 Damon said he would like Bruce Jorgensen to review this again, and perhaps clarify it with  
96 David Church. Mayor Berentzen agreed. Jeff said we will make that a condition before  
97 the City signs the agreement, and commented further.

98 Per a question from Mayor Berentzen, Damon said he would rather this come back to  
99 another meeting before this is finalized, and after it has been reviewed by legal. The  
100 council agreed.

101

102 Consider a resolution adopting the 2015 Pre-disaster mitigation plan for the Bear River Region.  
103 Mayor Berentzen briefly introduced the item.

104 Nancy Potter asked about the grants that are listed in the back of the document and whether we  
105 are applying for them. Jeff said not to his knowledge, but it is a good list. Nancy encouraged the  
106 City to apply for them.

107 Damon Cann agreed. He also discussed the issue of liability of wildfires on the bench. He said  
108 he learned at the League convention that cities will receive assessments from the state for money  
109 that has to be spent on mitigation, and said that money will go up as we continue to build on the  
110 hillside, and commented further.

111

112 *Nancy Potter made a motion to adopt resolution 15-16 approving the mitigation plan and for the*  
113 *City to work on applying for some of the grants listed in that plan. Damon Cann seconded the*  
114 *motion. A vote was called and the motion passed unanimously with Kristen Anderson, Roger*  
115 *Anderson, Damon Cann and Nancy Potter voting in favor.*

116

117 Consider a resolution requesting the recertification of the North Logan Justice Court.

118 Mayor Berentzen and Jeff Jorgensen briefly explained the purpose of the resolution.

119

120 *Damon Cann made a motion to adopt resolution 15-17. Nancy Potter seconded the motion. A*

121 vote was called and the motion passed unanimously with Kristen Anderson, Roger Anderson,  
122 Damon Cann and Nancy Potter voting in favor.

123

124 Consider a resolution adopting the Personnel Policy for the North Park Police Agency.

125 Mayor Berentzen introduced the item and explained that the North Logan and Hyde Park city  
126 councils are adopting it simultaneously (Hyde Park the following week).

127 Jeff Jorgensen said there are some changes that were made to the City's policy that also went  
128 into this document, which was tailored to create a policy for just the police agency.

129 The council discussed some typos and a potential discrepancy in the document in relation to who  
130 can revise the document, which Jeff and Mayor Berentzen addressed. This was discussed  
131 further.

132 It was agreed that the language on page 34 stating that the two city councils would have to  
133 approve future changes to the policy, would be removed, and the Hyde Park City Council would  
134 be informed of the change.

135

136 *Damon Cann made a motion to adopt this resolution 15-18, striking the language on page 34 that*  
137 *states "and ratification by each participating City Council" so that it is 100% clear that the Police*  
138 *Commission has complete discretion over this; and also fixing the typo as discussed. Kristen*  
139 *Anderson seconded the motion.*

140

141 Per a question from Mayor Berentzen, Chief Kim Hawkes agreed that he would get this  
142 information to the Hyde Park City Council.

143

144 *A vote was called and the motion passed unanimously with Kristen Anderson, Roger Anderson,*  
145 *Damon Cann and Nancy Potter voting in favor.*

146

147 General Fund Resolution

148 Jeff Jorgensen explained that it looks like the 2015 financials show that we have more than a  
149 10% unrestricted fund balance in the General Fund, and Jeff said the resolution he is proposing  
150 would provide the authority to transfer any extra funds to the Capital Fund in an amount that  
151 would take that fund balance down to the 6%, which was the target for last fiscal year. Jeff  
152 explained that doing so would show the Capital Fund in a better light in the audit. He further  
153 explained that part of the reason for being in this situation is because the City has not received  
154 some of the money back from Cache County to reimburse North Logan with some CCOG funds;  
155 money that North Logan has spent on 1200 East but has not yet been reimbursed, and explained  
156 further. He said staff is determining how this will be managed, and will all be done as part of the  
157 next budget approval.

158 Damon Cann expressed his concerns about wanting to remain at 10% as our target fund balance  
159 every year, and commented further.

160 Jeff addressed this, explained further details, and addressed the council's questions.

161

162 *Kristen Anderson made a motion to adopt resolution 15-19. Nancy Potter seconded the motion.*  
163 *A vote was called and the motion passed unanimously with Kristen Anderson, Roger Anderson,*  
164 *Damon Cann and Nancy Potter voting in favor.*

165

166 **Reports from city officers, boards, and committees.**

167 a. Consider approval Poll Workers for the Municipal General Election on  
168 November 3rd.\*

169 Scott Bennett explained the process for this and how it will work.

170

171 *Kristen Anderson made a motion to approve the poll workers for the upcoming election. Nancy*  
172 *Potter seconded the motion. A vote was called and the motion passed unanimously with Kristen*  
173 *Anderson, Roger Anderson, Damon Cann and Nancy Potter voting in favor.*

174

175 b. Consider request for using the library meeting room for an event sponsored  
176 by the Friends of the Library.

177 Jeff Jorgensen referred to the email sent to the City Council regarding this item, and  
178 explained the situation, and said the City typically does not rent the Library meeting room  
179 to groups wanting to make a profit on their event. He said the farmer's market that has  
180 been held weekly during the summer on North Logan Library's outside grounds each

181 Saturday has been very successful. He said there has been a recommendation from the  
182 Friends of the Library to move that event inside, for one week during December, to sell  
183 holiday items, and to potentially do it each year. Jeff addressed various questions from  
184 the council.

185 Nancy Potter referred to the recommendation by the Friends of the Library to use the  
186 money earned to purchase a 3-D printer; and she asked what the cost would be for that,  
187 and what the purpose of it would be, which Adam Winger explained. There was general  
188 consensus between the council and Adam, that this is probably not the best use of the  
189 funds.

190 Roger Anderson discussed the potential liability issues with having this event in the  
191 meeting room.

192 Jeff discussed the policy and said he wanted the council's official feedback. Jeff said we  
193 can ensure that the liability issue is covered.

194 Barbara Middleton discussed the market that has been taking place each Saturday, and  
195 the success of it. She said they want a community market where the vendors would  
196 ultimately take over running it and the Friends of the Library would act as a steering  
197 committee for that. She said that one of the reasons to hold a holiday market is to  
198 encourage the market for next year, and to have a continuation of events and have it  
199 remain through to the next year. She said they want to utilize the market to help promote  
200 the City as well as the North Logan Library, and explained this further. She said some of  
201 the monies earned will go to the Friends of the Library, and then to the North Logan  
202 Library itself.

203 Mayor Berentzen said he likes the idea of this continuing, and also discussed the  
204 potential for some nominal part of it coming back to North Logan City, and commented  
205 further.

206 Barbara discussed other potential activities that can be included and said she would like  
207 the council to make some recommendations that she can take back to the vendor group.

208 The council discussed this further, and the general consensus was that they supported  
209 the project.

210 Jeff suggested the possibility of using the money earned to potentially carpet the meeting  
211 room, and commented further.

212 The council continued to discuss various related items, and Barbara addressed some of their  
213 questions. Barbara said she would look into the liability issue.

214

215 *Kristen Anderson made a motion to allow this one time this year, and consider it again for*  
216 *next year based on what happens with this year's event. Damon Cann seconded the*  
217 *motion. A vote was called and the motion passed unanimously with Kristen Anderson,*  
218 *Roger Anderson, Damon Cann and Nancy Potter voting in favor.*

219

220 Barbara said the holiday market event is scheduled for Saturday, December 5<sup>th</sup>.

221

#### 222 **Reports from city officers, boards, and committees-cont'd**

223 Mayor Berentzen discussed the possibility of the City applying for and getting funds through the  
224 Community Development Block Grant program and asked if there is a project that we should be  
225 looking at specifically for this, which was further discussed. Mayor Berentzen said if we can  
226 identify a population or project where there is a specific need, it might be easier to get approval.

227 This was discussed further among staff and the City Council; and Adam Winger explained that  
228 there is a group of kids who come to the library after school every day, who don't have another  
229 place to go, and discussed this further. Mayor Berentzen said the first meeting is on November  
230 10<sup>th</sup> at the BRAG (Bear River Association of Governments) office, and said he would give the  
231 information to Adam; and Jeff Jorgensen said he would work on this with Adam.

232 Mayor Berentzen discussed the initial group meeting that was held regarding economic  
233 development, and said it was a fairly productive meeting and explained further. He expressed his  
234 appreciation to Alan Luce for putting this together, and said a meeting is going to take place every  
235 month, on the third Monday, from 5:00 to 6:00 p.m. He explained this further.

236 Mayor Berentzen mentioned that there was a ground breaking event for the Maple Springs  
237 development today and discussed it further, including that there was a good turnout. He said it is  
238 going to be a really nice facility and will become another draw for the area. He further discussed

239 the need to direct development correctly, which could create a great City Center area.  
240 Mayor Berentzen referred to the City well near Jack's Tire and Oil, and asked if we are pumping  
241 significantly less water from there now that the new well is on line.  
242 Alan said it has in fact been reduced significantly, but we still use it off and on. Mayor Berentzen  
243 asked if that will reduce costs to the City; and Alan said it will. The efficiency of the new well was  
244 also discussed. Mayor Berentzen discussed the need to ensure that the City owns the rights we  
245 need to carry forward into the future.  
246  
247 Damon Cann discussed the road into the Montage subdivision and how good it looks; and further  
248 commended the staff for all the hard work they did and said that they really went the extra mile to  
249 ensure that it was done well, and in their efforts in working with the citizens.  
250  
251 Kristen Anderson said she had been contacted again by Don and Arlene Huber's daughter, Jana  
252 James, regarding the questions the Hubers have about various issues. She said that Jana said  
253 she spoke to someone from the Planning Commission who told her that that the Planning  
254 Commission did not "re-look" at any of their issues because the commission claimed all the  
255 issues had already been evaluated by the appeal authority. Jana had expressed her concern that  
256 the appeal authority could not officially make a determination on the issues raised because the  
257 Hubers had not filed their complaint in a timely manner. Kristen said that Jana said she wants to  
258 make sure that the City still addresses these issues.  
259 Mayor Berentzen referred to the email that he received from Jana; and said one of their issues is  
260 a legal issue between them and a neighbor. Mayor Berentzen said the Planning Commission is  
261 not going to address any legal issues; all they will address is a recommendation for how our  
262 ordinances are written. He said the Huber's whole argument in the email is really more from a  
263 legal perspective, which is *not* the role of the Planning Commission.  
264 Kristen said she has been working on the Pumpkin Walk and commended the City staff for all  
265 their work on this and encouraged people to attend.  
266 Jeff asked Kristen to send the Huber's email to him, as they had not sent it to him. Per a question  
267 from Jeff, Mayor Berentzen said he had received it that day.  
268 Kristen said that City staff, as well as all of the volunteers have done an amazing job on the  
269 Pumpkin Walk, and encouraged everyone to go see it.  
270  
271 Jeff said he went to the ribbon cutting event at the new Mexican restaurant in North Logan City,  
272 "Javier's"; and commented on how good the food is and how friendly the staff is.  
273  
274 Alan mentioned the upcoming Pumpkin Walk activities. He said the Pumpkin Walk is a perfect  
275 model of good volunteerism.  
276  
277 Chief Kim Hawkes reported on the fencing project being done for the four property owners behind  
278 the new police building, and said they have all agreed to participate financially; and said with  
279 Hyde Park's share, North Logan City will pay about \$1500 for the fencing, which he said should  
280 begin the end of the following week.  
281 Chief Hawkes said his department will also be involved in the Pumpkin Walk. He said the transit  
282 district will be providing shuttle busses, and said last year they shuttled 25,000 riders for the  
283 Pumpkin Walk.  
284  
285 *Nancy Potter made a motion to adjourn the meeting. Damon Cann seconded the motion. A vote*  
286 *was called and the motion passed unanimously with Kristen Anderson, Roger Anderson, Damon*  
287 *Cann and Nancy Potter voting in favor.*  
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289 The meeting adjourned at: 8:03 p.m.

290 Approved by City Council:

November 4, 2015

291 Transcribed by Marie Wilhelm

292  
293 Recorded by

  
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Scott Bennett/City Recorder