

**Minutes of the North Logan City
City Council
Held on November 7, 2018
At the North Logan City Library, North Logan, Utah**

**(The time stamps throughout the minutes below, located next to an item, indicate the time an item begins in the recording of the meeting.)*

***00:00:11**

The meeting was called to order by Mayor Pro Tem Damon Cann at 6:30 p.m.

Council members present were: Roger Anderson, Damon Cann, Kristen Anderson and Brad Crookston. (Bruce Lee was excused).

Others present were: Jason Ruff, P.E., Rex Wade, Ryan Reigle, Nicole Oksness, Mike Oksness, Craig Reese, Elaine Reese, Chris Hills & Larry Hills, Diann Buck, Marvin Buck, Debbie Bowen, Steven L. Earl, Debbie Bingham, Keith Bingham, Kathy King, Val King, Tim Martin, Jerry Goodrich, Jana Bremer, Debra Nitz, Kirt Nitz, Herono Hoyt, Craig Humphreys, S_____ W_____ (illegible), John Nyman, JoAnn Nyman, Jon Keller, Karen Budge, Ned Israelsen, Tammy Selley, Tony Selley, Cameron Smith, Kimberly Smith, Matt Fowers, Aaron Kay, Brandon Kay, Doug Younker, Blake Parker, Steve Beil, Ryan & Robbie Christopherson, Glenn & Martha Mortensen, Ryan McK_____ (illegible), Paula Scott, Derreck Jones, Michelle Yost, Georgiana May, Aaron May, John Arnold, Lori Arnold, Mike & Jenni Whiteley, Robert & Susan Marshall, Barbara Middleton, Ryan Reid, Ken & Karen Jewkes, Janet K. Williamson, John Markham, Charmay Markham, Sharon Salisbury, Ron Marshall, Diane Boham, Eric Va. Callister, Lisa Palmer, Jeff Lee, Emily Leckie, Ed _____ (illegible), Dave Flandro, Bonnie Flandro, Steve Milne, Lydia Embry, Cordell Batt, Jordan Oldham, Scott Bennett, Alan Luce and Marie Wilhelm.

The Pledge of Allegiance was led by Kristen Anderson.

An invocation was given by Brad Crookston.

Adoption of Agenda

00:01:55 Motion

Kristen Anderson made a motion to adopt the agenda as presented. Roger Anderson seconded the motion. A vote was called and the motion passed unanimously with Kristen Anderson, Roger Anderson, Damon Cann and Brad Crookston voting in favor.

Approval and Follow-up of Minutes of October 17, 2016 City Council Meeting, Regular and Executive (Closed) Session Meeting

00:02:33

Both sets of minutes were approved as presented.

Review of Action Items

00:02:54

Alan Luce reviewed the list with the council.

Recognition of Exemplary Staff Member

00:09:21

Damon Cann presented employee Karen Jewkes with a gift card in recognition of her exemplary work in her department.

New Business

Current Action Items

Consideration of an appointment to the North Logan City Library Board.

00:11:09 Discussion

Damon Cann explained that Steve Earl is being recommended to serve on the North Logan Library Board, and further explained the situation. Mayor Cann described some of Steve's background and said he would be exceptionally well qualified to service on the board, and asked for the City Council's consideration for ratification.

00:12:20 Motion

Kristen Anderson made a motion to ratify Steve Earl as a member of the North Logan Library Board. Roger Anderson seconded the motion. A vote was called and the motion passed unanimously with Kristen Anderson, Roger Anderson, Damon Cann and Brad Crookston voting in favor.

Consideration of a Concept Plan for Greenville Estates Subdivision (45 lots) located in the R-1-10 zone at approximately 1200E 1729N.

00:13:14 Presentation and discussion.

Roger Anderson said he wanted to publicly state that he would be abstaining from discussion or voting on this item, and explained the conflict of interest he has regarding land behind his home, relating to this development. Damon Cann explained this further.

Cordell Batt introduced the item and explained the situation and request, and per Mayor Cann's request, explained options one and two. He discussed various items in the staff report for both options. He explained the approval process for the attendees. He said staff's recommendation through the Planning Commission was for approval on this, and further described elements staff required in the staff report.

00:22:16 Discussion and limited public comments.

Damon Cann said while this isn't a public hearing, he explained that he asked some citizens to give some feedback on this to the City Council.

Keith Bingham said, representing the group of citizens adjacent to this proposed subdivision, that they have some concerns. He said one of their concerns is, as the vision statement for the City, to have open spaces and keep the small town rural feel. He said part of that concern is in the size of the lots. He said they recognize that the developers are within their legal right to develop down to that size of a lot, 10,000 square feet; but said they request that that be a little bit bigger. He said also at the same time, that the homes be such that there be stone or brick on the front elevation, and that there be a stipulation that landscaping be done within a certain period of time. He said you can go through North Logan and see that some homes that have been built within the last five to ten years, or even within the last year, do not have landscaping. He said they should also have the standard curb, gutter and road width. He used the projected map to show two blind spots, and said there is the potential for over 100 vehicles coming in and out of that subdivision every day, of which traffic is a real concern. He said their other concern is [regarding] both culinary and secondary water. He asked if there would be an opportunity for secondary water to be available for the number of homes there. He said he would hope that the City is working on the water pressure, because some days he said he barely has a drip. He said another concern is drainage, and used the map to show drain fields and where they empty into a canal, and said those drain fields are very active, even at this time of year; and said this is something that needs to be looked at so there is not flooding into the basements of the residents' homes. He also asked what kind of retention ponds there would be so that they are not affecting the individuals on 1000 East, and commented further. He said there is some concern about the North Logan City sheds, and said there is procedure that needs to be followed in the sale of those sheds, and needs to be done with a public hearing in order for them to be sold. He said when he moved to that area 20 years ago, he was told that area [where the sheds are] would be a park; and said as of three years ago, there was an email from the City Manager that told a resident that that was still part of the proposal. He said he is concerned that all of a sudden that can be given to a developer, and that the park was originally "on the agenda". He said we are bringing in 45 homes here, 47 homes in the Phillips plan and other areas and asked where the schools are. He said we are still bussing our students to Providence, and said we probably ought to get together with the school board to see what we can do to locate schools within North Logan City.

Val King thanked the Mayor and City Council for allowing him to address the concerned citizens tonight. He said with the proposed 45-49 homes, yards and possible gardens, just east of 1000 East, we question if this will raise the water table. He said all the properties along 1000 East are downhill from the proposed development. He used the projected map to show where he and his neighbors live. He asked, in relation to not wanting water in their basements, if the City could hire a hydrologist/geologist to perform a study and allow the citizens to review that study, because they are concerned about this water. He said North Logan has told them for a few years to conserve water, yet now approximately 92 homes in two subdivisions are being proposed; and asked how

North Logan City is going to provide culinary water to all of these homes. He said if the City has a water shortage, then building new homes should cease, especially in large developments. He asked, with 49 new homes and approximately 200-plus more people, whether the sewage pipes will handle the extra load, or will North Logan City have to build new sewage lines. He said he was present when they put in the sewer and the pipes aren't very large; and said therefore, with all of those additional people and homes, he questions whether North Logan City will have to come up with more money to improve their sewer system. He said developers on this project should be aware of drain fields existing on the plat; and said he is aware of some drain fields that were put in that he doesn't think any of the property owners who are trying to develop this subdivision are aware of. He said if the developers want more information, they can get a hold of him. He said these drain fields need to remain operational, because there are several of them, that if they get plugged, there are several homes along 1200 East that will have water in their basements. He said all of these ¼-acre lots along the canal will probably be two-story homes because of the square footage involved on their lots, and said this destroys privacy along 1000 East. He said some residents have already acquired real estate agents and appraisers due to this proposed subdivision. He said North Logan City residents on 1000 East were promised by the council in approximately 2004, that North Logan's 1000 East, which is a dead end, will be dead end forever because of some promises made to residents and to USU. He said all residents in their neighborhood have concerns about size of lots, culinary water, secondary water, traffic problems, drainage problems, police and fire protection, and the number of days being inconvenienced as this development is being built. He said we live here too, and asked the City Managers to be more conscientious and protective of how this building process will affect surrounding neighbors of noise, dirt, mud, water, electrical outages, and large construction vehicles; and said this development could take years. He said they would like to see larger lot sizes and fewer homes. He said they encourage the Mayor and City Council to table their vote tonight and said that perhaps a public hearing should be set. He said the residents would like to be informed on answers before the next vote. He thanked them for the opportunity in letting him voice his opinions.

Developer Ned Israelsen said he grew up in North Logan; and said the property he is putting into development was his father's, and said he has owned it since 1991. He said his parents lived on the property until they passed away, his mother just recently. He said they certainly don't want to antagonize the neighbors, and don't want to create problems with traffic or drainage or any of those things. He said currently, this is just a concept plan, and to determine if this subdivision idea is within the zoning code and meeting all of the City standards, etc. He said a lot of the concerns that have been raised will be addressed in the preliminary plat, where all of the studies that have been discussed will be done, including hydrology, sewer, what kind of water retention, etc.; and are all things the City will require before they will approve the preliminary plat. He said as far as making the lots larger; we are already exceeding what the zoning requires. He said he thinks they're entitled to 3.63 lots per acre, and they are down to somewhere around 2.8. He said he knows there is always an impact on neighbors when a subdivision goes in, but it also brings new neighbors, new friends, and he thinks in particular, this would be a great subdivision for young families to be able to afford a home and live in our fine community.

00:37:25 City Council discussion.

Damon Cann commented on this. He explained to the attendees some of the restraints of the council in making their decisions, particularly when the project meets code, including the legal responsibility of the City Council members, and explained further. He discussed with the council options for moving forward.

Alan Luce addressed various questions from the council, including regarding cul-de-sacs, covenants, traffic, zoning and water usage.

Kristen Anderson said she would be in favor of tabling the conversation for tonight and having further discussion before making a discussion. Brad Crookston agreed.

Various items were discussed further.

The City Council agreed to discuss this at a future meeting.

Consideration of a Concept Plan for Phillips Family Subdivision (43 lots) located in the RE-1 zone at approximately 1200E 2900N.

01:01:27 Presentation and discussion.

Cordell Batt explained the situation and the requested proposal. He said staff's recommendation is a positive recommendation on this concept plan.

Cordell addressed various questions from the City Council. Brad Crookston asked about validity of a church being built on a residential lot as a conditional use, which Cordell addressed, giving various examples in the City where this has been done. Kristen Anderson explained that this is how the church on 1600 East was done. Brad Crookston said he wanted to get more information on this and expressed his concern about a church being used to increase the density in a subdivision.

Mayor Cann explained why he did not think this was an issue, and discussed the open feel a church provides in an area and commented further. He discussed the risk actually placed on the developer if the church decides not to build on that lot.

Brad discussed his concerns about the traffic in relation to the road layout.

Kristen Anderson asked about secondary water which Cordell addressed and said that will be required.

Kristen asked about what we need to do for bridge improvements which Alan Luce addressed.

Cordell continued to address various questions from the council.

Alan discussed the road layout within the subdivision and how it could tie in the adjacent road.

The road situation was discussed further, as well as access to a particular lot.

Mayor Cann suggested various recommendations for moving forward.

Blake Parker discussed the development and the road layout situation, and addressed some of the other concerns.

01:41:42 Motion and discussion.

Kristen Anderson made a motion to approve this concept plan subject to a discussion regarding the road alignments, and aligning the east end in a way that may provide future road options for the City, and also looking at road access to the piece to the north.

Roger Anderson explained that he would abstain from voting on this.

After a question about the motion from Brad Crookston, the motion was reworded, and Kristen Anderson agreed that it captured the intent of her motion.

01:43:43 Motion

Kristen Anderson made a motion to approve this concept plan subject to the City reserving the right to require a bend on the east end for connectivity, and the City also reserves the right to require connectivity to the parcel to the north, that is between 1200 East and 1400 East. Damon Cann seconded the motion.

Brad Crookston said he understands that we have done this with the church and it does seem like open space, but said he questions if we should formally ask for open space. He said he probably wouldn't *not* vote for it because of that, because it seems to meet the code. He asked if there was a way that we could verify this. Alan explained to Brad that it is a density determinate and meets the code, and is a risk for the developer and explained further. Mayor Cann also addressed this. The discussion continued briefly.

01:46:44 Vote on Motion

A vote was called and the motion passed with Brad Crookston, Kristen Anderson and Damon Cann voting in favor, and Roger Anderson abstained from voting.

Consideration of an ordinance and resolution to the North Logan Municipal Code by adding to Site Development Requirements for maintenance and responsibility of public right-of-ways (park strips).

01:47:36 Explanation and discussion.

Alan Luce discussed the situation and explained the impetus behind this, which was discussed at a previous City Council meeting.

Brad Crookston explained the concerns he brought up at the last meeting regarding larger park strips.

01:52:39 Motion

Kristen Anderson made a motion to adopt ordinance 18-07 and resolution 18-18. Roger Anderson seconded the motion. A vote was called and the motion passed unanimously with Kristen

Anderson, Roger Anderson, Damon Cann and Brad Crookston voting in favor.

Consider the release of the subdivision warranty bond for Mahogany Ridge Subdivision (Phases 5&6).

01:53:44 Explanation and discussion.

Cordell Batt explained the situation. Alan Luce detailed it further. Cordell and Alan addressed questions from the council.

01:56:00 Motion

Brad Crookston made a motion to approve the release of the subdivision warranty bond for Mahogany Ridge Subdivision Phases 5 & 6. Roger Anderson seconded the motion. A vote was called and the motion passed unanimously with Kristen Anderson, Roger Anderson, Damon Cann and Brad Crookston voting in favor.

Consideration of an ordinance modifying City Code related to fee waivers (Title 6-404 Adjustment of Impact Fees).

01:56:25 Explanation and discussion.

Alan Luce explained the situation and what is being approved at this point. The council discussed this briefly.

01:58:42 Motion

Roger Anderson made a motion to adopt this ordinance 18-08. Kristen Anderson seconded the motion. A vote was called and the motion passed unanimously with Kristen Anderson, Roger Anderson, Damon Cann and Brad Crookston voting in favor.

City Council Work Session Items

Discuss a draft agreement, potentially modifying the security methods (bonding) for Wildercrest Phase 1 Improvements.

01:59:26 Explanation and discussion.

Alan Luce explained the situation and reviewed elements of the agreement.

The council discussed various related issues and Alan addressed their questions.

02:06:26 Motion

Roger Anderson made a motion to table this item. Kristen Anderson seconded the motion. A vote was called and the motion passed with Kristen Anderson, Roger Anderson and Brad Crookston voting in favor, and Damon Cann voted against.

Discuss direction for rural road standard.

02:07:53 Explanation and discussion.

Alan Luce introduced the item and explained the need to determine how to move forward with this.

Kristen Anderson mentioned that she has a conflict of interest with this in relation to the road she lives on, as it is one of the roads being proposed as a rural road.

Alan further discussed various road standard options and the council continued their discussion.

Alan addressed various questions from the council.

The council continued to discuss various related items at length.

Alan suggested having the Planning Commission work through this and putting a proposal together for the City Council to review in the near future, which the council agreed with.

Reports from city officers, boards, and committees

02:30:09 Jon Keller discussed his departmental issues with covering shifts and how they are working to manage it. He also discussed the higher number of calls they have had compared to this same time next year and how they are trying to manage the volunteers and full time staff in covering these needs.

02:35:35 Chief Steve Milne discussed their department being fully staffed as of December 17, 2018.

02:36:38 Alan Luce mentioned that the upcoming Christmas party will likely take place at Rescue One Studios and that more information on this will be forthcoming in the coming weeks.

Alan discussed the upcoming meeting schedule with the council and changing it due to the holidays; and they agreed that the next City Council meeting will likely take place on December 12, 2018.

02:41:14 Damon Cann asked Cordell to talk to the Planning Commission about whether there are any areas east of 600 East in North Logan that should be zoned R1-10. Cordell Batt discussed the difficulty and issues that arise in down-zoning this way. This was discussed further.

02:45:53 Roger Anderson asked, as they go into Executive Session meetings, that it be clear that he not be in those meetings where the City sheds are discussed, so that there are no issues in terms of the conflict of interest.

Roger also discussed Nyman subdivision on 1200 East and retention pond finishing. He said the developers have said they gave the land for the retention ponds there to the landowners who purchased the land next to them, and are saying it is the landowners' responsibility to finish them; but Roger asked if on the plat, the developer was required to finish those retention basins. He further discussed the dispute between the landowners and the developers on this and said this needs to be resolved. Alan addressed this and said it is the responsibility of the landowner, and that they knew this when they purchased their lots, and said it will be done when they do their landscaping. This was discussed further.

02:51:06 Damon Cann said thank you to all who helped with the Pumpkin Walk and Pumpkin Toss events this year.

Mayor Cann thanked the library for the Harry Potter Event they held.

Mayor Cann gave a status update on the interview process being done for the Chief of Police position.

Mayor Cann discussed having a neighborhood meeting regarding the proposed Greenville estates subdivision and how it would have to be managed as a potential public meeting, which was discussed further. The council agreed to move forward with holding a meeting.

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

02:59:25 Motion

Kristen Anderson made a motion to close the meeting and move into Executive (Closed) Session for the purpose of discussing litigation, potential real estate acquisitions and personnel issues. Roger Anderson seconded the motion. A vote was called and the motion passed unanimously with Roger Anderson, Damon Cann, Brad Crookston and Kristen Anderson voting in favor. This occurred at 9:29 p.m.

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

Kristen Anderson made a motion to open the meeting and move out of Executive Session and return to the regular City Council meeting. Roger Anderson seconded the motion. A vote was called and the motion passed unanimously with Roger Anderson, Damon Cann, Brad Crookston and Kristen Anderson. This occurred at 10:04 p.m.

Kristen Anderson made a motion to adjourn the meeting. Roger Anderson seconded the motion. A vote was called and the motion passed unanimously with Roger Anderson, Damon Cann, Kristen Anderson and Brad Crookston voting in favor.

The meeting adjourned at: 10:06 a.m.

Approved by City Council:

December 12, 2018

Transcribed by Marie Wilhelm

Recorded by



Scott Bennett/City Recorder