

**Minutes of the North Logan City
City Council
Held on December 12, 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.)*

***00:00:04**

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, Bruce Lee and Brad Crookston.

Others present were: Kirk Nitz, Debra Nitz, Bryan Coulter, Keith Bingham, Michelle Muldowney-Stevens, Athena Balderas, Ryan Reigh, Rex Wade, Ned Israelsen, Val King, Debbie Bingham, DeAnna E. Fry, Robbie Christopherson, Ryan Christopherson, Lauren Schreiber, Barbara Middleton, Nicole Oksness, Mike Oksness, Brent Nyman, Jerry Goodrich, Tim Martin, Eve Jones, Randy Jones, Sharilee Griffiths, Tony Selley, Tammy Selley, Gordon Younker, Debbie Bowen, Bracken Atkinson, Lydia Embry, Steve Milne, Cordell Batt, Jordan Oldham, Alan Luce and Marie Wilhelm.

The Pledge of Allegiance was led by Bruce Lee.
An invocation was given by Roger Anderson.

Adoption of Agenda

00:01:28 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, Bruce Lee and Brad Crookston voting in favor.

Approval and Follow-up of Minutes of November 7, 2019 City Council Meeting and Executive (Closed) Session Meeting

00:01:56

Both sets of minutes were approved as presented.

Review of Action Items

00:02:17

Alan Luce reviewed the actions items list with the council, and addressed their various questions.

Recognition of Exemplary Staff Member

00:09:11

Damon Cann presented Emily Croft from the Parks Department with a gift certificate in recognition for her exemplary work in her department.

Interim Police Chief Steve Milne introduced the newly graduated and hired Officer to the North Park Police Department, Kyle Larson, and gave a little of his background. Chief Milne said that their department is now fully staffed.

New Business

Consideration of a Concept Plan for Greenville Estates Subdivision (45 lots) located in the R-1-10 zone at approximately 1200E 1729N. If "Option 2" is approved, it would be contingent upon the City's surplus and sale of the property through the appropriate process.

00:11:36 Explanation and discussion.

Mayor Damon Cann introduced the item and explained the meeting that was held with the residents.

Alan Luce discussed further details and explained some of the items that will be required at the Development Plan stage of this, including some of the recommended studies; and also discussed some of the questions that came up during the meeting with the residents, and how some of those issues will determine which studies will need to be done.

Mayor Cann discussed some of the items that still need to be reviewed before action can be taken;

including the two layout options and whether they include the land on which the City sheds are located. He said that the feedback from the citizens at the meeting were essentially split 50/50 between option one and option two. He said that while he likes some of the changes the developer made for these two options; he asked whether there could be more, or better options to include other items, and commented further. He also said that residents expressed concerns about this going to government-subsidized, low-income housing; and Mayor Cann said the developer made it very clear to him that he has not made any kind of agreement or arrangement with anyone who is going to develop it that way and explained further, including that that type of housing is not even allowed in this zone. He said per the citizen feedback, he also proposes that they adjust the alignment of the road as it exits the north end of the subdivision. He said citizens pointed out that with the road the way it is planned, headlights are going to be streaming into people's homes; and Mayor Cann said it would be a fairly easy shift, and we have grounds to ask the developer to make that adjustment. He commented further, including various items that the City will be requiring of the developer.

Roger Anderson explained his conflict of interest with this, and will therefore abstain from discussion or voting on this item.

Developer Ned Israelsen discussed various details about his development, including regarding joining the cul-de-sacs with a road to make a loop. He said in going over that with his engineer, it will not work, and further explained, including that one lot would have roads on all three sides, which he was told was impermissible. He commented further. He also mentioned that four of his twelve siblings will be building homes in this subdivision.

Ned and Cordell addressed various questions and comments from the council, including regarding issues of the road and potential cul-de-sacs. They discussed changing the approach of the road so it does not approach the house in question, directly. This was discussed further.

Brad Crookston asked if there was a way to connect from 1800 North and eliminate a cul-de-sac, and explained further.

Mayor Cann discussed option #1, and discussed his concerns about the alignment of 1700 North and explained further, including how Logan City has spent many years dealing with issues like this. He discussed option #2, and said the alignment problem is solved; but does not like the lot that would have roads on three sides of their house. He discussed additional potential options to alleviate these issues, using a projected map of the location to further explain.

The council continued their discussion with Ned, including the various options and layout at length.

Mayor Cann explained that if the council makes a motion that includes option #2, the City cannot sell the property without going through the surplus process and would be contingent upon the City doing that; as well as the developer emerging as the individual who acquired the property, and explained further potential outcomes.

Kristen Anderson discussed her issues with the misalignment of the road.

The discussion continued at length, including ingress and egress.

Brad Crookston said he has a hard time with the fact that the City took a "hard stance" against cul-de-sacs and now we're accepting "a bunch of them"; and also with dead-end roads, and now we're willing to accept three. Alan addressed this and commented further.

The City Council continued the discussion regarding the layout at length, as well as various related items.

Kristen said she is supportive of the subdivision, but would like road alignments to be determined before it is approved.

Mayor Cann explained the options with the council and how they could potentially move forward, and made some recommendations if the council goes forward with option #1 or option #2.

Bruce Lee concurred with Kristen Anderson's comments.

00:45:06 Motion

Bruce Lee made a motion to deny option #1 because of the alignment issues with the road.

Kristen Anderson seconded the motion.

Brad Crookston asked about whether option #1 meets the code, and if there should be justification in the motion for why it is being denied, which was further discussed. Mayor Cann said the misalignment of the road is a violation of code, and therefore justification for denying the request, and explained further. Bruce Lee adjusted the motion, to which Kristen Anderson agreed.

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

The discussion continued regarding option #2. Brad said that is not fair to ask the developer to go through the process of purchasing the land if we don't give him the approval on the other option, which Mayor Cann addressed.

Kristen Anderson commented and said she would like to avoid having a lot with roads on three sides, and asked if we would meet code having a cul-de-sac here near the City sheds. This was discussed further.

00:52:06 Motion

Bruce Lee made a motion to approve option #2 with the contingencies as discussed in selling the City property. Brad Crookston seconded the motion. A vote was called with Bruce Lee and Brad Crookston voted in favor of the motion; and Damon Cann and Kristen Anderson voting against, resulting in a tie, as Roger Anderson abstained from voting due to his stated conflict of interest.

Mayor Cann explained that because this is a tie, the motion fails. He asked the council if they had an alternative option, or whether they wanted to wait on this. This was discussed further.

Mayor Cann said he would be in support of option #2, if it can be demonstrated that the cul-de-sac options do not work. He said in that case, it would seem to him that option #2 would be the direction in which the City would have to go, but would want to make sure that those options are thoroughly evaluated. He said the failure of the motion does not deny option #2. He said Alan Luce, Cordell Batt and Ned Israelsen should meet together to determine whether there are other potential alternatives that could be worked out, which they agreed to do. Kristen Anderson concurred. Mayor Cann commented further. Kristen Anderson concurred.

Ned said he was not clear legally, what happened on this, and commented further. Mayor Cann addressed and explained this.

The council discussed this with him further, including how to proceed. Ned asked about voting on option #2 in 60 days rather than 90; and Mayor Cann said he would give him his "good faith" intent that we have the up or down vote at the January 2 [2019 City Council] meeting and not drag this out longer than necessary.

Consideration of a Condominium Plat for the Four Seasons Townhomes. (14 Live/Work Units) within the City Center Adjacent Zone (CCA).

01:00:18 Explanation and discussion.

Cordell Batt explained the situation that is coming back for further consideration. He further discussed various details and the intentions of the developers. He said in order for the developers to sell these live/work units individually, they have to do it with a condominium plat. He explained further and said staff and the City Engineer have reviewed this and are recommending approval. He said the Planning Commission reviewed the development plan and preliminary plat portion of this project and they made a positive recommendation on this as presented.

Developer, Bracken Atkinson addressed questions and comments from the City Council, and explained various details of his project further.

01:08:28 Motion

Bruce Lee made a motion to approve this condominium plat. Roger Anderson seconded the motion. A vote was called and the motion passed unanimously with Roger Anderson, Damon Cann, Kristen Anderson, Bruce Lee and Brad Crookston voting in favor.

Consideration of a Concept Plan for the Winder Subdivision (5 lots) located in the RE-1 zone at approximately 1600E 2700N.

01:09:03 Explanation and discussion.

Cordell Batt explained the situation and requests of the developers for this project.

He explained various additional details and addressed questions from the City Council. He said that Planning Commission and staff reviewed this and recommended approval on this concept plan as presented.

Roger Anderson discussed the issue of having enough canal water and shares for the number of homes in these developments, and the reality of having the developers do water conservation studies, with the possibility of canal companies not even allowing water for that many homes, and

commented further. Alan Luce addressed this and also discussed the options of someone either doing xeriscaping, or they can use secondary water, which options the owner can choose, and explained further. He said the other issue, unrelated to the City, is the appropriate usage of water rights and water shares, and what a canal company can legally do, which he explained further.

This was discussed further.

Cordell said it is the developer's responsibility during the development plan process, to work that out with the canal companies; and said there isn't anything in the code that says we could deny a subdivision based on that. Alan reiterated how this would be managed in that a certain number of homes would be required to be xeriscaped. Cordell said that is what the developers would present to the City Council, and said in the 16 years he's been with the City he has never seen a subdivision that has had trouble working with the existing irrigation company. Cordell concurred with Alan's comments about agricultural land using a lot more water than a residence.

The discussion continued and Cordell and Alan addressed questions from the council. Alan also discussed the draft of a pending ordinance that the City is working on.

Brad Crookston said he wanted to make sure that developer Craig Winder understands that there will be definite requirements on the two adjoining roads in order to improve them and bring them up to standard. Alan explained this further.

01:21:12 Motion

Bruce Lee made a motion to approve the concept plan. Brad Crookston seconded the motion. A vote was called and the motion passed unanimously with Kristen Anderson, Roger Anderson, Damon Cann, Bruce Lee and Brad Crookston voting in favor.

Consideration of a Development Plan, Preliminary Plat and Condo Plat for IFA North Logan Commercial Subdivision located in the General Commercial (CG) zone, at approximately 2200N Main St.

01:21:38 Explanation and discussion.

Cordell Batt explained the project and the intentions of the developers. He referred to the discussion held at the concept plan level, and explained various details of the plan. He said staff is recommending approval on this, with the developments along Main Street, as required and described in the staff report. He explained how that would be managed.

The City Council discussed this further and Cordell addressed their questions.

Developer Brian Coulter, explained various details of the project, and how the lots might be developed, some of which is based on information they are waiting for, including various details from UDOT.

01:29:52 Motion

Kristen Anderson made a motion to approve the development plan, preliminary plat and condo plat. Bruce Lee seconded the motion. A vote was called and the motion passed unanimously with Kristen Anderson, Roger Anderson, Damon Cann, Bruce Lee and Brad Crookston voting in favor.

Consider ratification of decision from the North Park Police Commission, regarding personnel and vehicle purchases.

01:30:36 Explanation and discussion.

Mayor Damon Cann said that the North Park Police Agency has extended an offer of employment to Chad Soffe, which he accepted, as the new Police Chief for the North Park Police Department. He explained that North Logan City's inter-local agreement with Hyde Park states that both city councils must approve the hiring of the Chief of Police, and commented further.

01:32:26 Motion

Brad Crookston made a motion to ratify the hiring of Chad Soffe to the position of Police Chief to the North Park Police Department. Bruce Lee seconded the motion. A vote was called and the motion passed unanimously with Roger Anderson, Damon Cann, Kristen Anderson, Bruce Lee and Brad Crookston voting in favor.

Mayor Cann explained a few details further, including that Chief Soffe will start on January 7, 2019.

01:33:34 Explanation and discussion.

Mayor Cann explained the situation with the vehicle purchases for the police department. He said

they have moved from purchasing the vehicles outright, to doing a five-year lease/purchase, which he explained further. He said per the auditors, this lease/option constitutes a "debt obligation" of the Police Commission, which under the agreement, must be approved by both city councils. He commented further.

Bruce Lee and Damon Cann addressed questions from the council.

01:36:13 Motion

Bruce Lee made a motion to ratify the purchase and allowance for the Police Commission and the North Park Police Department to executive that contract. Roger Anderson seconded the motion. A vote was called and the motion passed unanimously with Roger Anderson, Damon Cann, Kristen Anderson, Bruce Lee and Brad Crookston voting in favor.

Consider a resolution to appoint a trustee from North Logan City for the Cache Mosquito Abatement District.

01:37:14 Explanation and discussion.

Mayor Cann explained the situation and said because the Mosquito Abatement District is a taxing entity, the legal process for appointing someone is different, and that is required that the position be advertised, and explained further. He said there are two interested parties; Elaine Nelson, who currently sits on the District, and Joe Archer, who applied for the position. Their interest and qualifications were discussed further. Bruce Lee discussed the benefit of giving different opportunities for service, even though both are equally qualified.

01:43:29 Motion

Bruce Lee made a motion to appoint Joe Archer to the Cache Mosquito Abatement District. Roger Anderson seconded the motion. A vote was called and the motion passed unanimously with Kristen Anderson, Roger Anderson, Damon Cann, Bruce Lee and Brad Crookston voting in favor.

City Council Work Session Items

Discuss potentially modifying the security methods (bonding) for Wildercrest Phase 1 Improvements.

01:45:46 Motion

Alan Luce explained this on-going situation and explained the current addendum, and reviewed the changes with the council. He used a satellite photo of the site to discuss and explain further, including what happened in the past and the intentions, moving forward.

The council discussed this with Alan, and he addressed their questions. Alan said there is time to adjust this agreement before it is brought back for approval, and asked the council to give him any feedback they feel necessary.

Discuss an ordinance which would modify City Code Title 3, Chapter 3-900 to specify and establish the North Logan History Advisory Committee, which would enable North Logan City to become a "Certified Local Government".

01:51:23 Explanation and discussion.

Alan Luce explained the situation and the impetus behind this ordinance establishing a North Logan History Advisory Committee. He said this is a step towards North Logan City becoming a Certified Local Government, and he explained further, including what that entails.

He also explained that this only happens for homes where the homeowner approaches the History Committee and goes through the process of placing their home on the national historic registry.

He said what the Certified Local Government status gives North Logan City is the ability to apply for funds and grants. Mayor Cann explained this further.

The discussion continued.

Barbara Middleton, History Committee member, discussed other historic elements that this will affect, including creating historic trails and historic interpretive devices that can be part of the City and in having a "walking environment" and not just having historic homes; and explained additional activities and opportunities by having this status.

Reports from city officers, boards, and committees

01:58:30 Alan Luce asked about the meeting schedule for January and whether the City Council meeting should be held on the first week or the second. After further discussion, Mayor Cann said we should stay with meeting schedule of holding it the first week, and therefore have the first meeting on January 2, 2019, with the next one being on January 16, 2019.

01:59:47 Bruce Lee discussed the issue of people continuing to park their vehicles on the street along 2200 North between 400 and 600 East.

Chief Steve Milne referred to the discussion held at the staff meeting on this, including the issue of the easement that extends 60 feet into the field, in which parking is not allowed. Chief Milne said they are going to attempt to contact the owners; and said that is difficult because some of the vehicles are trailers that are not driven every day, and that it might be difficult to find some of the owners.

Alan said he had recommended to the police department to initially just give warnings and then follow up with tickets after that, if the owners do not comply [with the warnings], and commented further.

Roger Anderson encouraged the officers to ticket and comment further.

Chief Milne discussed how they would proceed.

Mayor Cann also mentioned the fact that it is illegal to park overnight on any North Logan road from November 15th to March 15th and therefore *anyone* doing that is in violation, and commented further.

The discussion continued.

02:04:15 Mayor Cann discussed the meeting he, Mayor John Bailey and Alan Luce had with the North Logan City Center Library Committee to discuss various options, per the City Council's recommendation. He said he and Alan also met with the County Children's Museum Committee, chaired by Gina Worthen, North Logan City's representative to the County Council. He said they expressed a tremendous amount of enthusiasm for working with us and commented further, including that they think partnering would be much more beneficial. He explained further, including how it will proceed and what items are being reviewed on this, particularly relating to funding.

Mayor Cann mentioned that several of the council members asked to have the number of Executive (Closed) Sessions reduced and to hold them only when necessary.

Executive Session (Closed) to discuss personnel and real property items.

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 personnel and real property items. Roger Anderson seconded the motion. A vote was called and the motion passed unanimously with Roger Anderson, Damon Cann, Kristen Anderson, Bruce Lee and Brad Crookston voting in favor. This occurred at 8:39 p.m.

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

Bruce Lee made a motion to open the meeting and move out of Executive Session and return to the regular City Council meeting. Kristen Anderson seconded the motion. A vote was called and the motion passed unanimously with Roger Anderson, Damon Cann, Kristen Anderson, Bruce Lee and Brad Crookston voting in favor. This occurred at 9:02 p.m.

Bruce Lee 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, Bruce Lee and Brad Crookston voting in favor.

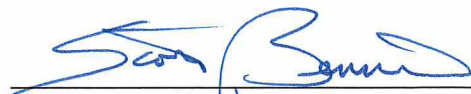
The meeting adjourned at: 9:03 p.m.

Approved by City Council:

January 2, 2019

Transcribed by Marie Wilhelm

Recorded by



Scott Bennett/City Recorder