

**Minutes of the North Logan City
City Council
Held on July 17, 2019
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.)*

6:00 p.m. Mobile Workshop at the North Logan City Water Treatment Plant (2300E 1900N) for an education session regarding water treatment and distribution.

** This is on a separate recording from the rest of the meeting.*

Attendees: City Council: Mayor Damon Cann, Craig Humphreys, Roger Anderson, Kristen Anderson and Brad Crookston (Bruce Lee was excused). Others present: Neil Murray, Debra Murray, Zach Root, Brian Koch, Alan Luce, Jordan Oldham and Marie Wilhelm

The City Council met at North Logan City's Water Treatment Facility and Zach Root gave a presentation on the workings of the facility and answered various questions from the City Council. They then returned to the City Council Chambers at the North Logan Library for the regularly scheduled City Council meeting.

***00:00:07**

The meeting was called to order by Mayor Damon Cann at 6:40 p.m.

Council members present were: Roger Anderson, Kristen Anderson, Craig Humphreys and Brad Crookston. Bruce Lee arrived at 8:02 p.m.

Others present were: DeAnna E. Fry, Dean Quayle, Matt Cook, Daniel Knigge, Casey Snider, Neil Murray Debra Murray, Barbara Middleton, Lydia Embry, Jeff Simmons, Ulysses B. Black, Nick Bowman, Travis Allen (Smithfield City Police Chief), Chase Butterfield, Scott Bennett, Jason Killinen, Spencer Burt, Jordan Oldham, Lance Anderson, Alan Luce and Marie Wilhelm.

The Pledge of Allegiance was led by Craig Humphreys.
An invocation was given by Brad Crookston.

Adoption of Agenda

00:01:52 Motion

Aside from an error on the date/month printed on the agenda, Roger Anderson made a motion to adopt the agenda as presented. Kristen Anderson seconded the motion. A vote was called and the motion passed unanimously with Kristen Anderson, Roger Anderson, Craig Humphreys and Brad Crookston voting in favor.

Approval and Follow-up of Minutes of June 19, 2019 City Council Meetings, Regular and RDA.

00:02:46

Both sets of minutes were approved as presented.

Review of Action Items

00:03:15

Alan Luce reviewed the list with the council. The meeting schedule was discussed briefly.

Recognition of Exemplary Staff Member

00:09:45

Mayor Damon Cann presented a gift card for Debbie Bond for her exemplary work in her department. As she was not able to be in attendance, it will be given to her at a later date.

Recognition of Former Planning Commission Member

00:10:57

Mayor Cann presented outgoing Planning Commission member Craig Humphreys with a plaque, thanking him for his time served on the Planning Commission, before joining the City Council.

New Business

Current Action Items

Consideration of an appeal regarding a denial for an application for a solicitor license in North Logan City (Ben Dorward).

00:11:55

Moved to later in the meeting as the applicant was not in attendance at this time.

Consider a ratification of the North Park Police Agency appointment of Detective Ulysses Black as Interim Police Chief.

00:12:45 Explanation

Mayor Damon Cann explained the situation with the need for an interim Chief of Police, as the current chief Jeff Simmons, is leaving his position. ~~He said this has been ratified with Hyde Park City.~~

00:13:41 Motion

Roger Anderson made a motion to ratify the appointment of Ulysses B. Black as the interim Police Chief of North Park Police Department. Craig Humphreys seconded the motion. A vote was called and the motion passed unanimously with Kristen Anderson, Roger Anderson, Craig Humphreys and Brad Crookston voting in favor.

Mayor Cann explained that this appointment will take place on August 3rd, and said that Chief Simmons' last day will be August 2nd.

Consideration of a request from property owner, Dean Quayle, to sign an agreement designating parcel 04-080-0003 as a conservation easement parcel.

00:14:28 Explanation and discussion

Mayor Cann explained the situation briefly.

Alan Luce oriented those in attendance to the site via a projected aerial photograph, and further explained the situation with this parcel and the owner wanting it to go into a conservation easement. He discussed the Logan City and North Logan City joint sewer line that is planned to go through this land, which does not affect the easement, which Mr. Dean Quayle, property owner, said was correct. Alan said the other issue in question is the roadway of 400 East, planned to go through this site, and explained further using the aerial photograph.

Mr. Quayle said that it would be very problematic if 400 East went through this area; and said it would divide it in half and would almost take away the reason for the request. He further explained his desire in wanting a conservation easement done here and wanting to keep it as open green space and not ever be developed or infringed upon by roadways. He addressed various questions from the council including stating that it would stay as undeveloped land. Brad Crookston asked about the sewer line going through here as well as the road, which Alan addressed and said the City would work with Mr. Quayle on the sewer line and said that is the immediate need which he explained further. Alan said the roadway is another question, as it is a master planned road.

Casey Snider said he is the Executive Director for the Bear River Land Conservancy, and explained the sewer access that could be done as soon as the easement is in place, and commented further. He said in terms of whether a road would comply, they generally they do not allow construction of facilities or permeable surfaces, and commented further. He said conservation easements are always inferior to eminent domain, however, and putting this under a conservation easement would therefore not preclude that from happening, and explained further. He also mentioned that Mr. Quayle is not taking any compensation for this and is donating this easement for the citizens of this community.

Casey and Mr. Quayle answered various questions from the council.

The discussion continued, as well as how to potentially move forward, including with 400 West.

Mr. Quayle said he is agreeable to the sewer line, but does not know how it would work for the roadway.

Casey said if this is identified as a potential corridor and other benchmarks could be developed, a road is something that can be addressed at the onset.

The discussion continued.

Roger Anderson expressed his concerns about the need for a transportation corridor and that only sewer would be going in here and not a road.

Kristen Anderson said she would like both problems solved. She said the residents like the rural feel and open space, but said she wondered if there are other ways to navigate this section and that there could be potentially another route.

They discussed this further.

Mayor Cann recommended having some members of staff and the City Council meet with Mr. Quayle to work through some of these issues.

Craig Humphreys said we need to look at the transportation needs, but discussed the potential for being creative, and referred to 100 East in Logan that goes south into Providence, and said is a great way to move traffic. He said he applauds Mr. Quayle on this, but that we need to plan for the future of transportation needs.

Consideration and possible recommendation of a Development Plan and Preliminary Plat for the Matt Cook flag lot subdivision (2 lots) located in the R-1-12 zone at 2186 North 1600 East, North Logan.

00:35:37 Explanation and discussion

Spencer Burt explained the situation and discussed the approval of the concept plan done previously. He reviewed items from the staff report explaining the development further. He said he worked with the Fire Marshal to find a solution for the driveway, both for the home and fire access. He said staff is recommending that monies be put into escrow for the road improvements, for curb, gutter and sidewalk, and that it is reviewed by the City Engineer and property owner, Matt Cook to make a cost estimate for that.

Craig Humphreys disclosed that he has the property next door and has shared irrigation water with Matt. Mayor Cann explained why Craig is not required to recuse himself for voting or for discussion, but can if he chooses.

Kristen Anderson mentioned the adjacent lots being similar in size and that they could also do flag lot requests. This was discussed briefly.

Craig said it is well below the density for that zone, and as a neighbor he said he does not have a problem with this.

00:43:23 Motion

Roger Anderson moved to approve this Development Plan and Preliminary Plat along with the recommendations made in the staff report, well as having a discussion regarding curb, gutter and sidewalk and come to an agreement, as discussed. Brad Crookston seconded the motion. A vote was called and the motion passed with Kristen Anderson, Roger Anderson, and Brad Crookston voting in favor, and Craig Humphreys abstaining from voting.

Consideration of Accessory Dwelling Unit (ADU) related ordinance changes (12A-200, 12C-515, 12C-1004).

00:44:49 Explanation and discussion

Spencer Burt explained the current draft of this ordinance, as well as explaining the comments received on this from City Attorney, Seth Tait. Spencer said that not allowing ADU's to rent for less than 30 days is against state code.

He reviewed various points in the document and addressed questions from the council.

The council discussed various related items at length, particularly in relation to size of the ADU, and location on the site.

Brad Crookston wondered if we should be looking at our accessory *building* ordinance and not just accessory dwelling and explained further. He discussed his issues with the square footage element which he explained.

The discussion continued at length. Spencer said he wanted to get comments from the council and include them and come back to the council with another draft. Mayor Cann said the document is close [to being ready], and commented further.

The discussion continued.

City Council Work Session Items

Update on an engineering traffic study regarding 800 East.

01:08:04 Presentation

Lance Anderson presented the engineering traffic study done for the intersection of 800 East and 2500 North.

Bruce Lee arrived at this time, 8:02 p.m.

Lance addressed various questions from the council and further explained points in the study. He said ultimately an "all way stop" would be recommended, and explained further. He said currently, this intersection does not warrant a signal, but will in six years, based on project growth. He said if they converted this intersection to a four-way, then the level of service would increase significantly.

The discussion continued and Lance addressed various questions from the council. Costs were discussed. Having a round-about there was discussed, as well as having a four-way stop, before school starts. They also discussed the various types of warning signs to put up prior to drivers reaching the stop-signs.

Mayor Cann said his recommendation is to get some stop signs there by the end of the month.

This was discussed further and Lance discussed what putting the signs in would entail.

Discussion related to a potential tri-city police agency.

01:34:41 Explanation and discussion

Mayor Cann explained the situation in considering the potential of having a tri-city police agency with North Logan City, Hyde Park and Smithfield, primarily brought about by the resignation of Chief Simmons from North Park PD to return to Logan City, and an inquiry from Smithfield City's Police Chief regarding the possibility of a tri-city police agency. Mayor Cann said the three cities' police agencies and Mayors have met and discussed the possibilities of doing this, and explained further.

He discussed the various things to be considered, including costs and North Park's existing building, and what doing this might entail. He discussed some of the benefits of doing this, including potential paths for advancement and possible savings.

Chief Jeff Simmons discussed the various items to be discussed and considered, including whether it work well for both entities, how it would work budgetarily, personal and services. He said it would have to benefit all three cities for this to move forward. He explained some of the benefits of having a joint agency, including that he said it would enhance the ability to protect and to serve. He said this is going to be based on a budget that has yet to be determined. Chief Simmons expressed his apologies to the City Council for his departure. He further discussed the police department budgets for several similar Utah cities and commented that the "cost for public safety is not cheap". He said if, after considering all the factors this does not work, then the department will move forward from there.

Police Chief Travis Allen from Smithfield City commented to the council on this and said he agreed with Chief Simmons' comments. He said they will move forward with considering this further if the City Council so desires.

Mayor Cann addressed various questions from the council and explained some of the discussions held between the cities on this. He said the first item to consider is the budget and whether this is even feasible from a cost standpoint. Mayor Cann said the mayors discussed budget, but also government structure. He also mentioned that combining the agencies would make a large police commission which would have to change.

Per a question from Bruce Lee about time-frames, Mayor Cann said this could possibly be worked through in three to six months, and explained further.

Per a question from Roger Anderson, Chief Allen said this will be brought before the Smithfield City Council two weeks from this meeting.

Mayor Cann said they're looking for a recommendation from the council about whether or not they want to move forward with further consideration and more meetings, and if so, to forward concerns and questions to him

Kristen Anderson asked whether the budget would work for North Logan.

Alan Luce said the costs determined at this point are very preliminary and that our potential participation would be \$1.13 million dollars. He commented further.

Mayor Cann said that if the costs are more than our current budget, they will not move forward with this. He also discussed the potential changes in the sales tax structure.

Roger Anderson said he likes the idea of creating the opportunity for growth and job security, but discussed the importance of maintaining the budget.

Brad Crookston said we need to consider the budget, as well as how it will benefit the citizens.

Chief Allen said he put together an organizational chart and discussed doing "crews" instead of doing regular shifts, and briefly explained how coverage would take place. He also discussed the need for retention and that he thinks this would benefit all three cities that way. He said he feels this would be a benefit to the cities and discussed how much and how well the two departments work together. He said this would build us into a more reputable and larger agency, which he said would address recruitment and retention.

Mayor Cann said a main issue for him is having a constant police presence and still have units running out of our building, with the potential to have a substation here and the remainder of the building being utilized for alternate uses.

Craig Humphreys discussed the need to accomplish the level of service and provide training for our officers and commented further. He discussed the difficult position the interim chief is in this situation and that this cannot take too long to determine.

The City Council agreed to have continued evaluation on this. Mayor Cann said this will continue to be on the agenda for further discussion.

Discussion of proposed changes to the enforcement and penalties portion of Title 16 - Animal Control and Regulations.

02:04:56 Explanation and discussion

Alan Luce explained the situation and how the process works currently. He discussed the recommendations made by the City Attorney and that it puts the discretion more in the hands of the judge, and explained further. He briefly reviewed the verbiage on this. He asked the council for their approval on him putting this into an ordinance form and bringing it back for their consideration, which they agreed for him to do.

Consideration of an appeal regarding a denial for an application for a solicitor license in North Logan City (Ben Dorward). (Moved from being first action item on the agenda as applicant was not in attendance)

02:08:20

Mayor Cann said Mr. Dorward is not present at the meeting but did submit materials. Mayor Cann explained the situation and referred to the material given to the council to review and give a recommendation. He said Chief Simmons recommended denial of the application, as did Mayor Cann.

Brad Crookston said we should support the Police Department and deny the appeal.

02:10:51 Motion

Bruce Lee made a motion to deny the appeal. Craig Humphreys seconded the motion. A vote was called and the motion passed unanimously with Kristen Anderson, Roger Anderson, Bruce Lee, Craig Humphreys and Brad Crookston voting in favor.

Reports from city officers, boards, and committees

02:11:34 Spencer Burt discussed the City Council and Planning Commission having a joint meeting in a Planning Commission meeting to discuss zoning west of Main Street, as well as a couple of other items. It was discussed that the upcoming Truth in Taxation Hearing scheduled for August 7th can only have that one item on the agenda, so the City Council could hold a small

City Council meeting prior to a joint City Council and Planning Commission meeting on August 8th. The council agreed to have the joint meeting on August 8th and Alan said they would verify whether the August 7th meeting can only hold the Truth in Taxation hearing.

02:16:50 Jason Killinen said the Fire Department sent a crew out to the Box Elder fire this week.

02:17:03 Jordan Oldham discussed the upcoming 24th of July activities.

02:18:14 Mayor Cann and the council determined which on the council would be writing the Mayor's Message for the Newsletter as follows: September, Mayor Cann; October, Bruce Lee; November, Mayor Cann; December, Brad Crookston and January 2020, Mayor Cann.

02:21:03 Scott Bennett discussed holding a Meet the Candidates night, potentially October 9th.

02:21:54 Alan Luce briefly discussed the funding for 3100 North, which construction would take place the upcoming year.

Alan discussed the success of the Burnout Event held the night of the Cache Valley Cruise-in. He discussed some ideas for next year.

02:23:34 Craig Humphreys said he wanted the City Council to be aware of the upcoming Census and that the council should encourage citizen participation in this as it has a significant impact on items that are based on the Census numbers and affects our tax base for schools, roads and more. Mayor Cann said they are working to put a committee together to participate in this, including to work hard on getting better counts for apartment complexes, which he said is a traditional place for undercounting. Craig said the official census day is April 1, 2020.

Executive Session to discuss items related to real property.

02:25:36 Motion

Bruce Lee made a motion to close the meeting and move into Executive (Closed) Session for the purpose of discussing items related to real property. Roger Anderson seconded the motion. A vote was called and the motion passed unanimously with Kristen Anderson, Roger Anderson, Bruce Lee, Craig Humphreys and Brad Crookston voting in favor. This occurred at 9:15 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. Bruce Lee seconded the motion. A vote was called and the motion passed unanimously with Kristen Anderson, Bruce Lee, Roger Anderson, Craig Humphreys and Brad Crookston voting in favor. This occurred at 9:48 p.m.

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

The meeting adjourned at: 9:48 p.m.

Approved by City Council:

August 7, 2019

Transcribed by Marie Wilhelm

Recorded by



Scott Bennett/City Recorder