

**Minutes of the North Logan City
City Council
Held on December 14, 2022
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.)*

Item #1

***00:00:02**

The meeting was called to order by Mayor Lyndsay Peterson at 6:30 p.m.

Council members present were: Roger Anderson, Craig Humphreys, Buzzy Mullahkhel, Joni Kartchner, and Emily Schmidt.

Others present were: Hyde Park Cemetery Maintenance District Board members: Brian Balls, Cody Johnson, Jennifer Brough, Alma Brown and Rachel Willis; Maureen Hearn, Andrea Seeley, Jalean Kirby, Brian R. B. (illegible), Nancy Potter, Aaron Brough, C. (illegible), Linda Young, Tom Hess, Ken and Karen Jewkes, Brian and LuWana Hunt, Matt and Suzanne Clissold, Police Chief Kent Goodrich, Fire Chief Brad Hannig, Scott Perkes, Jordan Oldham and Alan Luce.

The Pledge of Allegiance was led by Emily Schmidt.
An invocation was given by Craig Humphreys.

Adoption of Agenda

00:01:22 Motion

Buzzy Mullahkhel made a motion to adopt the agenda as presented. Emily Schmidt seconded the motion. A vote was called and the motion passed unanimously with Roger Anderson, Buzzy Mullahkhel, Craig Humphreys, Joni Kartchner and Emily Schmidt voting in favor.

Approval and Follow-up of Minutes of November 16, 2022 City Council Meeting.

00:01:32 Motion

Craig Humphreys made a motion to approve the minutes as presented. Buzzy Mullahkhel seconded the motion. A vote was called and the motion passed unanimously with Roger Anderson, Buzzy Mullahkhel, Craig Humphreys, Joni Kartchner and Emily Schmidt voting in favor.

Review of Action Items

00:02:07

Alan Luce reviewed the list with the council.

Recognition of Exemplary Staff Member

00:08:04

Mayor Peterson recognized Karen Jewkes from Human Resources and Mary Corry from Public Works, for all of the work they did in putting together the North Logan City Christmas Party.

New Business

Current Action Items

Item #2 - 6:35 Public Hearing to receive public input on the Hyde Park Cemetery Maintenance District (HPCMD) adjusting their boundaries to exclude all North Logan City Parcels from the HPCMD's District Boundaries and taxing authority.

00:09:29

Mayor Peterson detailed the background of this, and the tax obligation to property owners of the 683 North Logan parcels that have been part of the area of the Hyde Park Cemetery District. She

also explained that with the founding of the North Logan City Cemetery in 2008, those same property owners were then having to essentially pay two taxes, in paying for both cemeteries. She explained the input she has received from these property owners, both formally and informally, who are frustrated at being forced to pay this Hyde Park cemetery tax; particularly as many of these residents own plots in the North Logan cemetery, and also have no intention of purchasing a plot in the Hyde Park cemetery, and vehemently want to be released from the Hyde Park Cemetery district. She explained that recently, the County Council appointed three North Logan residents to the Hyde Park Cemetery Maintenance District Board; and the Board has voted to consider a resolution to adjust the boundaries of the district to remove North Logan residents tonight.

Mayor Peterson read aloud the guidelines for speaking at a public hearing, and opened the public hearing at approximately 6:41 p.m.

Mayor Peterson read aloud written statements by the following residents, submitted to the City Council (*Note: Rather than typing what Mayor Peterson read aloud, I've included the verbiage from the residents' comments that relate to this issue, from the emails they submitted. - Transcriber Marie Power*):

Elaine Nelson:

Thank you for holding the upcoming public hearing relating to the Hyde Park Cemetery District. For decades, I have suggested this resolution without success. I wholeheartedly agree moving forward. Our city's residents should be forever grateful to Mayor Jack Draxler for his part in helping North Logan City purchase property and bringing our cemetery to fruition. Thank you for your service to our community

Dr. Steven and Katie Weber:

Thank you so much for bringing this to our attention that we are being double charged for cemetery dues! Why on earth are we paying Hyde Park cemetery when none of us will ever use it? This seems very suspicious and I think it should be investigated further. Of course, we want out of this Hyde Park cemetery zoning, and everyone I've talked to in my neighborhood about this are outraged! Thanks for your service to our City.

William and Trina Shelton:

Dear Mayor Peterson, my wife Trina and I moved to North Logan in 1983. We have built two homes and raised our children here. For just a few months shy of 40 years we have 'donated' to the city of Hyde Park to support the care and upkeep of their cemetery. At no point have we ever planned on using that facility for ourselves. We own plots in the North Logan Cemetery and someday will use them as our 'last address'. Please add our names to the list of those who would like to be removed from the Hyde Park Cemetery District. We recognize the need for this type of service but have and will always call North Logan home. For too many years a very large group of residents here have had the burden of paying twice for something we'll only ever use once, in effect a double tax. We appreciate the efforts made to rectify this situation and add our support to the cause.

Connie Peterson:

I have lived in North Logan for almost 16 years and have wondered why we pay taxes to Hyde Park. I would love to see it changed so we pay for our own cemetery. I am all for it. Thanks for working with us on this matter.

Jeff and Charie Shields:

Please pass a law that allows us to pay the cemetery tax to our North Logan Cemetery only.

Lila Cooley:

Thank you for your work on this issue. I do own property in the area, but will not be attending the meeting. I would be in favor of removing the tax, realizing that Hyde Park

resident privileges would no longer be available.

Adam Zetterquist:

I am aware of the Hyde Park cemetery district and the taxation that some North Logan residents pay as part of their property taxes in addition to the taxes that are paid to North Logan to maintain the North Logan cemetery. Since both jurisdictions have their own cemetery within their city limits that can serve their residents, now is the appropriate time to address this issue and to remove North Logan residents from the Hyde Park City Cemetery boundary. In doing so, this would allow us to not be taxed twice for the same service and to not be taxed for another city's amenity that most North Logan residents will not utilize. Please express my support at the public hearing to remove North Logan residents from the Hyde Park City Cemetery District boundary and property tax by redrawing the boundary for the district.

Marissa Zetterquist:

Our household has been aware of the Hyde Park cemetery district taxation for some time now. We have always questioned why North Logan residents pay property taxes not only for the North Logan cemetery but the Hyde Park cemetery as well. Since both jurisdictions have their own cemetery within city limits it doesn't make sense for us to be paying for both. I am sure there were justifiable reasonings when this was put in place but it's time to address this issue and remove North Logan residents from the Hyde Park City Cemetery boundary. In doing so, we would no longer be taxed twice for the same service nor for another city's amenity. Especially since this is an amenity that most North Logan residents will not utilize. We thank you for your invaluable service for our community and ask that you please express our support at the public hearing to remove North Logan residents from the Hyde Park City Cemetery District boundary and property tax by redrawing the boundary for the district. Again, thank you for your efforts on our behalf.

Larry Hepworth:

I am aware of the Hyde Park cemetery district and the double taxation that we, as part of North Logan residents are paying on our property taxes. We are in addition being taxed by North Logan to maintain the North Logan cemetery which I support paying taxes for the city that I am a resident of. I appreciate the time and efforts for whom ever set up this meeting to resolve this issue. Now is the time to address this issue and to remove North Logan residents from the Hyde Park City Cemetery boundary. In doing so, this would allow us to not be taxed twice for the same service. My Schedule will not allow me to be in person but I want to highly express my support at the public hearing to remove North Logan residents from the Hyde Park City Cemetery District boundary and property tax by adjusting the boundary for the district.

Julie and Randy Bennion:

We own property in North Logan and would like our address to be removed from the Hyde Park City Cemetery District. We are in favor of realignment of boundaries to make this possible. We prefer not to pay property taxes for Hyde Park Cemetery. Thank you.

Scott and Brenda Bennett:

I am aware of the Hyde Park Cemetery Maintenance District (HPCMD) taxation that some North Logan residents pay as part of their property taxes, in addition to the taxes that are paid to North Logan (NL) to maintain the North Logan cemetery. Since HPCMD cemetery & NL cemetery currently services NL residents in District Code 13 (NORTH LOGAN CITY W/HP CEM), now is the appropriate time to address this issue and to remove NL residents from the HPCMD boundary. In doing so, this would allow us to forgo being double taxed (by two different entities, each providing the same type of service) and for which most North Logan residents (MY FAMILY INCLUDED) will not utilize. **PLEASE EXPRESS MY SUPPORT** at the public hearing to remove North Logan residents from the HPCMD boundary and taxation authority by redrawing the boundary for the district to exclude NL parcels.

In-person comments:

Nancy Potter said she was on the Cemetery Committee when it first started back in 1998, and said it's been 24 years. She said we have tried, so many ways, to get North Logan out of the Hyde Park Cemetery District. She said they first started with the City attorneys and the County attorney, and they said we [North Logan] couldn't because North Logan was not a district, so North Logan people couldn't leave the Hyde Park District until we had a cemetery to....a district for them to go in to. She said we had people that did not want us to have a district, and so we were frustrated with that. She said for years, she's been trying to get people from North Logan on to the Cemetery District for Hyde Park. She said Elaine Nelson was going to be one of the people we wanted to get on there. Nancy said she was watching the public notices in the newspaper for over 20 years, for when they would have an opening come up; and every time it was just one person, she could never get anybody on. She said recently, when they had the public notice that came out that there were five positions open, she got that to Alan Luce that day; and she said "here's our chance." She said for over 20 years, we have been trying to find a solution for this, and this is the time; and this is the solution to get us out of the Hyde Park Cemetery District. She said it's just been really frustrating for over 20 years, and this is something that needs to be resolved. She said we've been trying as a committee, and there are only two people left from the original committee that are still alive; and that there were ten of us before, and all of them have passed away. She said the dedication happened in 2008, and it took them ten years from when we had the first meeting, to when they actually dedicated the cemetery. She said ten years from that, and now we have another 14 years; so, we have been working on this for a long, long time, and there was always a block, and now is the time we can do this. She said so, *please*, vote to take us out of the Hyde Park Cemetery District.

Aaron Brough said he didn't want to be repetitive with what's been spoken already, but said he wanted to express his support for removing North Logan from the Hyde Park Cemetery District. He said another concern that he has is the lack of transparency for how the funds are being used. He said we've tried to get records of what is being done in terms of usage of the taxes that are being paid; and he still hasn't seen anything in terms of what the expenses are. He said that's another concern that he has, and another reason he wants to be removed.

Tom Hess said in looking at a map, he can't tell if he's in there or not; and said he's right on the Hyde Park boundary at 815 E 2950 N. There was discussion about his location and whether he'd received a notice. Alan Luce said based on his address, Mr. Hess would be in the district. Mr. Hess said he didn't want to repeat the same comments either; but said he is grateful for all of the people who worked on this, because it's been identified. He said he appreciates everything that everyone on the committee has done to get this done, and said thank you.

Brian Hunt said he's been a resident of North Logan for over 24 years and that he's in agreement with what everyone else has stated. He said he's been wondering why we're paying taxes on the Hyde Park Cemetery District. He said he could understand it before North Logan had a cemetery, but now that we have our own cemetery; that's where he and his wife will choose to be buried when that time comes. He said even though we've been paying taxes to the Hyde Park Cemetery District, we'd planned to be in North Logan, and we'd much rather have our taxes supporting North Logan, and not be paying in Hyde Park.

Mayor Peterson closed the public hearing at approximately 6:53 p.m., as there were no further public comments forthcoming.

Emily Schmidt said this seems like a pretty clear-cut case of us voting to get out; and said the public is in support, as is she.

Joni Kartchner said she would like to thank Nancy Potter, and any of those who have been helping the last several years to try to make this happen; and said she appreciated that energy and time they committed to this. She said she wanted to make that a public thank you.

00:24:20 Motion

Emily Schmidt made a motion to adjust the Hyde Park Cemetery Maintenance District to exclude all North Logan City parcels from the boundaries and taxing authority. Joni Kartchner seconded the motion. A vote was called and the motion passed unanimously with Roger Anderson, Buzzy Mullahkhel, Craig Humphreys, Joni Kartchner and Emily Schmidt voting in favor.

00:24:45

Mayor Lyndsay Peterson ceded the chair to [Hyde Park Cemetery Maintenance District] Chairman [Brian] Balls to conduct Hyde Park's Cemetery Maintenance District Board meeting, within our [City Council] meeting.

Hyde Park Cemetery Maintenance District Board meeting (with members Brian Balls, Cody Johnson, Jennifer Brough, Alma Brown and Rachel Willis).

Chairman Balls called the meeting to order at approximately 6:56 p.m. They approved their agenda by motion. They made a motion to table the approval of their minutes until their next meeting. Chairman Balls explained that they held the public hearing as to receive public input on the Hyde Park Cemetery Maintenance District, adjusting their boundaries to exclude all North Logan City parcels from Hyde Park Cemetery Maintenance District boundaries and taxing authority, as follows: all property within District Code 013, which he detailed further. A member of the Hyde Park Cemetery Maintenance District Board made a motion to approve the adjustment of the Hyde Park Cemetery Maintenance District boundaries to exclude North Logan residents as shown on the map provided in the notice of the meeting, which was seconded. Chairman Balls also read aloud a letter for the record, that he said he sent to the Board relating to the boundary adjustment. They then voted on their motion, which he said passed four to one. He also mentioned to his board that they would have their next meeting on Tuesday, December 27th at 7:00 p.m. They then made a motion to adjourn their board meeting, and did so at approximately 7:01 p.m.

Mayor Peterson expressed her appreciation to the residents and individuals who attended the meeting and public hearing, to help [the Mayor and City Council members] make good decisions as their representatives.

Item #3 - 6:55 Public Hearing regarding a request to vacate a 10-foot public utility easement (PUE) located along the south side property line of Lot 4 of Ridge View Estates Subdivision (2685 Ridge View Drive). Once the Public Hearing has taken place the City Council may consider the vacation of the aforementioned PUE.

00:32:22

Scott Perkes explained the situation with this, including displaying a map of the area to orient the council to the location. He further detailed the retaining wall the property owners want to install over a utility easement, which includes a 15-inch storm drain pipe that traverses that easement, which he explained further. He said after finding that, staff's recommendation is to formally *not* vacate the easement, continue working with the property owner on some alternatives, and keep that easement in place for long-term maintenance, and explained other options further.

Scott addressed questions and comments from the City Council.

Emily Schmidt asked about still holding the public hearing, and Mayor Peterson discussed tabling this, which Scott addressed and explained. Mayor Peterson said she would favor doing the public hearing at a later date, given that we don't intend to vacate it.

Scott continued to address related questions from the council and explained various details of the initial application.

Emily thanked Scott for giving them reports that are so easy to read, as it gave her all of the information she needed.

00:37:53 Motion

Emily Schmidt made a motion to table the request to vacate a 10-foot PUE located along the

284 *south side property line of Lot 4 of Ridge View Estates Subdivision (2685 Ridge View Drive), and*
285 *postpone the public hearing until a later date.*

286
287 Scott said as an alternative, they could make a motion to deny the request as presented, which
288 Mayor Peterson agreed to do.

289
290 *Emily Schmidt made a motion to deny this application to vacate a 10-foot PUE, as presented.*
291 *Buzzy Mullahkhel seconded the motion. A vote was called and the motion passed unanimously*
292 *with Roger Anderson, Buzzy Mullahkhel, Craig Humphreys, Joni Kartchner and Emily Schmidt*
293 *voting in favor.*

294
295 Item #4 - Consider authorizing the Mayor to sign a Cooperative agreement regarding signalized
296 intersections along Highway 91.

297 **00:38:54**

298 Alan Luce explained the situation with the agreement between North Logan, Hyde Park,
299 Smithfield and Cache County for areas along "Main Street"/Highway 91, as to where each City
300 would like place a future signalized intersection, i.e., a traffic light, along Highway 91. He
301 reviewed and explained the situation and agreement further. He said the agreement is the
302 culmination of many discussions between the cities and is essentially a recommendation to
303 UDOT as to where the cities are wanting to have traffic lights, and also briefly discussed some of
304 the requirements. He also said that in the original agreement, North Logan had a planned
305 intersection at 3100 North, and explained that North Logan "went to battle" for this one, and
306 explained further. He also said that North Logan is recommending adding a light at 2850 North,
307 which he explained further. He explained the situation further.

308
309 **00:42:42 Motion**

310 *Roger Anderson made a motion to approve authorizing the Mayor to sign a Cooperative*
311 *agreement regarding signalized intersections along Highway 91. Buzzy Mullahkhel seconded the*
312 *motion.*

313
314 Buzzy Mullahkhel asked Alan if UDOT could still override these recommendations and have
315 ultimate say, which Alan said was the case; but that it does carry more weight with all three cities
316 and the county coming together to make recommendations.

317 Craig Humphreys mentioned UDOT wanting to put a light on 400 West at 2500 North, and asked
318 if we have something similar in nature to this with them on that one, as well, which Alan and
319 Mayor Peterson addressed.

320
321 *A vote was called and the motion passed unanimously with Roger Anderson, Buzzy Mullahkhel,*
322 *Craig Humphreys, Joni Kartchner and Emily Schmidt voting in favor.*

323
324 Item #5 - Consideration of an ordinance amending North Logan City Code, Title 11-604 Winter
325 Street Maintenance-Overnight Parking Prohibited.

326 **00:44:54**

327 Alan Luce explained that this last winter, the City Council updated the winter parking restrictions
328 to coincide more with what Hyde Park and Logan City had, particularly in relation to times and
329 dates of the restrictions, and commented further. He also discussed how this is a very big safety
330 issue for our plow drivers in particular. He explained some of the details of this update, including
331 the additional restrictions, and how to deal with parking issues, such as areas without a formal
332 curb along the street. He also discussed the inclusion relating to liability, which he said is taken
333 from state code, and places the liability for damage on the person who is parking along the road
334 during the restricted hours, which he explained further. He also said this excludes damage to
335 mailboxes, which the City is responsible for if we damage them.

336 Buzzy Mullahkhel asked if that "window" is good, and explained his questions regarding the time
337 frame and the ability for officers to patrol this. He also asked about the time-frame in relation to
338 cars being parked in the morning an hour before the first school busses arrive. He asked if this
339 would be an opportunity to widen that block of time, if it would be useful to the police officers, as
340 well as the plow drivers, which Chief Kent Goodrich addressed and explained. This was

discussed further.

Roger Anderson asked about ticketing vehicles that are not following the restrictions.

00:51:45 Motion

Craig Humphreys made a motion to approve Ordinance 22-15, amending Title 11-604 Winter Street Maintenance-Overnight Parking Prohibited. Joni Kartchner seconded the motion. A vote was called and the motion passed unanimously with Roger Anderson, Buzzy Mullahkhel, Craig Humphreys, Joni Kartchner and Emily Schmidt voting in favor.

Item #6 - Consider approval of a recommended bid for the construction of a Pumpkin Walk Shed at Elk Ridge Park using RAPZ funds.

00:52:01

Ryan Campbell explained that they applied for a RAPZ grant last year so that they could put in a 25'x60' shed for their department for the Pumpkin Walk use, and further explained the location of the shed, and the use of the shed. He also explained the multiple companies they met with to get bids to install this; and further explained the reasoning behind ultimately choosing North Star Buildings to install the shed.

Mayor Peterson asked Ryan to elaborate on what the RAPZ funding would cover, which he explained.

Alan Luce also explained that the City Council had already approved the project itself; that they are now approving the selection of the company to do the project, as they have to approve anything [project cost] that is over \$50K.

Alan additionally explained the need for the shed for the use of the people putting the Pumpkin Walk event together.

Ryan addressed additional questions.

00:56:25 Motion

Buzzy Mullahkhel made a motion to approve the bids for the Pumpkin Walk Shed, using RAPZ funds. Emily Schmidt seconded the motion. A vote was called and the motion passed unanimously with Roger Anderson, Buzzy Mullahkhel, Craig Humphreys, Joni Kartchner and Emily Schmidt voting in favor.

Item #7 - Consider approval of a proposed City Council meeting schedule for calendar year 2023.

00:56:41

Alan Luce explained the meeting schedule and the requirement to have it approved, as is done every year. He also reminded the council that changes can still be made to the schedule throughout the year. The December change for the staff holiday party, and the Utah League conferences were discussed, and making potential changes.

00:59:29 Motion

Buzzy Mullahkhel made a motion to approve the City Council meeting schedule for calendar year 2023 with the April dates removed, and April 12th added, as discussed. Joni Kartchner seconded the motion. A vote was called and the motion passed unanimously with Roger Anderson, Buzzy Mullahkhel, Craig Humphreys, Joni Kartchner and Emily Schmidt voting in favor.

Item #8 - Consider authorizing the signing of an updated use agreement for the Hansen Family Sports Complex.

00:59:51

Jesse Howe explained the proposed changes to the existing agreement, based on the fact that the City is now managing the building, which he further reviewed with the council. He addressed various questions from the council.

Jordan Oldham further explained the changes in detail, as did Alan Luce.

01:09:24 Motion

Buzzy Mullahkhel made a motion to authorize the signing of an updated use agreement for the

Hansen Family Sports Complex. Craig Humphreys seconded the motion. A vote was called and the motion passed unanimously with Roger Anderson, Buzzy Mullahkhel, Craig Humphreys, Joni Kartchner and Emily Schmidt voting in favor.

City Council Work Session Items

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

01:10:02

Jordan Oldham gave an update on the current situation with the improvement projects. He also thanked the City Council members for coming to the plant for a tour recently. Jordan addressed questions from the council.

Item #10 - Updates on Civic Center.

01:11:42

Alan Luce and Mayor Peterson gave updates on the current situation. Alan addressed some questions from the council.

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

01:15:44

Fire Chief Brad Hannig gave an update on his department, including regarding the stats on calls; the Dennis Leary Grant that they are receiving and using for new equipment; and, the new availability for mental health services for employees and their families.

Police Chief Kent Goodrich gave an update on his department, including recent stats on calls; an upcoming presentation being done on fraud prevention for the elderly; the Shop With a Cop Event that recently took place; the finger printing service that is now working and available; and, Chief Goodrich offered ride-along opportunities to the City Council members.

Craig Humphreys asked if the Police Department had seen an increase in accidents because of the deer, which Chief Goodrich addressed.

Buzzy Mullahkhel asked Chief Goodrich about the intersection of 3100 North and 1200 East and drivers, particularly younger drivers, slipping into the intersection at the stop sign due to ice on the road; and asked him if the Police Department had received calls about this, which Chief addressed. They discussed this further. Buzzy talked about the potential of changing the direction of the stop signs during the winter months; but Chief Goodrich, Alan Luce and Mayor Peterson discussed why this would be very problematic and unsafe. Chief Goodrich and Alan discussed ways to potentially alleviate the sliding issues. They discussed this further.

Scott Perkes explained what items would be coming up for discussion at the Planning Commission meetings, including regarding parking lot surface materials; expiration dates for Concept Plans on subdivisions; and, allowed locations for storage unit facilities. He also discussed a grant they applied for with UDOT to help with General Plan updates.

Alan Luce discussed the Mayor's Message schedule and the list of upcoming events.

01:34:30 Motion

Craig Humphreys made a motion to adjourn the meeting. Buzzy Mullahkhel seconded the motion. A vote was called and the motion passed unanimously with Roger Anderson, Buzzy Mullahkhel, Craig Humphreys, Joni Kartchner and Emily Schmidt voting in favor.

The meeting adjourned at: 8:04 p.m.

Approved by City Council:

January 18, 2023

Transcribed by Marie Power

Recorded by



Scott Bennett/City Recorder