



LOGAN CITY COUNCIL AGENDA
September 20, 2011

5:00 P.M. PRIMARY ELECTION CANVASS: *The Logan Municipal Council will meet to complete a canvass of the September 13, 2011 Primary Election Results. The meeting will be held at 5:00 p.m. in the Logan Municipal Council Chambers, 290 North 100 West, Logan, Utah.*

Notice is hereby given that the Logan Municipal Council will hold its regular meeting beginning at **5:30 p.m. on Tuesday, September 20, 2011**, in the Logan Municipal Council Chambers located at 290 North 100 West, Logan, Utah.

5:30 p.m. REGULAR MEETING AGENDA

1. Call to Order – Chairman Herm Olsen
2. Opening Ceremony
3. Acceptance of Minutes; Approval of Agenda
4. 2011 regular meeting schedule, 1st & 3rd Tuesdays, 5:30 p.m.: Next meeting: October 4, 2011
5. **QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL:** Any person wishing to comment on any item not otherwise on the Agenda may address the City Council at this point by stepping to the microphone and giving his or her name and address for the record. Comments should be limited to not more than three (3) minutes, unless additional time is authorized by the Council Chair. Citizen groups will be asked to appoint a spokesperson. This is the time and place for any person who wishes to comment on non-hearing, non-agenda items. Some items brought forward to the attention of the City Council will be turned over to staff to provide a response outside of the City Council meeting.

ESTIMATED time
of consideration

- 5:35 6. **MAYOR/STAFF REPORTS:**
- 5:40 7. **COUNCIL BUSINESS:**
A. Logan Municipal Council Workshop: Canal Discussion; Tuesday, September 27, 2011 at 5:30 p.m.
- 5:45 8. **ACTION ITEMS:**
A. **PUBLIC HEARING - Budget Adjustment FY 2011-12 appropriating:** \$10,473 new police vehicle; - \$105,057 decrease in CDBG budget; \$3,112,541 10th West project south end - **Resolution 11-71**
B. **PUBLIC HEARING -** Consideration of a joint plan of the City of Logan and the Logan Downtown Alliance to encourage housing in Downtown Logan – **Resolution – 11-72**
C. **PUBLIC HEARING -** Consideration of a proposed adoption of the Logan Housing Plan – **Ordinance – 11-69**
D. **PUBLIC HEARING -** Consideration of a proposed text amendment to the Town Center (TC) zone in the Land Development Code (LDC) – **Ordinance 11-67**
E. **PUBLIC HEARING -** Consideration of a proposed zone change from Public (PUB) to Town Center (TC) to accommodate proposed mixed use development of retail and residential at the corner of Church Street & Federal Avenue on .59 acres – **Ordinance 11-68**
- 6:15 9. **WORKSHOP ITEM:**
A. **Budget Adjustment FY 2011-12 appropriating:** \$15,091 for the reimbursement of supplying an engine boss and firefighter on the Idaho fire deployment; \$10,000 for the Emergency Management Performance Grant to assist with the expenses of local emergency management programs (salary, benefits, supplies and travel) **Resolution 11-74 – Richard Anderson**
- 6:30 10. **OTHER CONSIDERATIONS:**
11. **ADJOURN** to meeting of the Logan Redevelopment Agency

AGENDA CONTINUED ON OPPOSITE SIDE



LOGAN REDEVELOPMENT AGENCY
290 North 100 West, Logan UT 84321
Tuesday, September 20, 2011 – 6:30 p.m.
Welcome – Chairman Herm Olsen

AGENDA

ACTION ITEM:

A. **PUBLIC HEARING** - Consideration of a proposed resolution approving agency assistance to Lewiston State Bank for its Redevelopment Project in the Downtown Redevelopment Area (RDA) – **Resolution 11-66 RDA**

WORKSHOP ITEM:

A. Consideration of a proposed resolution approving an addendum to the HyClone Laboratories, Inc. Redevelopment Agreement – **Resolution 11-75 RDA** – Kirk Jensen

ADJOURN

On Friday, September 16, 2011, at 5:00 p.m. a copy of the foregoing notice was posted in conspicuous view in the front foyer of Logan City Hall, Logan, Utah. A copy of this notice was faxed to the Herald Journal. The Agenda was also posted on the Logan City website at www.loganutah.org and the State Public Meeting Notice website at <http://pmn.utah.gov>.

DATED THIS 16th OF SEPTEMBER 2011

Teresa Harris, City Recorder

Council Member's may participate in the meeting via telephonic communication. If a Council Member does participate via telephonic communication, the Council Member will be on speakerphone. The speakerphone will be amplified so that the other Council Members and all other persons present in the Council Chambers will be able to hear all discussions.

In compliance with the American with Disabilities Act, individuals needing special accommodations or assistance during this meeting shall notify Teresa Harris, City Recorder, at 435-716-9002, at least 24 hours prior to the meeting.

Logan Municipal Council Meetings are televised live as a public service by Channel 17

Council--In Progress:

Time of Day Electric Power Rates (Laraine Swenson 5/2008)

Anti-Idling Ordinance (Herm Olsen 7/07/09)

Council--Budget Issues

Impact Fees (Laraine Swenson – 2/10/10)

Future Council Agenda Item

(List revised 01/11)

Randy Watts, Mayor
Holly H. Daines, Council Member
Jay A. Monson, Council Member
Herm Olsen, Council Member
Dean W. Quayle, Council Member
Laraine Swenson, Council Member



**CITY OF LOGAN, UTAH
RESOLUTION NO. 11-71**

**BE IT RESOLVED BY THE LOGAN MUNICIPAL COUNCIL THAT THE
FOLLOWING ADJUSTMENTS BE MADE TO THE 2011-12 BUDGET:**

1. To appropriate funds for the purchase of a new police vehicle to replace a vehicle involved in an accident.

GENERAL FUND – POLICE DEPARTMENT

Revenue		
Sale of Capital Assets	100-000000-392100	\$10,473
Expense		
Police Patrol Equipment	100-135110-474000	\$10,473

2. To reduce CDBG Budget to amount rewarded by HUD.

GENERAL FUND

Revenue		
CDBG	100-000000-331100	(\$105,057)
Expense		
Community Development CDBG Special Departmental Supplies	100-130605-443000	(\$104,600)
Expense		
Community Development CDBG	100-110100-424000	(\$457)

3. To appropriate funds for the south end of the 1000 West project

WATER FUND

Revenue		
Fund Reserve	510-000000-395000	\$3,112,541
Expense		
Construction in Progress	510-510100-476000	\$335,449
Construction in Progress	510-510100-476010	\$2,777,092

THIS RESOLUTION duly adopted upon this _____ day of _____, 2011 by the following vote:

Ayes:

Nays:

Absent:

Herm Olsen, Chair

ATTEST:

Teresa Harris, City Recorder

**CITY OF LOGAN
RESOLUTION NO. 11-72**

A RESOLUTION ESTABLISHING A JOINT PLAN WITH THE LOGAN
DOWNTOWN ALLIANCE TO ENCOURAGE DOWNTOWN HOUSING

WHEREAS, the Municipal Council finds that the economic and physical condition of Downtown Logan is of significant importance to the vitality of the City of Logan and Cache Valley; and

WHEREAS, the City of Logan General Plan and the draft Downtown Specific Plan both acknowledge the importance of housing to the vitality of downtown; and

WHEREAS, the attached housing plan, *Downtown Logan – Focus on Housing*, is a means of implementing the housing objectives outlined in both the General Plan and the draft Downtown Specific Plan; and

WHEREAS, the Logan Downtown Alliance also supports this plan and is committed to the realization of its state objectives.

NOW THEREFORE, BE IT RESOLVED THAT THE LOGAN MUNICIPAL COUNCIL, hereby mutually establishes, along with the Logan Downtown Alliance, the Downtown Logan – Focus on Housing Plan to encourage the development of housing in Downtown Logan.

This resolution shall take effect immediately upon its adoption and approval.

PASSED BY THE LOGAN MUNICIPAL COUNCIL THIS 20TH DAY OF
SEPTEMBER, 2011.

Herm Olsen, Council Chairperson

ATTEST:

Teresa Harris, City Recorder

**CITY OF LOGAN
RESOLUTION NO. 11-69**

WHEREAS, Utah law requires that each city within the state of Utah prepare a general plan; and,

WHEREAS, Utah law provides that a City's general plan may address the protection or promotion of moderate income housing; and,

WHEREAS, the Logan City has hired an consultant to prepare, and said consultant has prepared the Logan Housing Plan; and,

WHEREAS, the Planning Commission of Logan has been presented with, reviewed and has recommended approval of the Logan Housing Plan; and,

WHEREAS, the Logan City Municipal Council desires to provide for moderate income housing needs, as well as respond to Logan's existing supply of moderate income housing;

NOW THEREFORE, IT IS HEREBY RESOLVED:

1. The Logan Municipal Council hereby adopts the Logan Housing Plan.
2. The Logan Housing Plan consists of a final plan document with 8 sections and 194 pages, addressing Logan's moderate income housing needs.
3. A copy of the Logan Housing Plan is available for public use and inspection during normal business hours in the office of the Logan City Community Development Department, 290 North 100 West, Logan, Utah 84321.

This resolution shall take effect immediately upon its adoption and approval.

PASSED BY THE LOGAN MUNICIPAL COUNCIL THIS ____ DAY OF _____, 2011.

AYES:
NAYS:
ABSENT:

Herm Olsen, Chair

ATTEST:

Teresa Harris, City Recorder

**CITY OF LOGAN, UTAH
ORDINANCE NO. 11-67**

AN ORDINANCE AMENDING TITLE 17 THE LAND DEVELOPMENT CODE OF LOGAN CITY, UTAH

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF LOGAN, STATE OF UTAH AS FOLLOWS:

SECTION 1: That certain code entitled "Land Development Code, City of Logan, Utah" Chapter 17.19.060: "Town Center (TC) Development Standards," and Table 17.11.200.B "Maximum Residential Densities (Dwelling Units per Acre)" are hereby amended as attached hereto as Exhibits A and B respectively:

SECTION 2: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, _____
THIS DAY OF _____, 2011.

AYES:
NAYS:
ABSENT:

Herm Olsen, Chair

ATTEST:

Teresa Harris, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the ____ day of _____, 2011.

Her Olsen, Chairman

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby _____ this ____ day of _____, 2011.

Randy Watts, Mayor

**CITY OF LOGAN, UTAH
ORDINANCE NO. 11-68**

AN ORDINANCE AMENDING THE ZONING MAP OF LOGAN CITY, UTAH

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF LOGAN,
STATE OF UTAH AS FOLLOWS:

SECTION 1: That certain map or maps entitled "Zoning Map of Logan City, Utah" is hereby amended and the following properties are hereby zoned from Public (PUB) to Town Center (TC):

TIN #06-018-0036 (portion)

Also identified as Church & Federal Northeast Corner Rezone, approximately 0.59 acres at 76 East 200 North, and more particularly described as Exhibit A attached hereto.

SECTION 2: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, _____
THIS DAY OF _____, 2011.

AYES:

NAYS:

ABSENT:

Herm Olsen, Chair

ATTEST:

Teresa Harris, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the ____ day of _____, 2011.

Herm Olsen, Chair

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby _____ this ____ day of _____, 2011.

Randy Watts, Mayor

EXHIBIT A

BOUNDARY DESCRIPTION

A PART OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 12 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN. ALSO BEING A PART OF LOTS 7 AND 8, BLOCK 18, PLAT "A" LOGAN CITY. BEGINNING AT A POINT LOCATED SOUTH 00°00'00" EAST 165.00 FEET AND NORTH 00°00'00" WEST 115.62 FEET FROM THE NORTHEAST CORNER OF SAID LOT 6 AND RUNNING THENCE SOUTH 00°00'00" EAST 140.25 FEET MORE OR LESS TO THE NORTH RIGHT-OF-WAY LINE OF FEDERAL AVENUE; THENCE NORTH 90°00'00" WEST A DISTANCE OF 185.37 FEET MORE OR LESS ALONG SAID NORTH RIGHT-OF-WAY LINE TO THE EAST RIGHT-OF-WAY LINE OF CHURCH AVENUE; THENCE NORTH 00°00'00" WEST A DISTANCE OF 140.25 FEET ALONG SAID EAST RIGHT-OF-WAY LINE; THENCE NORTH 90°00'00" WEST A DISTANCE OF 185.37 FEET TO THE POINT OF BEGINNING. CONTAINING 0.597 ACRES.

**CITY OF LOGAN, UTAH
RESOLUTION NO. 11-74**

**BE IT RESOLVED BY THE LOGAN MUNICIPAL COUNCIL THAT THE
FOLLOWING ADJUSTMENTS BE MADE TO THE 2011-12 BUDGET:**

1. To appropriate funds for the reimbursement of supplying an engine boss and firefighter on Idaho fire deployment.

GENERAL FUND – FIRE DEPARTMENT

Revenue

Miscellaneous Revenue	100-000000-369000	\$15,091
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Expense

Fire Suppression Overtime	100-140105-414000	\$15,091
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2. To appropriate funds for the Emergency Management Performance Grant. This grant is to assist with the expenses of local emergency management programs (salary, benefits, supplies, and travel.)

GENERAL FUND –FIRE DEPARTMENT

Revenue

Federal Government Grants	100-000000-331000	\$10,000
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Expense

Fire Grants

Special Dept. Supplies	100-140600-443000	\$10,000
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THIS RESOLUTION duly adopted upon this _____ day of _____, 2011 by the following vote:

Ayes:

Nays:

Absent:

Herm Olsen, Chair

ATTEST:

Teresa Harris, City Recorder



CITY OF LOGAN REDEVELOPMENT AGENCY

Resolution **A RESOLUTION APPROVING AGENCY ASSISTANCE**
No. 11-66 RDA **TO LEWISTON STATE BANK FOR ITS**
 REDEVELOPMENT PROJECT IN THE DOWNTOWN
 REDEVELOPMENT AREA (RDA)

WHEREAS, the City of Logan has adopted policies for assistance in projects and improvements in Redevelopment and Economic Development Project Areas; and

WHEREAS, Lewiston State Bank's development of a branch bank at 298 South Main in the Downtown Redevelopment Project Area (RDA) contributes significantly to the achievement of the City's economic goals, including: the redevelopment of a site identified in the 2002 Downtown Blight Analysis as having various blighting influences; the revitalization of a highly visible Downtown location by the construction of a new facility with quality architectural features that will enhance the appearance of Downtown Logan; the addition of a new commercial venue that will act as a catalyst in attracting and promoting new business development in the Downtown area; the contribution to the City's fiscal growth through incremental property taxes; and the creation of new jobs; and

WHEREAS, the project is estimated to produce new property tax increment in the RDA of \$169,294; and

WHEREAS, the Economic Development Committee has reviewed the proposed investment and recommends its approval;

NOW THEREFORE BE IT RESOLVED, that the Redevelopment Agency of the City of Logan does hereby approve the following incentive package:

Lewiston State Bank will receive 100% of the available property tax increment generated by the project annually during the life of the RDA, not to exceed \$50,000.

Lewiston State Bank will also receive RDA funds for certain streetscape improvements approved as part of the Gateway Enhancement Project (Resolution 11-10RDA); the City of Logan's Community Development Department will determine the specific improvements to be made along the Main Street frontage of this project, as well as the corresponding funding that will be given to Lewiston State Bank.

All construction plans are to be approved by the City of Logan Planning Commission.

Additionally, the Redevelopment Agency encourages Lewiston State Bank to utilize local contractors and vendors whenever possible.

BE IT FURTHER RESOLVED, that the Redevelopment Agency authorizes the Mayor to execute a legal agreement between the City of Logan and Lewiston State Bank for this assistance.

This resolution duly adopted upon this day of 2011, by the following vote:

Ayes:
Nays:
Absent:

Herm Olsen, Chair
Redevelopment Agency

Attest:

Teresa Harris, City Recorder



CITY OF LOGAN REDEVELOPMENT AGENCY

Resolution **A RESOLUTION APPROVING AN ADDENDUM TO**
No. 11-75 RDA **THE HYCLONE LABORATORIES, INC. AGREEMENT**
 TO DEVELOP LAND

WHEREAS, an Agreement to Develop Land was entered into on December 10, 2007 between HyClone Laboratories, Inc. and the Redevelopment Agency of the City of Logan; and

WHEREAS, it has become necessary to modify and clarify said agreement;

NOW THEREFORE BE IT RESOLVED, that the Redevelopment Agency of the City of Logan does hereby approve the attached Addendum to the Agreement to Develop Land.

This resolution duly adopted upon this ____ day of September 2011, by the following vote:

Ayes:
Nays:
Absent:

Herm Olsen, Chair
Redevelopment Agency

Attest:

Teresa Harris, City Recorder

ADDENDUM TO REDEVELOPMENT AGREEMENT

This ADDENDUM to the HyClone Laboratories Agreement to Develop Land, dated December 10, 2007, (the "ADL") is entered into this ___ day of _____, 2011, by and between HYCLONE LABORATORIES, INC, organized under the laws of the State of Utah, hereinafter referred to as the "**Developer**", and LOGAN REDEVELOPMENT AGENCY, a political subdivision of the City of Logan, hereinafter referred to as the "**Agency**". Developer and Agency are hereinafter collectively called the "**Parties**."

WHEREAS, Developer desires to amend the above referenced ADL to modify and clarify certain provisions of the ADL; and

WHEREAS, with the modifications and clarifications set forth below, the Agency finds the Developer in compliance with the terms and conditions of the ADL as of the date of this addendum.

AGREEMENT:

NOW THEREFORE, in consideration of the mutual promises set forth herein, the representations and actions of the Parties hereto and other consideration, the sufficiency and adequacy of which is hereby acknowledged, the Parties agree to amend the ADL as follows:

1. Agency hereby affirms that all conditions and requirements related to Phase I of the ADL have been met and complied with and there are no conditions of default.
2. Developer has requested and Agency has agreed to modify Phase II of the ADL due to changing market dynamics for the Developer. Therefore, 4.2a "Phase II" of the ADL is hereby amended to read as follows:
 - a. Phase II. Phase II of Developer's expansion project is described as follows:
 1. The completion of a \$5.2 million investment in projects beyond the original bioprocess container manufacturing facility. These projects include: BioCenter upgrades and expansion; liquid cell culture media facility build-out and upgrades to meet new Pharma GMP and European Union requirements; establishment of a new lab; and creation of a Business Market Development group to support technical sales.
 2. The creation of a minimum of 156 new jobs on-site of Developer's Logan operations, which pay an average wage of at least \$33,207 per year plus benefits. The Developer shall submit to the Agency a jobs report by February 28 of the year following completion of Phase II, which shows: a) the number of new full-time positions by job title; b) the total actual wages and benefits; and c) the average annual wages and benefits. The Agency shall have the right to verify said report through an audit.

3. In the event that the Developer elects to complete, and does complete, Phase II, as set forth in this agreement, the City will be able to generate a minimum property tax increment of \$177,377.00.

3. Agency hereby affirms that all conditions and requirements related to Phase II of the ADL (as amended) have been met and complied with and there are no conditions of default.

4. Developer has requested and Agency has agreed to modify Phase III of the ADL due to changing market dynamics for the Developer. Therefore, 4.2b "Phase III" of the ADL is hereby amended to read as follows:
 - b. Phase III. Phase III of Developer's expansion project is described as follows:
 1. the completion on the Optioned Property of a \$5 to 5.5 million building(s), consisting of 80,000 square feet for warehouse facilities.
 2. in the event that the Developer elects to complete, and does complete, Phase III, as set forth in this agreement, the City will be able to generate a minimum property tax increment of \$107,532.00.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be duly executed as of the date first above written.

AGENCY:
REDEVELOPMENT AGENCY OF THE CITY OF LOGAN

Herm Olsen, Chairperson

Randy Watts, Chief Administrative Officer

DEVELOPER:

HyClone Laboratories, Inc.
A Utah Corporation

By: _____