

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, February 19, 2008 at 6:15 p.m. in the Logan Municipal Council Chambers, 255 North Main, Logan, Utah, Chairman Tami W. Pyfer conducting.

Council members present: Tami W. Pyfer, Laraine Swenson, Herm Olsen, Stephen C. Thompson and Jay A. Monson. Administration present: Mayor Randy Watts, City Attorney Kymber Housley and Recorder Lois Price.

OPENING CEREMONY. Pastor Elden Peterson of the Cache Valley Bible Church shared some thoughts and gave the prayer. Cecelia Benson, Logan Neighborhood Council Chair, led the audience in the Pledge of Allegiance

Chairman Pyfer welcomed those present. There were about twenty-five citizens in the audience at the beginning of the meeting. Thirty-five Boy Scouts from several different troops were present for part of the meeting.

Meeting Minutes. Minutes of the Council and Redevelopment Agency meetings of February 5, 2008 were approved with minor corrections.

Meeting Agenda. The agenda was approved. Chairman Pyfer announced public comment would be accepted on two items later in the meeting, a public hearing on budget changes and a proposed land annexation.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL. There were no comments.

MAYOR/STAFF REPORTS.

Neighborhood Opinion Poll. Neighborhood Improvement Coordinator Jim Geier explained Neighborhood Council Chairs had prepared and were disseminating a Neighborhood Opinion Poll. He said the purpose of the poll was to define community standards and identify issues that affected neighborhoods. The poll is available online at www.loganutah.org, at the public library, and through elementary schools.

Alan Hinckley, Woodruff District Neighborhood Chair, reviewed some of the topics included in the opinion poll: parking, housing maintenance; trash and unused vehicles on property; sidewalk disrepair, snow removal, trash bins on street; converted/illegal apartments, over occupancy and other issues that negatively affected neighborhoods. Mr. Hinckley hoped for return of opinion polls by the end of March. Plans were to bring results and suggestions for improving neighborhoods to the Council.

Councilmember Thompson asked why issues such as traffic and animals were not included. He also criticized the poll's lack of balanced input and potential use of the information. Mr. Hinckley said the committee wanted the poll to be simple and informal.

The neighborhood issues included were considered to be the most prevalent. Mr. Geier said this was not a professional poll, and the goal was to distribute it randomly.

The Council suggested ways to distribute the polls and get more feedback such as radio public service announcements. Chairman Pyfer thanked the Neighborhood Chairs for their service and commended them for this effort.

COUNCIL BUSINESS. Meeting Schedule. Chairman Pyfer announced that regular Council meetings were held the first and third Tuesdays in the Council Chambers at 255 North Main at 5:30 p.m. The next regular meeting is Tuesday, March 4, 2008.

F/Y 2008-09 BUDGET WORKSHOPS. Chairman Pyfer proposed a preliminary outline for F/Y 2008-09 budget workshops, beginning in March with a public hearing and budget workshop to help identify citizen, mayor and council priorities. Department presentations would be scheduled in May following presentation of the Mayor's Tentative Budget on May 6. These would include department/division goals, performance measures, new requests and unfunded needs. Other Council budget workshops would be held during May and June as needed. The date for budget adoption was June 17, 2008.

Mayor Watts said he had attempted to simplify the budget process for the past two years. He said the administration's top budget priority continued to be the Capital Improvements Project list.

Chairman Pyfer asked the Council to communicate with her regarding their schedules so dates for budget workshops could be set.

ACTION ITEMS:

PUBLIC HEARING – Budget Adjustments F/Y 2007-08 appropriating: (1) \$111,443 for State Liquor Law allotment; (2) \$40,000 Logan City's portion of Logan School District's redevelopment agency distribution; (3) -99,577 for two fairgrounds grant; (4) \$30,000 for traffic signal design – 08-07.

Finance Director Richard Anderson reviewed the proposed changes to the budget. Chairman Pyfer opened the meeting to a public hearing. There was no public comment, and the hearing was closed.

ACTION. Motion by Councilmember Thompson, seconded by Councilmember Monson to approve Res. 08-07, Budget Adjustments, as presented. Motion carried unanimously.

WORKSHOP ITEM:

Parks and Recreation Department Fee Changes. Parks and Recreation Director Russ Akina reviewed proposed changes to various fee-based programs and services. Areas

affected with: Golf course, Willow Park Zoo education program fees, Aquatic Center Fees, Adult Flag Football team fees, and soccer field rental fees.

Councilmember Olsen asked about fee comparisons with local golf courses. Mr. Akina responded fees compared favorably with local public courses.

Aquatic Center fees were discussed. One increase proposed raising general admission fee for those “4 years to 54 years” from \$4.75 to \$5.00 per person. Councilmember Swenson was concerned about affordability, especially for families with young children. She did not want to price swimming pool admission out of the range of citizens and wanted to make up the cost increase some other way. Councilmember Monson agreed. Councilmember Olsen said he was “not uncomfortable” with Swenson’s thoughts.

There was discussion about pool chlorination and increasing costs. Mr. Akina talked about the issues associated with cryptosporidium, a parasite found in water contaminated by human feces. He said there had been outbreaks of “crypto” in public pools last summer that had resulted in new health department regulations. There were options to using chlorine, such as installing an ultraviolet filtration system, but it was expensive to deal with these types of issues.

Councilmember Swenson asked Mr. Akina to bring the Council more information on fees. Councilmember Monson asked for attendance figures.

Councilmember Thompson pointed out that children three years of age and under were admitted to the pool at no charge. He said this was the group that was most likely to cause pool contamination. He said the ultraviolet filtration system sounded like the right approach to the problem.

Mr. Akina agreed to provide more information on the Aquatic Center admission and revenue for the March 4 meeting.

ACTION ITEM:

PUBLIC HEARING: Daniel C. Russell Annexation, 2.75 acres at 1180 Eastridge Drive.

Attorney Housley explained action on the annexation would not be taken prior to March 18 because of an agreement with the Logan School District to give sixty-days notice. The request before the Council was to annex one lot so that city services could be obtained.

Chairman Pyfer opened the meeting to a public hearing at 6:15 p.m. There was no comment and the hearing was closed. It was announced that the annexation ordinance will be placed on the March 18 agenda for action.

WORKSHOP ITEMS:

CITY BOUNDARY WITH NORTH LOGAN.

Community Development Director Jay Nielson provided information to the Council on negotiations with North Logan to adjust irregular city boundaries along 200 West north of 1800 North. Adjusting boundaries would permit both Logan and North Logan to maximize development. Mr. Nielson said proposals would be brought back to the Council. He said Mayor Cary Watkins of North Logan was in the audience.

Mayor Watkins explained one advantage would be that road development costs could be shared.

Amendment to Land Development Code Section 17.47.070. Code Amendment, City of Logan/applicant, requests an amendment to the Land Development Code Section 17.47.070(B)(12) to add the words “Building setbacks shall not be recorded on the final plat. Setbacks shall be as specified in the Land Development Code.”

Planner Tavis Austin said city staff had requested the proposed amendment as a clarification to the Land Use Code. Mr. Austin said state law did not require recording setbacks and since all developments required compliance with setbacks “in effect at the time of development,” staff felt the Land Development Code should be clear in stating that setbacks were not to be recorded with subdivision plats. Public hearing on the code change was scheduled for March 4.

Zone Change. Logan Point Commercial LLC. Josh Watts/Logan Pointe Commercial, LLC authorized agent/owner requests approval of rezone from Multi-Family High (MFH) to Commercial General (CG) on approx. 0.64 acres at approx. 1300 North 200 East; 05-014-0057.

Mr. Austin explained the Planning Commission had unanimously recommended approval of the rezone of the parcel and associated parking area to Commercial General. Staff had recommended that the zoning boundary extend beyond parcel 05-014-0057 to include the parking immediately adjacent to the structure and access to 200 East. Public hearing on the rezone was scheduled for March 4.

Resolution Creating Corridor Preservation and Critical Land Reserve Fund – 08-09

At the request of Chairman Pyfer, Attorney Housley had prepared a resolution for consideration establishing a Corridor Preservation and Critical Land Reserve Fund. Chairman Pyfer wanted to rescind the ordinance that tied appropriations to an corridor preservation budget reserve fund to the South Main RDA.

Councilmember Swenson said she did not have a problem with the resolution as long as the old ordinance was not rescinded until we had a year to study it. Her concern was that the proposed resolution might be too broad.

Chairman Pyfer said the old ordinance was a bad way to budget. She did not want to consider the resolution until the ordinance was rescinded.

Finance Director Richard Anderson commented on the old ordinance. He said the baseline would be difficult and time-consuming to calculate. Councilmember Swenson said she did not want Mr. Anderson to be required to do something that was “onerous,” but she saw no reason to rescind the ordinance.

Chairman Pyfer said it did not appear Councilmember Swenson was willing to compromise on this issue. Mr. Anderson said the resolution was effective since it made a strong statement about the Council’s intent to appropriate funds while the ordinance attempted to require the mayor take action.

Mayor Watts did not think both documents were needed. He said this appeared to be a “battle between two councilmembers.” He pointed out appropriating funds was the only way the resolution would be given life.

Councilmember Swenson did not see the issue as a battle. She said it would not make any difference to leave the ordinance in place while options were reviewed.

Councilmembers Monson and Thompson said they would vote for approving the resolution and rescinding the ordinance. Councilmember Olsen said he favored the resolution, although if three councilmembers agreed, which they appeared to do, the discussion was over. Mr. Olsen said, “The bottom line is, do we have the money and the will to identify a fund for critical lands . . .” Councilmember Monson said he would not want to approve the fund and then not appropriate money. He saw the proposal as a win-win situation.

BUDGET ADJUSTMENT F/Y 2007-08: (1) \$34,906 21st Century Grant for After School Club program; (2) \$580,000 for 1200 South road improvement (loan and reimbursement from South Main Redevelopment Agency) - 08-10.

Finance Director Richard Anderson reviewed the proposed budget changes. He said the 1200 South road project was completed and reimbursement was necessary. He apologized for not bringing the issue to the Council earlier. Public hearing was set for the March 4 meeting.

There being no further business to come before the Council, meeting adjourned at 7:00 p.m. to a meeting of the Logan Redevelopment Agency

Lois Price, City Recorder

Minutes of the meeting of the Logan Redevelopment Agency convened in regular session on Tuesday, February 19, 2008 at 7:00 p.m. in the Logan Municipal Council Chambers, 255 North Main, Logan, Utah, Chairman Tami W. Pyfer conducting.

Redevelopment Agency members present: Laraine Swenson, Herm Olsen, Tami W. Pyfer, Jay Monson, Stephen C. Thompson and Mayor Randy Watts. Also present: City Attorney Kymber Housley, Recorder Lois Price, and Economic Development Director Kirk Jensen.

ACTION ITEMS:

PUBLIC HEARING--Budget Adjustment F/Y 2007-08 appropriating: \$40,000 Logan City's portion of the Logan School District distribution from the Redevelopment Agency - - 08-06 RDA

Chairman Pyfer opened the meeting to a public hearing on the budget change. There was no comment and the hearing was closed.

ACTION. Motion by Steve Thompson, seconded by Jay Monson to approve Res. 08-06 RDA, Budget Adjustment, as presented. Motion carried unanimously.

Riverwoods HCR, LLC: Consideration of a resolution approving Agency assistance to Riverwoods HCR, LLC for its redevelopment project at 625 South 80 East in the South Main RDA – 08-08 RDA.

Kirk Jensen, Economic Development Director, explained the resolution to be considered would provide Agency assistance to the Riverwoods HCR, LLC project in the South Main RD to help establish food operations at the Riverwoods complex and secure the position of the Copper Mill restaurant in downtown Logan. Mr. Jensen had addressed Agency concerns about the incentive package by making the following addition to paragraph #3 of the resolution: *“Riverwoods HCR must continue to operate the Copper Mill at its present location **and in substantially the same scope** in order to maintain eligibility for incentive payments as defined in a Redevelopment Agreement. . .”*

ACTION. Motion by Steve Thompson, seconded by Jay Monson to approve Res. 08-08 RDA, Riverwoods HCR LLC Incentive. Motion carried 4-0. Herm Olsen did not vote. He requested that the Agency recess to a closed session to discuss potential litigation issues.

Motion by Jay Monson, seconded Steve Thompson to reconsider action on the resolution later in the meeting. Motion carried unanimously 5-0.

Mayor Watts was excused for another appointment.

CLOSED SESSION. Chairman Pyfer asked for a motion to convene a closed session of the Agency.

ACTION. Motion by Steve Thompson, seconded by Jay Monson to convene a closed session of the Agency for the purpose of discussing potential litigation issues. Chairman Pyfer polled the Council with regard to the motion, which carried unanimously 5-0.

Tami W. Pyfer, voted yes
Laraine Swenson, voted yes
Jay A. Monson, voted yes
Stephen C. Thompson, yes
Herm Olsen, voted yes

Chairman Pyfer called the closed meeting to order in the Mayor's Conference Room, City Hall, 255 North Main at 7:15 p.m. Agency members present: Tami W. Pyfer, Jay A. Monson, Stephen C. Thompson, Herm Olsen, and Laraine Swenson. Administration present: City Attorney Kymber Housley, Economic Development Director Kirk, Jensen, and Recorder Lois Price. Mayor Watts was excused.

Issues relating to potential litigation were discussed.

ACTION. Motion by Steve Thompson, seconded by Jay Monson to adjourn the closed session.

Tami W. Pyfer, voted yes
Laraine Swenson, excused
Jay A. Monson, voted yes
Stephen C. Thompson, yes
Herm Olsen, voted yes

Chairman Pyfer reconvened a meeting of the Redevelopment Agency in the Logan Municipal Council Chambers at 7:25 p.m.

(Continued): Riverwoods HCR, LLC: Consideration of a resolution approving Agency assistance to Riverwoods HCR, LLC for its redevelopment project at 625 South 80 East in the South Main RDA – 08-08 RDA.

ACTION. Motion by Steve Thompson, seconded by Jay Monson to approve Res. 08-08 RDA, Riverwoods HCR LLC Incentive. Motion carried 4-0. Herm Olsen abstained. His law office was in the Riverwoods development project and although he did not believe there was a potential conflict, he was more comfortable abstaining from the vote.

WORKSHOP ITEM

Budget Adjustment F/Y 2007-08 appropriating: \$580,000 for 12300 South road improvement (loan and reimbursement from South Main RDA) – 08-11 RDA.

Mr. Jensen explained this adjustment coincided with a resolution before the Municipal Council and was necessary to complete the adjustment to the budget. Public hearing was set for March 4, 2008.

There being no further business to come before the Logan Redevelopment Agency, meeting adjourned at 7:30 p.m.

Lois Price, City Recorder