

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, September 2, 2008 at 5:30 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, Stephen C. Thompson (arrived at 6:50 p.m.), and Jay A. Monson. Herm Olsen, excused. Administration present: City Attorney Kymber Housley, and Recorder Lois Price. Mayor Randy Watts, excused.

OPENING CEREMONY. Councilmember Jay A. Monson read a thought, offered a prayer, and led the audience in the Pledge of Allegiance.

Chairman Pyfer welcomed those present. There were about fifteen citizens in the audience at the beginning of the meeting.

Meeting Minutes. Minutes of the meetings of August 19, 2008 Council and RDA were approved.

Meeting Agenda. The meeting agenda was approved. Chairman Pyfer announced that at tonight's meeting there were two public hearings regarding the city budget and one public hearing on a proposed rezone.

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

MAYOR/STAFF REPORTS.

PARK AND RECREATION BOARD APPOINTMENTS. In behalf of Mayor Watts, Parks and Recreation Director Russ Akina presented the names of James Reese, David Swenson and Russ Price for reappointment to the Parks and Recreation Advisory Board.

ACTION. Motion by Councilmember Monson, seconded by Councilmember Swenson to ratify the Mayor's reappointments of James Reese, David Swenson and Russ Price to the Parks and Recreation Advisory Board. Motion carried 3-0, Thompson and Olsen absent.

Mr. Akina acknowledged the good service of Robert Sorenson who was retiring from the Parks and Recreation Board. A replacement for Mr. Sorenson will be presented at an upcoming meeting.

YOUTH CITY COUNCIL (YCC). Cydnee Haws, Youth City Council Mayor, reported on YCC fundraising activities and service projects for the summer months. She said the theme for the school year was "Serve it up. . . because we can."

COUNCIL BUSINESS.

Meeting Schedule. Councilmember Pyfer announced that regular council meetings were held the first and third Tuesdays of the month at 5:30 p.m. The next regular meeting is Tuesday, September 16, 2008.

Workshop. Chairman Pyfer announced that a Council workshop was scheduled for September 24 at 6 p.m. in the Environmental Building Class Room. Representatives from the Department of Environmental Quality would present information on the Cutler Reservoir Total Maximum Daily Load Study.

ACTION ITEMS:

PUBLIC HEARING: Logan Lodging Subdivision, Lots 5 and 6. Zone Change. Steven Thunell/Cache Valley Investment/Davis Brothers authorized agent owners request a zone change from Commercial Entry (CE) to Commercial General (CG) on 7.71 acres located at 1200 West 2200 South; TIN#03-006-0045, -0046 – 08-62

Community Development Director Jay Nielson gave a brief overview of the proposed rezone of 7.71 acres from Commercial Entryway (CE) to Commercial General (CG). The Future Land Use Plan proposed the less intensive “Gateway” zone for the land in question. The Planning Commission and staff recommended denial based on the following findings:

1. The rezone is inconsistent with current and future land use zoning designations.
2. The proposed General Plan amendment is inconsistent with policies of the General Plan.
3. Utah State law authorizes local planning commissions to recommend ordinance changes to the legislative body that are consistent with the role of the Planning Commission; the proposed change is not consistent.
4. The Department needs to fulfill its obligations to the citizens of Logan and make land use decisions consistent with the General Plan and the Land Development Code.
5. No proposed businesses are negatively impacted by this recommendation of denial.
6. No applications have been received, to date that would be negatively affected by this recommendation of denial.

Chairman Pyfer opened the meeting to a public hearing.

Steven Thunell, proponent, said the rezone application was submitted on behalf of two owners. He said he had approached the Planning Commission two or three times with applications for rezone and had been turned down. He felt that because there was no access to Highway 89-91, the Commercial Entryway Zone was not appropriate for this property. He said one reason to develop the land as Commercial General was that the future extension of 10th West to Nibley would border the property and general commercial uses would be appropriate. Mr. Thunnell said parties interested in purchasing the acreage “walked away” when they found out about zoning restrictions. Mr. Thunell said some of the allowed uses seemed inconsistent. He said latitude in allowable land uses was appropriate because the property was so far from the highway.

Chairman Pyfer asked Mr. Thunell what he wanted to build. He responded that one proposal had been a contractor’s office with indoor storage (allowed in the CG zone). He said the Commercial Entryway zone was too restrictive.

Councilmember Thompson arrived at 5:50 p.m.

Mr. Thunell stated that the Planning Commission ultimately could deny any project they did not want in this zone anyway.

Chairman Pyfer explained that the Planning Commission did not always have the ability to turn down an application if it met requirements.

Chairman Pyfer closed the public hearing.

ACTION. Chairman Swenson supported preservation of the corridor as proposed by the Future Land Use Plan zoning designation. She said businesses allowed in the new zone would be campus-type facilities rather than more intensive commercial uses. She made a motion to deny Ord. 08-62, Logan Lodging Rezone, based on Planning Commission "Findings."

Councilmember Monson asked if it was planned that there would be a 10th West extension that would be a route to Nibley. Jay Nielson responded that the transportation plan took this into consideration.

Councilmember Swenson said that the more Commercial General development that was allowed, the less incentive there would be for other cities to help preserve the corridor.

Chairman Pyfer expressed concern about commercial impacts on adjacent residential developments.

Vote on the motion to deny was called for and carried 3-0, Olsen absent. Councilmember Thompson abstained. He arrived late to the meeting and said he did not hear the complete discussion.

PUBLIC HEARING: Budget Adjustments F/Y 08-09 appropriating: Carry Forwards and grants from F/Y 07-08 to F/Y 08-09. 08-57 (Revised).

Chairman Pyfer opened the meeting to a public hearing on the budget changes to carry forward funds from the previous fiscal year for various projects and grants. There was no comment, and the hearing was closed.

ACTION. Motion by Councilmember Monson, seconded by Councilmember Swenson to approve Res. 08-57 Revised, Budget Adjustments, as presented. Motion carried 4-0, Olsen absent.

PUBLIC HEARING: Budget Adjustment F/Y 08-09 appropriating: \$706,134 for Fire Department Aerial Ladder Truck – 08-65.

Chairman Pyfer opened the meeting to a public hearing on the budget change to approve the purchase of a new aerial ladder truck. There was no comment, and the hearing was closed.

ACTION. Motion by Councilmember Thompson, seconded by Councilmember Monson to approve Res. 08-65, Budget Adjustments, as presented

SR165 Cooperative Access Management Agreement. Consideration of a resolution approving a Cooperative Access Management Agreement with UDOT & other municipalities extending from approx. 855 South Main (the “Y”) in Logan along SR 165 to 300 South in Hyrum – 08-61

Chairman Pyfer called for a motion to approve the agreement which had been reviewed at the September 2 meeting.

ACTION. Motion by Councilmember Swenson, seconded by Councilmember Monson to approve Res. 08-61, Access Management Agreement, as presented. Motion carried 4-0, Olsen absent.

WORKSHOP ITEMS:

USU Property Exchange – Logan Golf and Country Club Area.

Public Works Director Mark Nielsen said the City and Utah State University had been working for some time on a property exchange of parcels and easements related to infrastructure in the Country Club and First Dam areas. The original property exchange from Logan to USU regarding the Country Club area provided the City a blanket easement anywhere within the property for purposes of utilities. The agreement that was being considered generally defined specific easements required for existing and proposed utilities. Mr. Nielsen said the agreement was being forwarded to USU for completion. The information was provided to the Council for input or suggestions.

Mr. Nielsen pointed out that a list and map of the property transfers and easements was provided to the Council for their comment.

Councilmember Swenson asked about the island of property between 700 North and Highway 89 in front of Fredico’s Pizza at approximately 1350 East. She did not want to see this property become a future university parking lot. She asked if there was a restriction the city could place on the property.

Attorney Housley reminded the Council that the trading and selling of real property was an executive function, although their input and suggestions were welcome. A hearing to receive public comment on the USU property exchange will be noticed for an upcoming meeting as required by law.

Budget Adjustments F/Y 08-09 appropriating: \$13,150 for the Police Department’s State Asset Forfeiture (SAFG) Grant – 08-64.

Finance Director Richard Anderson reviewed the proposed change to the budget. Public hearing was set for September 16, 2008.

OTHER CONSIDERATIONS.

Utah League of Cities & Towns (ULCT) Convention. Chairman Pyfer announced that ULCT Convention was scheduled September 10-12, and several members of the Council planned to attend.

There being no further business to come before the Council meeting adjourned at 6:05 p.m. to a meeting of the Logan Redevelopment Agency.

Lois Price, City Recorder

Logan Redevelopment Agency

Logan, Utah

September 2, 2008

Minutes of the meeting of the Logan Redevelopment Agency convened in regular session on Tuesday, September 2, 2008 at 6:05 p.m. in the Logan Municipal Council Chambers, 255 North Main, Logan, Utah, and Chairman Tami W. Pyfer conducting.

Redevelopment Agency members present: Tami W. Pyfer, Laraine Swenson, Stephen C. Thompson, Jay Monson. Excused: Herm Olsen, Mayor Randy Watts.

Also present: City Attorney Kymber Housley, Recorder Lois Price, Public Works Director Mark Nielsen, Community Development Director Jay Nielson, Finance Director Richard Anderson, Economic Development Director Kirk Jensen.

ACTION ITEM:

BRAD BEARNSON: Resolution approving Agency assistance to Brad Bearnson for his redevelopment project in the Downtown Redevelopment Project Area (amendment to 08-33RDA) – 08-63 RDA Revised.

Economic Development Director Kirk Jensen explained the resolution approving assistance to Brad Bearnson's Downtown RDA project located at 60 West 100 North reflected the following changes:

- The Agency will be responsible for razing the existing building and associated landfill expense.
- The Agency agrees to lease to Brad Bearnson seven dedicated parking stalls to be located on the south side of the newly constructed building conditioned upon the project containing a minimum of four condominiumized units.”

ACTION. There was discussion about the housing units to be provided (a minimum of four) and making the number of parking stalls compatible with the number of housing units.

After discussion, motion was made by Laraine Swenson to approve Res. 08-63 RDA Revised, Bearnson Redevelopment Project, with the following amendment:

“ . . . The Redevelopment Agency of the City of Logan further agrees to offer the following bonuses where the associated eligibility requirements have been met as stated:

- 1. The Agency agrees to pay Brad Bearnson an additional \$15,00 if the renovated project is LEED certified;*
- 2. The Agency agrees to pay Brad Bearnson 100% of the affordable housing monies generated by his project, if an affordable housing unit, as one of a minimum of ~~four~~ **six** housing units, is incorporated into the project. . .*

Jay Monson seconded the motion. Steve Thompson did not agree with the amendment. He said “It isn’t as favorable,” and would “handicap Bearnson going in.”

Vote on the motion carried 3-1. Steve Thompson voted no, Olsen was absent. Thompson said the project was “great,” but he did not support the amendment.

There being no further business to come before the Logan Redevelopment Agency, meeting adjourned at 6:15 p.m.

Lois Price, City Recorder