

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, January 6, 2009 at 5:30 p.m. in the Logan Municipal Council Chambers, 255 North Main, Logan, Utah, Chairman Laraine Swenson conducting.

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

Councilmember Herm Olsen was excused from the beginning of the meeting.

PLEDGE OF ALLEGIANCE. Tara Alder led the audience in the Pledge of Allegiance.

Chairman Swenson explained the criteria for the opening ceremony which will be placed on the agenda when there are volunteers. The criteria will address two main concerns with past ceremonies – the time taken and the pressure on those who have been asked to participate, sometimes on short notice so that their only option was giving a prayer. The criteria will be the following:

Volunteers will be placed on the agenda

Each may conduct up to two ceremonies during the year

The ceremony should be uplifting and in keeping with the character of the meeting

The ceremony should be conducted within a three minute time frame

The name of the person conducting the ceremony needs to be determined by at least the Thursday before council meeting

Persons volunteering for the ceremony can contact City Recorder Teresa Harris at 716-9002 and they will be added to a pool from which names will be selected

The ceremony is not listed on tonight's agenda so there will not be ceremony tonight. There are two volunteers so far and they will be added to the next two council agendas if they are available for those nights.

Chairman Swenson welcomed those present. There were 25 citizens in the audience at the beginning of the meeting.

Meeting Minutes. Minutes of the Council meeting from December 16, 2008 were approved with minor corrections.

Meeting Agenda. The meeting agenda was approved. Chairman Swenson announced that at tonight's meeting there would be six public hearings regarding a proposed amendment to revise onsite parking requirements within the Land Development Code, Budget Adjustment appropriating \$1,085,251 for funds received from the State of Utah, Department of Transportation for the 600 East Dugway project, Consideration of a resolution approving the Community Development Block Grant (CDBG) 2009-13 Citizen Participation Plan, Consideration of a resolution approving the Community Development Block Grant (CDBG) 2009-13 Five-Year Strategic Plan, Consideration of a

resolution approving Community Development Block Grant (CDBG) Steering Committee Guidelines, Advocate Proposals for 2009-10 Annual Action Plan Project Activities.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL.

Citizen Gary Joy addressed the council and said he has received calls concerning the recent newspaper article of prayer at city council meeting.

Mr. Joy suggested that a moment of silence could be given at the beginning of the meeting rather than a spoken prayer or thought.

Councilmember Monson informed Mr. Joy that a statement was read by Chairman Swenson at the beginning of the meeting. (Mr. Joy was late coming into the meeting and did not hear this statement).

Chairman Swenson said that a clarification will be made in the Herald Journal regarding the prayer issue. Parts of the conversation were not included in the article and some of the choice of words she feels were not her own. She invited Mr. Joy to contact City Recorder Teresa Harris if he would like to participate in a future opening ceremony.

Karen Lambert, reporter from the Herald Journal addressed the council. Ms. Lambert is the reporter who wrote the story regarding prayer in council meetings. She stated that she has a recording of her interview with Chairman Swenson and invited anyone who would like to listen and review the interview. Chairman Swenson said the newspaper will work with the council and have agreed to do a clarification to present all the information.

Chairman Swenson said that she appreciates Ms. Lambert's comments and invited anyone who would like to read the transcript.

MAYOR/ STAFF REPORTS.

CYDNEE HAWS – YOUTH CITY COUNCIL UPDATE: Cydnee Haws is the Mayor with the Youth City Council. She reported that during the month of December they participated in a survey for youth and high school students that would like to see changes or improvements at the Recreation Center. Their service project for December was helping New Years Eve night with the children's arts and crafts table.

TARA ALDER – AFTER SCHOOL CLUB: Tara Alder reported that for seven years now the Logan City Parks & Recreation After School Program has been a part of the "Alliance for Youth". Their two main goals are to raise awareness and educate the community of the importance of quality care and extended learning programs for school age students, after the students regular school day has ended. Partnerships include: Logan City School District, Cache County 4-H, USU America Reads, Bear River Health Department, Bridgerland Child Care Resource and Referral, Boys and Gils Club of Cache Valley and Cache County School District.

They provide a high quality program to which teachers and parents may send students to and enjoy. They have received a grant each year and have been told they have one of the top programs in the State of Utah. They currently have 493 students enrolled and the majority of these students apply for assistance. Their total budget is \$180,000 with grants received of \$150,000 and Logan City contributes \$30,000. Ms. Alder invited the councilmember's to come and watch the program and see what they provide for the community.

Councilmember Herm Olsen joined the meeting at this time.

SANDY EMILE – LOGAN DOWNTOWN ALLIANCE: Sandy Emile President of the Cache Chamber of Commerce and Board member of the Downtown Alliance gave a presentation on the downtown along with the Chairman of the Downtown Alliance Tom Jensen. Their presentation was on the status of the downtown and what they have accomplished. Projects that have been completed over the last four to five years are: Cache Administration building, restoration of the old County Courthouse, downtown events on the County block, Justice building and new City Hall building, Post Office, Workforce Services building, BRAG building façade improvements, Chamber of Commerce façade improvements, Hamilton's off site catering facility on Federal Avenue and other businesses along that street. St. John's Episcopal Church, Cache Mortgage building, Needham Jewelers on the west side façade improvement, Cache Title building, Coppermill west side façade improvements, use of west Center street, Great Harvest building enhancements, Utah Theatre still under construction. Wilson Motor façade improvements, Olson & Hogan building and landscape, Blackstone restaurant, Joann's remodel and face lift, Thai restaurant doing well, 400 north remodel of Washington Federal Mutual, County parking lot improvements and walkway. Streetscape along Main Street, lighting at the Tabernacle and also the area for the Summerfest Arts Faire. Eccles Theatre upgrade, new hotel and conference center on the South end of town and the Riverwoods project.

Mr. Jensen feels we all need to work together in a partnership, with Logan City and the Downtown Alliance to accomplish goals in Logan's downtown. Things to accomplish in the future are: Direct shuttle to the USU campus, housing, upgrade the image of all buildings in need, activities, promote cooperation with the City, regular communication, unity and professional leadership to participate in the Alliance. Have a reliable financial structure and create a vital downtown.

Downtown Alliance and former councilmember Joe Needham expressed his thanks to Logan City for their contribution to the downtown and the projects that have been completed.

Councilmember Olsen commented he recently talked with visitors to Logan who expressed appreciation that Logan still has an active downtown and that Logan is a "gem."

MAYOR RANDY WATTS – STATE OF THE CITY ADDRESS:

***Mayor Randy Watts
State of the City Address
Tuesday, January 6, 2009***

2008 was an exciting and productive year; a lot of things were accomplished such as:

- *Boulevard Project*
- *Dewitt Springs*
- *Justice Center Expansion*
- *Park Strip Reclamation Project*
- *Special Improvement District started and moving ahead between 500 and 600 West on 100 South*
- *New 46kV Substation started, nearly doubling existing capacity*
- *Removal & Restoration of the old Murray City Substation delivered to this new site*
- *Gateway Project started on US-89 on South end of Logan*
- *Successful Chip and Seal Project*
- *Curb and Gutter Improvements*
- *Sewer and Water Improvements*
- *Pay for Performance funded for City Employees*
- *County Road Tax money allocated for the 100 East Project from 300 South Logan to Providence Lane*
- *Marriott Hotel*
- *Riverwoods Conference Center*
- *Wal-Mart Project*
- *Old Macey's area remodeled for new business*
- *Walgreen's on 10th North Main*
- *Progressive Insurance Completed*
- *Stormwater Improvements*
- *600 South Street and Woodruff School Improvements*
- *Wilson Motor Improvements*
- *JK Business Renovation*
- *Cache Title Construction*
- *Texas Roadhouse*
- *New Arby's Restaurant*
- *Fredricos Renovation*
- *Parking Improvements to the Eccles Theatre Block*
- *169 additional Residential Development Projects*
- *175 additional Commercial Development Projects*
- *Light & Power changed out 5,500 old residential & commercial meters to automated meters*
- *City Hall parking lot and improvements completed on 300 North and Main Street*
- *Goodyear building removed and temporary parking installed*
- *New free standing Library Project in discussion*
- *City Hall in discussion for it's future use*
- *10th West SR-30 in the environmental phase for construction*
- *Downtown Fire Station being remodeled complete with new kitchen*
- *New Ladder Engine purchased*

- *Hobby Lobby opened for business*
- *Safest Metropolitan area in the Country*
- *Logan is the 3rd Best City in the US to find employment (CNN)*
- *800 MHz System Update made possible by a \$2.5 million dollar grant to replace the VHF radio in Cache County. Implementation of this system improves the City's ability to make police, fire and medical communications better for the residents of Cache County*
- *Airport Masterplan Underway*
- *Downtown Façade Enhancements (Joann's, Washington Federal Savings)*
- *New Infrastructure on the County Block (Emporium & Needham Jewelers)*
- *New Thermo Fisher Building*
- *Cache Valley Electric Building*
- *Juniper Systems Expansion (Building Addition)*
- *Inovar Expansion (Building Addition)*
- *New Logan Regional Hospital Cancer Center*
- *Temple Avenue Special Improvement District completed*
- *Center Street to 100 South Business Improvement District completed*
- *National Accreditation for Parks & Recreation in the process of completing*
- *Logan City website completed and doing well*
- *Habitat for Humanity project*
- *Groundbreaking on Neighborhood Nonprofit Housing Corporation's River Park Senior Housing Project*
- *Through the "Welcome Home to Logan" program, 67 homes have been purchased by single families desiring to live in Logan. These homes were at risk to become rental properties.*

I could go on, but the bottom line is Logan City will continue taking pro-active measures to growth and strive to give its citizens a safe and continuing quality of life from all of us. The 2009 year will bring new challenges, with finances being at the top of the list. As a City Administration, we will work attentively on our efficiency and productivity. Employees have received my "Performance Expectations" which underscore my approach to accomplishing tasks in the coming year. In 2009, we will work in compliance with those expectations. Also, adding to my list of things to accomplish is becoming self-funded in liability coverage and work at doing the same for our health insurance. We will also strengthen our enterprise departments with more prudent decision making to bring about better results.

In closing, I would like the council and citizens to know that the City has postured itself for the tough times ahead through prudent spending and responsible decision making by department managers. I thank everyone for helping me accomplish this task, City Finance Director Richard Anderson and I are completely on the same page as to the direction the City should go now and into the future. Together, we will weather the storm, looking forward to continued success in 2009 for the City of Logan.

Mayor Watts added that "this City is on the move." He has seen change good and bad, increased citizen population and student enrollment at USU is happening. We need to prepare for change and people have a right to live where they feel safe and secure. We are concerned about each others wellbeing and welfare and we look out for each other.

Mayor Watts thanked the council and everyone in the audience who has accomplished these goals for the City.

Chairman Swenson thanked the City and expressed her appreciation for the list of accomplishments.

Councilmember Monson also expressed his appreciation to the City.

COUNCIL BUSINESS.

Meeting Schedule. Chairman Swenson announced that regular council meetings would be held the first and third Tuesdays of the month at 5:30 p.m. The next regular council meeting is Tuesday, January 20, 2009.

Councilmember Thompson asked about the policies and procedures manual for Logan City. The copy he currently has is dated 2004 and he would like to review and update the manual. He suggested that a workshop be held to discuss the manual, possibly during budget workshops.

City Attorney Kymber Housley said the City will move forward with the policy manual, the council is invited to review the manual but the City will not wait until the budget workshops to adopt. The council is invited to review and make suggestions and comments.

Councilmember Thompson feels there will be suggestions from the council and the council should be familiar with the policy manual.

ACTION ITEMS:

Consideration of a resolution approving an Investment Policy – 09-02.

ACTION. Motion by Councilmember Monson, seconded by Councilmember Pyfer to approve Res. 09-02, as presented. Motion carried unanimously.

Consideration of a resolution to create the Renewable Energy and Energy Conservation Board – 09-14.

Councilmember Monson feels this should be an official board, helping the council make wise decisions in the future regarding energy and energy conservation.

Councilmember Pyfer expressed her concern about this board. She feels this should be an advisory/sub-committee under the Light and Power Department and would then report to the power board.

Chairman Swenson said the board will not only discuss energy issues but also water and other conservation issues throughout the City. The conservation coordinator from the Environmental Department will coordinate the meetings.

City Attorney Housley said the council will need to decide who they want to direct this board. The proposed resolution creates the shell for the board and the council will need to decide how the board is organized.

Environmental Director Issa Hamud said that Conservation Coordinator in the Environmental Department will not report directly to the council but rather to Mr. Hamud himself and he will then report to the council. The critical thing now is renewable energy and power conservation and in the future it could be something different. The coordination for now will be under the Environmental Department.

City Attorney Housley suggested the board meet and decide what recommendations they give to departments that will benefit. The board will manage themselves at this time.

Councilmember Pyfer would like to have one point of contact such as Mr. Hamud in the Environmental Department.

Mayor Watts said many of the boards in the City are appointed by the Mayor and the council can organize advisory boards. Mayor Watts feels there should be interaction with someone from the renewable board and from the power board. The ultimate budget decisions come back to the Mayor for funding. He does not have an issue with the council going ahead with this board, but he would like to be included in the issues that are discussed.

Chairman Swenson invited Mayor Watts to attend any future Renewable Board meetings.

City Attorney Housley said once the resolution is passed, the council will need to select board members and create bylaws. This will be an advisory board and will not have a budget.

ACTION. Motion by Councilmember Monson, seconded by Councilmember Olsen to approve Res. 09-14, as presented. Motion carried unanimously.

PUBLIC HEARING: Consideration of a proposed amendment to revise onsite parking requirements within the Land Development Code – 09-08.

Chairman Swenson opened the meeting to a public hearing on a consideration of a proposed amendment to revise onsite parking requirements within the Land Development Code. As there were no comments the hearing was closed.

ACTION. Motion by Councilmember Pyfer, seconded by Councilmember Olsen to approve Res. 09-08, as presented. Motion carried with Steve Thompson opposed 3-1 (Monson not in the room at time of voting).

PUBLIC HEARING: Budget Adjustment FY 2008-09 appropriating: \$1,085,251 for funds received from the State of Utah, Department of Transportation for the 600 East Dugway project – 09-03.

Chairman Swenson opened the meeting to a public hearing on a consideration of a resolution appropriating: \$1,085,251 for funds received from the State of Utah,

Department of Transportation for the 600 East Dugway project. As there were no comments the hearing was closed.

ACTION. Motion by Councilmember Thompson, seconded by Councilmember Pyfer to approve Res. 09-03, as presented. Motion carried unanimously.

PUBLIC HEARING: Consideration of a resolution approving the Community Development Block Grant (CDBG) 2009-13 Citizen Participation Plan – 09-10.

CDBG Coordinator Gay Jamieson gave a presentation on the Consolidated Plan including: Citizen Participation Plan, Five Year Strategic Plan and Steering Committee Guidelines.

Ms. Jamieson addressed the Steering Committee Guidelines and stated the council will need to put in writing how they would like the steering committee meetings to be conducted. Currently the draft shows the council as non-voting advisory members and the council may want to change this to voting members. Also, the council should indicate any conflict of interest statements from members of the committee who may be directly related to some of these projects.

Chairman Swenson opened the meeting to a public hearing on a consideration of a resolution approving the Community Development Block Grant (CDBG) 2009-13 Citizen Participation Plan. As there were no comments the hearing was closed.

ACTION. Motion by Councilmember Pyfer, seconded by Councilmember Monson to approve Res. 09-10 as presented. Motion carried unanimously.

PUBLIC HEARING: Consideration of a resolution approving the Community Development Block Grant (CDBG) 2009-13 Five-Year Strategic Plan – 09-11.

Chairman Swenson opened the meeting to a public hearing on a consideration of a resolution approving the Community Development Block Grant (CDBG) 2009-13 Five-Year Strategic Plan. As there were no comments the hearing was closed.

ACTION. Motion by Councilmember Monson, seconded by Councilmember Pyfer to approve Res. 09-11, as presented. Motion carried unanimously

PUBLIC HEARING: Consideration of a resolution approving Community Development Block Grant (CDBG) Steering Committee Guidelines – 09-12.

Chairman Swenson opened the meeting to a public hearing on a consideration of a resolution approving Community Development Block Grant (CDBG) Steering Committee Guidelines. As there were no comments the hearing was closed.

Councilmember Thompson suggested that Chairman Swenson and Councilmember Pyfer who are serving on the CDBG Steering Committee this year should also be voting members.

Councilmember Pyfer suggested adding a conflict of interest statement to the document. Councilmember Olsen concurred.

Councilmember Pyfer suggested that the CDBG Coordinator (Gay Jamieson) conduct the Steering Committee meeting.

City Attorney Housley made a clarification on the conflict of interest statement which would only apply to a specific project and no changes need to be made to the proposed resolution.

ACTION. Motion by Councilmember Pyfer, seconded by Councilmember Olsen to approve Res. 09-12, as amended (Chairman Swenson and Councilmember Pyfer would be voting members, the CDBG Coordinator will conduct the committee meetings and the language in the guidelines of the provision of conflict of interest will be added) . Motion carried unanimously.

PUBLIC HEARING: Advocate Proposals for 2009-10 Annual Action Plan Project Activities.

At this time, Chairman Swenson asked the CDBG applicants to come forward, state their name and project name.

Danielle Bird, Bridgerland Literacy, \$20,000
Wally Bloss, Cache Valley Center for the Arts, \$76,800
Kae Lynn Beecher, Cache Employment Center, \$20,000
Bob Green, Boys and Girls Club, \$30,000
Chantel Dimitricoff, Family Information & Resource Center, \$15,000
Jeannine Nielson, Family Institute of Northern Utah, \$25,000
Scott Marshall, Habitat for Humanity, \$95,000
Sue Ann Smith, Community Nursing Services
Liz Hunsaker, Logan City Fire Department, \$2,000
Tara Alder, Parks & Recreation-After School Program, \$50,000
Steve Zsirey, Family Support Center, \$10,000

Ms. Jamieson said that applicants can still submit applications after tonight's meeting, January 7 through January 30, 2009. Logan City will also apply for funding as will Neighborhood Nonprofit and other groups.

Chairman Swenson announced the last day to submit CDBG applications is January 30, 2009 by 5:00 p.m. at City Hall.

WORKSHOP ITEMS:

Rich Anderson: Budget Adjustment FY 2009-10 appropriating: \$87,011 for Liquor Law money – 09-09.

City Treasurer Tyson Griffin explained the resolution for Liquor Law money which is money that comes from the State of Utah and is an allocation based on the number of

convictions in the State for the enforcement of Liquor Law. The funds go the police department for alcohol enforcement.

This will be an Action item at the January 20, 2009 council meeting.

Russ Akina: Consideration of a resolution approving a Saturday Opening/Closing Fee for the Logan City Cemetery – 09-13.

Parks & Recreation Director Russ Akina explained the proposed resolution to increase burial opening and closing fees on Saturday. Over the last two years there has been an increase in Saturday burials. In 2008 the cemetery recorded 67 Saturday burials with personnel working 38 of these Saturdays. The purpose of the increase is to offset the costs associated with Saturday burials and the fee will only apply to Saturday burials. The current fee is \$75 and the proposed increase would be \$200 and would not apply to opening/closing fees for cremations or infant burials. This would only be for full size burials.

Mr. Akina will provide opening/closing fees for weekday burials at the next council meeting on January 20, 2009.

Councilmember Thompson asked the council to consider a lesser fee and to be sensitive to Logan citizens and to also look at the region that we live and income of the residents. He asked the council to consider this when making a decision. He suggested looking at this creatively without a Saturday increase and possibly look at increasing the cost of a burial lot. Look at ways to handle the personnel staffing and adjust the workweek schedule.

Mr. Akina responded that Cemetery Sexton Seth Sparks has looked at flexing the work schedule to accommodate and cover six days instead of five which requires him to use his part time budget. There is only part time staff during certain times of the year and he is trying to balance these schedules.

Councilmember Monson expressed his appreciation and dedication for Seth Sparks and the staff that works at the cemetery.

This will be an Action Item at the January 20, 2009 council meeting.

Russ Akina: Consideration of a resolution to Change Recreation Center Locker Fee – 09-15.

Mr. Akina explained this is a fee for lost locker keys at the Recreation Center. Currently there is a deposit fee for the potential of a key being lost. He is proposing that a lost key fee would be added to the deposit in the event there was a lost key rather than taking it as a deposit up front.

Councilmember Pyfer feels this is a good change and the audit committee talked about making changes such as these.

This will be an Action Item and the January 20, 2009 council meeting.

Councilmember Tami Pyfer was excused from the meeting at this time.

OTHER CONSIDERATIONS.

RECESS TO MEETING OF THE LOGAN REDEVELOPMENT AGENCY.

Minutes of the meeting of the Logan Redevelopment Agency convened in regular session on Tuesday, January 6, 2009 at 7:00 p.m. in the Logan Municipal Council Chambers, 255 North Main, Logan, Utah, and Chairman Laraine Swenson conducting.

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

Chairman Swenson welcomed those present. There were 7 citizens in the audience at the beginning of the meeting.

Meeting Agenda. The meeting agenda was approved. Chairman Swenson announced that at tonight's meeting there would be three Public Hearings.

ACTION ITEMS:

PUBLIC HEARING: Consideration of a resolution approving Agency assistance in the 844 South Park Avenue Habitat for Humanity Affordable Housing Project – 09-01 RDA.

Chairman Swenson opened the meeting to a public hearing on a consideration of a resolution approving Agency assistance in the 844 South Park Avenue Habitat for Humanity Affordable Housing Project. As there were no comments the hearing was closed.

ACTION. Motion by Councilmember Monson, seconded by Councilmember Olsen to approve Res. 09-01 RDA, as presented. Motion carried 4-0 (Councilmember Pyfer absent).

PUBLIC HEARING: Budget Adjustment FY 2008-09 appropriating: \$25,000 for an affordable housing rehabilitation project in the Mount Logan LDS Stake area; \$4,440 for the Habitat for Humanity Project on 844 South Park Avenue covering the building permit and impact fees – 09-04 RDA.

Chairman Swenson opened the meeting to a public hearing on a consideration of a resolution appropriating: \$25,000 for an affordable housing rehabilitation project in the Mount Logan LDS Stake area; \$4,440 for the Habitat for Humanity Project on 844 South Park Avenue covering the building permit and impact fees As there were no comments the hearing was closed.

ACTION. Motion by Councilmember Monson, seconded by Councilmember Olsen to approve Res. 09-04 RDA, as presented. Motion carried 4-0 (Councilmember Pyfer absent).

COMBINED PUBLIC HEARING: Consideration of the proposed resolution approving the “Amended Downtown Redevelopment Project Area Plan – 09-05 RDA, dated October 22, 2008 and the proposed Amended Downtown Redevelopment Project Area Budget 09-06 RDA, and for public comment, conducted by the Redevelopment Agency of the City of Logan convened in regular session on Tuesday, January 6, 2009 at 7:00 p.m. in the Logan Municipal Council Chambers, 255 North Main, Logan, Utah, Chairman Laraine Swenson conducting.

Economic Development Director Kirk Jensen read a Summary Statement of Purposes of the Public Hearing.

1. Allow public comment on the draft Amended Downtown Redevelopment Project Area Plan (the “Amended Project Area Plan” or “Amended Plan”) for the Downtown Redevelopment Project Area (the “Project Area” and on the related draft Amended Downtown Redevelopment Project Area Budget (the “Amended Project Area Budget” or “Amended Budget”).
2. Allow public comment on whether the draft Amended Project Area Plan and draft Amended Project Area Budget should be revised, adopted or rejected; and
3. Receive all written objections and hear all oral objections to the draft Amended Project Area Plan.

The following documents, along with their related certificates of mailing, proofs of publication, etc., will be made part of the public hearing record:

A Notice of Public Hearing as required by the Utah Community Development and Renewal Agencies Act, Title 17C, Parts 1 through 4, Utah Code Annotated 1953 as amended (the “Act”), Sections 17C-2-501, 502, 504 and 505, 17C-2-110(3)(a) and 17C-2-206, which was published in the Herald Journal Newspaper on November 28, 2008.

A Notice dated the 7th and 26th days of November 2008 and executed by Kirk Jensen as Executive Director of the Redevelopment Agency which was mailed by regular mail to: (a) each owner of record owning property within the boundaries of the Project Area; and (b) each taxing entity having the power to levy a tax within the boundaries of the Project Area, which notice to taxing entities contained the provisions required by Section 17C-2-502(4) of the Act.

The draft Amended Downtown Redevelopment Project Area Plan dated October 22, 2008 containing the provisions required by the Act, which draft Amended Plan has been available for public inspection at the office of the Redevelopment Agency since at least October 22, 2008. Copies of said Amended Plan are also available at this hearing and may be reviewed by interested parties.

The Agenda of this meeting and the Notice of Meeting which has been given as required by the Utah Open and Public Meeting Act.

The Redevelopment Agency is holding this public hearing pursuant to the provisions of Section 17C-2-102(1)(a)(vi) of the Act which reads as follows:

“(1)(a) In order to adopt an urban renewal project area plan...the agency shall:

- (vi) hold a public hearing on the draft project area plan and, at that public hearing:
 - (A) allow public comment on:
 - (I) the draft project area plan; and
 - (II) whether the draft project area plan should be revised, approved, or rejected; and
 - (B) receive all written and hear all oral objections to the draft project area plan.”

The Agency is also holding this hearing pursuant to Section 17C-2-201(2)(d) of the Act which states as follows:

- “(2) To adopt an urban renewal project area budget, the agency shall...
 - (d) hold a public hearing on the draft project area budget and, at that public hearing, allow public comment on:
 - (i) the draft project area budget; and
 - (ii) whether the draft project area budget should be revised, adopted, or rejected;”

Pursuant to Section 17C-2-401 of the Act, the Agency Board may combine a plan hearing with a budget hearing. The Agency has decided to combine the Amended Plan hearing and the Amended Budget hearing into one.

At the time of commencement of this combined public hearing, the Redevelopment Agency has not received from any record owner of land in the project area, taxing entity or interested party any written or oral objections to the adoption of the draft Amended Downtown Redevelopment Project Area Plan dated October 22, 2008 or to the adoption of the draft Amended Downtown Redevelopment Project Area Budget. Because no previous objections have been received, it will only be necessary to consider any written objections, or oral objections, to the adoption of the draft Amended Project Area Plan and Budget which may be made or submitted at this hearing.

The Redevelopment Agency has not received from any record owner of land in the project area, taxing entity or interested party any written or oral objections to the adoption of the draft Amended Downtown Redevelopment Project Area Plan dated October 22, 2008 or to the adoption of the draft Amended Downtown Redevelopment Project Area Budget. Because no previous objections have been received, it will only be necessary to consider any written objections, or oral objections, to the adoption of the draft Amended Project Area Plan and Budget which may be made or submitted at this hearing.

Mr. Jensen gave a review of the Proposed Amended Project Area Budget which he explained will push the budget out two years to 2008-2022. The taxing entity committee met and consented to this unanimously. There were no further questions from the council.

Mr. Jensen reviewed the Draft Amended Downtown Redevelopment Project Area Plan. Changes were made to bring in line with current Urban Renewal Plan statutes. There were no further questions from the council.

Presentation on the above Subjects by Owners of Property Within the Downtown Project Area, If Any. There were no oral or written comments.

Presentations on the above Subjects by Taxing Entities, If Any. There were no oral or written comments.

Presentations on the above Subjects by Other Parties Having an Interest, If Any. There were no oral or written comments.

There were no oral or written comments from the Agency Board or Agency Staff.

ACTION. Motion by Councilmember Monson, seconded by Councilmember Thompson to close the public hearing of the proposed “Amended Downtown Redevelopment Project Area Plan and proposed Amended Downtown Redevelopment Project Area Budget. Motion carried 4-0 (Councilmember Pyfer absent).

Economic Development Director Kirk Jensen read the Agency Board Findings and Statement of Previous Finding of Blight which states:

Based upon all of the information and documents presented and made available to the Agency Board regarding the Project Area, original project Area Plan and the Amended Project Area Plan, the Agency Board previously determined and found in connection with the original Project Area Plan, and hereby determines and finds with respect to the Amended Project Area Plan, as follows:

- A. There is a need to effectuate a public purpose, and implementation of the Amended Project Area Plan would accomplish the public purposes set forth in the Act, including but not limited to the elimination of blight, blight factors and blight influences within the Project Area.
- B. There is a public benefit which would accrue through the adoption and implementation of the Amended Project Area Plan.
- C. It is economically sound and feasible to adopt and carry out the Amended Project Area Plan.
- D. The Amended Project Area Plan conforms to the City of Logan’s general plan.
- E. The Amended Project Area Plan would develop the Project Area in conformity with the Act, and carrying out the Amended Project Area Plan will promote the public peace, health, safety and welfare of the City of Logan.

F. The use of eminent domain is or may be necessary to the execution of the Amended Project Area Plan.

G. Adequate provisions have been made for just compensation for property acquired by eminent domain.

H. The Agency has a feasible method or plan for the relocation of families and persons displaced by the Agency from the Project Area, if any.

I. The Agency Board previously made and adopted its findings of blight entitled “Resolution Of The Board Of Directors Of The Redevelopment Agency Of The City Of Logan, Pursuant to U.C.A. Sections 17B-4-601(4)(B) And 17B-4-604, Making A Finding Of Blight Regarding The Proposed Downtown Redevelopment Project Area, finding and determining, among other things that the Downtown Redevelopment Project Area is a blighted area pursuant to the provisions of the former Utah Redevelopment Agencies Act, former Title 17B, Part 4, Utah Code Annotated, because of the following factors:

- (1) Defective character of physical construction.
- (2) Mixed character and shifting of uses resulting in obsolescence, deterioration, or dilapidation.
- (3) Economic deterioration or continued disuse.
- (4) Lots of irregular shape or inadequate size for proper usefulness and development, or laying out of lots in disregard of the contours and other physical characteristics of the ground and surrounding conditions.
- (5) Existence of inadequate sanitation or public facilities which may include streets, open spaces, and utilities.
- (6) Existence of any hazardous or solid waste, defined as any substance defined, regulated, or listed as a hazardous substance, hazardous material, hazardous waste, toxic waste, pollutant, contaminant, or toxic substance, or identified as hazardous to human health or the environment under state or federal law or regulation.

The date of the Agency Boards finding of blight is August 20, 2003.

ACTION. Motion by Councilmember Olsen, seconded by Councilmember Monson to approve the Findings and Adoption of Findings of the “Amended Downtown Redevelopment Project Area Plan – 09-05 RDA, dated October 22, 2008 and the proposed Amended Downtown Redevelopment Project Area Budget 09-06 RDA. Motion carried 4-0 (Councilmember Pyfer absent).

ACTION. Motion by Councilmember Olsen, seconded by Councilmember Monson to approve the “Amended Downtown Redevelopment Project Area Plan – 09-05 RDA, dated October 22, 2008. Motion carried 4-0 (Councilmember Pyfer absent).

ACTION. Motion by Councilmember Monson, seconded by Councilmember Olsen to approve the “Amended Downtown Redevelopment Project Area Budget – 09-06 RDA, Motion carried 4-0 (Councilmember Pyfer absent).

ACTION. Motion by Councilmember Olsen, seconded by Councilmember Monson to reconvene to the Logan Municipal Council Meeting at 7:20 p.m. Motion carried 4-0 (Councilmember Pyfer absent).

Councilmember Thompson said regarding the snow removal policy, we should not make citizens accountable for snow removal when the City is not made accountable. He would like employees to be sensitive to the fact that we as the City are part of the problem when it comes to sidewalks that are obstructed. He asked that citations not be given to citizens who cannot clear their sidewalks.

Mayor Watts said there are problems with snow removal throughout the City and citations are given on a complaint basis only. It is the responsibility of the citizen to clear their own sidewalk and the first priority for the City is keeping the road clear of snow and citizens should prepare for bad weather.

Councilmember Thompson asked the City to be cognizant and not hypocritical when it comes to snow removal and we should do the best we can.

City Attorney Housley said we as the City are dealing with snow removal problems and he is not aware of any citations being given. If a complaint is made, the City will investigate and the City will move the snow if needed.

ACTION ITEM: Consideration of an ordinance to adopt the amended Downtown Redevelopment Project Area Plan – 09-07.

Chairman Swenson opened the meeting to a public hearing on a consideration of an ordinance adopting the amended Downtown Redevelopment Project Area Plan. As there were no comments the hearing was closed.

ACTION. Motion by Councilmember Monson, seconded by Councilmember Thompson to adopt the amended Downtown Redevelopment Project Area Plan 09-07. Motion carried 4-0 (Councilmember Pyfer absent).

There being no further business to come before the Council, meeting adjourned at 7:28 p.m.

Teresa Harris, City Recorder