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

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

Councilmember Thompson joined the meeting by phone.

OPENING CEREMONY. Tiffany Leishman offered a thought and led the audience in the pledge of allegiance.

Chairman Swenson welcomed those present. There were 34 citizens in the audience at the beginning of the meeting.

Meeting Minutes. Minutes of the Council meeting from April 21, 2009 were reviewed and approved with minor changes.

Meeting Agenda. The meeting agenda was approved. Chairman Swenson announced at tonight's meeting there would be one public hearing regarding a budget adjustment.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL.

No questions or comments from the audience.

MAYOR/ STAFF REPORTS.

Mayor Watts – Youth City Council Update.

Tiffany Leishman reported that this month the Youth City Council organized a food drive and then took the donated items to the Food Bank.

Josh Christensen reported that for the month of May the Youth City Council will paint the outside of the Ellis Elementary portable classrooms and bike racks.

Noelle Call – USU Common Literature Experience: Barefoot Heart: Stories of a Migrant Child.

Noelle Call from Utah State University explained the Common Literature Experience. Each year they require first year students at USU to read a chosen book and also complete a book report due on the first day of class. Ms. Call encouraged the public to read the book titled *Barefoot Heart: Stories of a Migrant Child* by Elva Trevino Hart. The book is available at the USU Bookstore for $12.00.

For more information go to: http://www.usu.edu/connections/literatureexperience/ or Contact Noelle Call, Director of Retention and First Year Experience at (435) 797-1132.

Ms. Call also invited everyone to attend the Connections Convocation on Saturday, August 22, 2009 at 9:30 a.m. in the Kent Concert Hall, admission is free. The speaker will be the author of the book.

Jeff Peterson: Logan City Fire Department – Utah Fire and Rescue Academy Recognition.

Assistant Fire Chief Jeff Peterson introduced representatives from the Utah Fire and Rescue Academy: Hugh Connor-Director, Jolene Nuttle- Assistant Director and Lori Howes- Program Manager. Chief Peterson explained the training for the many certifications the fire department received.

Program Manager Lori Howes recognized members of the Logan City Fire Department for their accomplishments and participation in certifications for the State of Utah. Logan City Fire Department currently holds 375 certifications which is an average of eight certifications per fireman. Ms. Howes congratulated the Logan City Fire Department on their accomplishments and presented them with an award plaque.

Jeff White and Mark Nielsen – Energy Efficiency and Conservation Block Grant.

Light and Power Director Jeff White and Public Works Director Mark Nielsen explained the selection process of the Energy Efficiency and Conservation Block Grant. The criteria to receive the grant money is long term cost savings, reducing the total energy use of the City and projects that would impact as many residents as possible. The two projects that were selected are the Logan City Fire Department to update their current lighting and the Light and Power Department Renewable Project, replacing existing street lights. The two projects that were not selected were the Parks & Recreation Department and the Residential Upgrade and Energy Audit Project. The grant application is due June 26, 2009.

Jeff White explained the grant money given to the Light and Power Department will be used to replace existing street lights and will save half on energy costs. Eventually they will replace all street lighting.

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, May 19, 2009.

Budget Workshop FY 2009-10: Thursday, May 14 at 5:00 p.m. in the NEW City Hall Conference Room.

Chairman Swenson announced that a budget workshop will be held on Thursday, May 14 at 5:00 p.m. in the NEW City Hall Conference Room.

Departments that will present are Public Works including General Fund, Water Fund and Storm Water Fund. Also presenting are Parks and Recreation, Library and Community Development.

Chairman Swenson recognized and welcomed Scout Troop 75 from the Hillcrest area and Troop 326 from Millville to council meeting.

ACTION ITEMS:

PUBLIC HEARING: Budget Adjustment FY 2009-10 appropriating: $11,681 for the reimbursement of the fuel spill at the intersection of Main Street and 400 North on September 5, 2008 – 09-34

Chairman Swenson opened the meeting to a public hearing.

As there were no comments, the hearing was closed.

ACTION. Motion by Councilmember Monson seconded by Councilmember Olsen to approve Res. 09-34 as presented. Chairman Swenson polled the Council with regard to the motion, which carried unanimously.
Tami W. Pyfer, voted yes
Laraine Swenson, voted yes
Stephen C. Thompson, voted yes
Herm Olsen, voted yes
Jay A. Monson, voted yes

Consideration of a resolution supporting a Countywide Library System – 09-35 REVISED.

Councilmember Swenson announced this resolution is not a public hearing.

Councilmember Pyfer reviewed the Revised resolution supporting a Countywide Library System. She reviewed the following Attachment A – Library Proposal which reads:

1 - For 18 months, from May 31, 2009 to November 30, 2010, ***all*** *nonresidents of Logan may purchase a Logan Library card at the cost of $100. One card issued per $100 payment.*

2 - Residents of the unincorporated areas of the County will have their card purchase subsidized by the County at the rate of $30. Other cities may submit subsidy proposals for their residents.

3 - At the end of this 18 month period (November 2010), the County will put the question of a countywide library system on the ballot in the general election, to be voted on by all residents of Cache County. (Countywide library system is defined as a County-owned system of libraries where all participants in the countywide library system have equal access to all participating libraries.)

4 - If the countywide library measure passes, the cost of a Logan Library card becomes a non-issue.

5 - If the countywide library measure fails, Logan will use information gathered from the 18 month trial period, along with current budget revenues and expenses, to determine the true cost of providing services (or providing a library card) and set their new card fees accordingly.

6. Logan City will not enter into interlocal agreements with any library until after November 30, 2010.

Councilmember Pyfer explained if this issue were to go on a ballot it would not be a binding, legal vote but would be an opinion vote.

Chairman Swenson said she still doesn't feel this will be a valid test of a countywide library system and would like to see it go directly to a ballot. Because this is the first proposal that we have ever had that has the potential for a countywide system and service citizens the way it should, she supports the proposal.

Councilmember Pyfer stated that the library board is not officially ready to take a stand on this proposal. They are not unfavorable to the proposal.

Councilmember Olson stated that he likes the proposal but does not agree with #6 of the proposal. He is concerned that the current council should not "bind" future councils. He is also not sure why we want to preclude ourselves from making progress on this issue with an interlocal agreement.

Councilmember Pyfer said those are valid concerns and are based on the "assumption" that an interlocal agreement would get us closer to a countywide system than putting this on a ballot. If we entered into an interlocal agreement with North Logan right now then we could be approached by other cities to do an interlocal agreement and then why have a countywide system. She feels doing this is a false assumption that this will move us closer to a countywide system and she favors leaving #6 in the proposal.

Chairman Swenson said she also has a concern with #6 that if we already have a reciprocal agreement and they can use the Logan Library at no extra cost then what incentive do they have to support a countywide library system.

Councilmember Olsen said if there was an interlocal agreement proposed to us that we thought was beneficial regardless of what impact if might have on a ballot and moves us closer to a countywide system that we may or may not want to enter into an interlocal agreement and we should leave the door open for any opportunities that might come our way.

Councilmember Monson stated that North Logan is different from any other City. They are the only City that pays the same as Logan City does for library service. They have a tax levy the same as Logan City does. North Logan pays to their own library, not to the Logan Library.

City Attorney Kymber Housley stated that not knowing what the proposal is from North Logan, Logan City Council would not approve an interlocal agreement because it is an executive decision and it would not need to come before the council for approval. It also would not bind future council members.

Mayor Watts said the interlocal agreement from North Logan came to his attention today and there hasn't been enough time for him to review the information. He would like to work through the details and feels the elected officials should step back and let the citizens decide if they want a countywide library system.

Councilmember Pyfer said the information gathered during the 18 months will be very worthwhile and all non-residents will be treated the same and that could change if there were an interlocal agreement.

Councilmember Olsen said that additional information can be separated out and if we enter into an interlocal agreement so we can differentiate the information we are receiving from unincorporated areas. The information we seek is undiluted by the introduction of an interlocal agreement.

City of Logan Library Director Ronald Jenkins addressed the council and gave background information on the interlocal agreement with North Logan. He and Mayor Watts met with Mayor Cary Watkins and Mr. Jenkins was asked by North Logan to draft a "possible" interlocal agreement. North Logan has since passed this as a resolution and he feels it was only a "draft" of the resolution and no final discussion was held to review the interlocal agreement. He specifically told North Logan that Logan City did not want to discuss an interlocal agreement until after the countywide library issue was settled.

ACTION. Motion by Councilmember Thompson to approve resolution 09-35 REVISED removing Item #6 which he feels should be discussed at a later date. Seconded by Councilmember Monson to approve Res. 09-35 REVISED. Chairman Swenson polled the Council with regard to the motion, which carried 3-2 in favor.
Tami W. Pyfer, voted no
Laraine Swenson, voted no
Stephen C. Thompson, voted yes
Herm Olsen, voted yes
Jay A. Monson, voted yes

ACTION. Motion by Councilmember Monson seconded by Councilmember Olsen to approve Res. 09-35 REVISED as amended. Chairman Swenson polled the Council with regard to the motion, which carried unanimously.
Tami W. Pyfer, voted yes
Laraine Swenson, voted yes
Stephen C. Thompson, voted yes
Herm Olsen, voted yes
Jay A. Monson, voted yes

Chairman Swenson announced this will now go to the county council for a vote on Tuesday, May 12, 2009 as an Action Item.

County Councilmember Craig Peterson thanked Councilmember Pyfer for moving this proposal forward.

WORKSHOP ITEMS:

Richard Anderson – Budget Adjustment FY 2009-10 appropriating: $3,773 for the remainder of the Utah Local Governments Trust (ULGT) Safety Grant – 09-38.

This will come back as an Action Item and public hearing at the next city council meeting.

Lee Edwards – Consideration of a proposed ordinance amending Title 5 of the Logan Municipal Code placing density Limitations on Non-Depository Financial Institutions adding Sections 5.19.010 and 5.19.020 – 09-39.

Councilmember Monson thanked Senior Attorney Lee Edwards for preparing the proposed ordinance. He explained this was discussed at the last council meeting and citizens are concerned about how many pay day loan companies are operating in Logan City. Other cities have passed legislation on how many pay day loan companies can be in an area and he wanted to do something about it.

Senior City Attorney Lee Edwards said when talking with other cities they too wanted to do something to stop pay day loan companies from coming to their cities.

This will come back as an Action Item and public hearing at the next city council meeting.

Glen Goins – Consideration of a proposed ordinance adopting a zone change of Edgehill Court, 0.98 acres located at 474 North 600 East and 644 East 500 North – 09-36.

Community Development Planner Glen Goins presented the proposed ordinance of a zone change of Edgehill Court, 0.98 acres located at 474 North 600 East and 644 East 500 North. The planning and zoning committee recommended unanimously to approve the zone change.

Chairman Swenson said this is consistent with our General Plan.

This will come back as an Action Item and public hearing at the next city council meeting.

Russ Akina – Property located at 1000 West 800 South.

Parks & Recreation Director Russ Akina explained the property located at 1000 West 800 South also known as Dahle Park has recently gone through changes and improvements. He proposed a transfer of ownership from Logan City to the Logan City School District so they can continue using Dahle Park as a playground area for Woodruff Elementary. The site contains 4.28 acres of land and attached is a water meter that irrigates the

property. Mr. Akina is in discussion with the Logan City School District about taking ownership of the meter.

Attorney Housley stated it is required to have a public hearing on this property because the amount is greater than an acre and valued at more than $100,000. Transferring this property will save Logan City $11,000 per year in operations and maintenance costs. The school district will also carry the liability.

Mr. Akina explained the area is no longer used for little league baseball and soccer games.

This will come back as an Action Item and public hearing at the next city council meeting.

Mark Nielsen – Consideration of a resolution approving a Non-Monetary Donation of a Surplus Vehicle, 2000 Ford Crown Victoria, to the Cache Metropolitan Planning Organization – 09-37.

Public Works Director Mark Nielsen was contacted by Jeff Gilbert from the CMPO. Mr. Gilbert requested a city vehicle that he can use CMPO business. Mr. Nielsen explained this is a surplus police vehicle that has now been replaced. The value of the vehicle is unknown.

This will come back as an Action Item and public hearing at the next city council meeting.

OTHER CONSIDERATIONS:

Councilmember Olsen asked about our budget percentages for different departments and how they compare to other cities throughout the State of Utah.

Finance Director Rich Anderson responded there is a benchmark study that is done through the Utah League of Cities and Town. There isn't information that is very comparative because other municipalities handle things so differently. He will see what information is available and send it out to the council members.

Mayor Watts said the Zoo Board would like someone from the City Council to serve on their board. Councilmember's Monson and Pyfer volunteered to serve. Councilmember Pyfer will contact Parks and Recreation Director Russ Akina for more information.

ADJOURN.

There being no further business to come before the Council, meeting adjourned at 6:45 p.m.

Teresa Harris, City Recorder