

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, April 6, 2010 at 5:30 p.m. in the Logan Municipal Council Chambers, 290 North 100 West, Logan, Utah. Chairman Jay A. Monson conducting.

Council members present: Chairman Jay A. Monson, Vice Chairman Herm Olsen, Holly H. Daines, Dean W. Quayle and Laraine Swenson (by phone).  
Administration present: Mayor Randy Watts, City Attorney Kymber Housley and City Recorder Teresa Harris.

### **OPENING CEREMONY.**

Citizen Said Ghabayen gave the opening prayer and Chairman Monson led the audience in the pledge of allegiance.

Chairman Monson welcomed those present. There were approximately 16 citizens in the audience at the beginning of the meeting.

**Meeting Minutes.** Minutes of the Council meeting from March 16, 2010 were reviewed and approved with minor changes.

**Meeting Agenda.** The meeting agenda was approved. Chairman Monson announced at tonight's meeting there would be four public hearings. Chief Gary Jensen has requested that Workshop Item B be postponed until the April 20, 2010 council meeting.

### **QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL.**

Kim Datwyler from the Neighborhood Nonprofit Housing Corporation and the "Welcome Home – Own in Logan" program addressed the Council. She stated that her program is not requesting any Community Development Block Grant (CDBG) funding for administrative needs. They are only requesting funding to assist families getting into homes in Logan.

Councilmember Quayle announced the National Children's Study which is a long term study of children's health and will follow children from birth to 21 years of age. Cache County will be involved in this study with 100 children selected to participate. The purpose of this study is to determine the causes of childhood diseases. The selection period will begin June or July 2010 and 40 people will be hired from Cache Valley to help with the study. Utah State University will coordinate the hiring process.

### **MAYOR/ STAFF REPORTS.**

#### **Appointments – Mayor Watts.**

Mayor Watts asked the Council for ratification of Greg Cox to be the new Human Resource Director for the City of Logan. Mr. Cox will replace Bruce Adams.

**ACTION.** Motion by Councilmember Olsen seconded by Councilmember Quayle to approve ratification of Greg Cox. Motion by roll call vote:

Laraine Swenson, voted yes

Holly H. Daines, voted yes

Dean W. Quayle, voted yes

Herm Olsen, voted yes

Jay A. Monson, voted yes

## **COUNCIL BUSINESS.**

**Meeting Schedule.** Chairman Monson 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, April 20, 2010.

### **Updates: Banners on Main Street, Power Poles and Grandfathering – Jay Nielson.**

Community Development Jay Nielson gave an update on the banners across Main Street. He said that multiple alternatives are being considered. Some are in-house solutions and Young Electric Sign Company is working on other solutions. Recommendations will come before the Council at a future date.

Mr. Nielson announced that the power pole design will go before the Planning Commission on April 22, 2010 and there will be a public hearing at that time. Light & Power Director Jeff White will also attend that meeting and staff reports will be delivered to the Council prior to the April 22, 2010 meeting.

Mr. Nielson stated that most of the council members have received information regarding grandfathering. He offered to spend more time if needed to answer Council's questions regarding grandfathering. He said that grandfathering is not an option; it is required by State Code and our Logan Municipal Code. He said there have been inquiries about the grandfathering applications but the applications have not increased with the landlord licensing now in place. He stated that training has to be funded by the first year's application then the training is done the next year in preparation for the subsequent year when the discount is given. He said the training should be done in an organized well thought out system so the greatest coverage is accomplished. The training will not be considered up front because there isn't funding available. If there are landlords who have rentals in other communities and are certified under another Good Landlord Program, their certifications will be honored and they will receive a discount.

Councilmember Daines said that Community Development has provided a flow chart that clearly describes the grandfathering process.

## **ACTION ITEMS.**

**Consideration of a proposed resolution approving the Community Development Block Grant (CDBG) 2010-11 Annual Action Plan and identify specific projects – 10-17.**

CDBG Coordinator Gay Jamieson said the proposed resolution will need to be amended because of the additional funding that has been received. She requested that the funding be rounded to the nearest thousand.

Councilmember Quayle suggested that the \$1,000 for the Red Cross and the \$1,000 for the Financial Fitness Program be eliminated because of the small amount requested.

Councilmember Olsen said that he knows the Red Cross has been struggling nationally with funding and he would be inclined to help them with their request of \$1,000 and also give additional funding of a total amount of \$5,000.

Ms. Jamieson stated that regarding the Financial Fitness Program, they would like to expand and they are an existing program. The Red Cross would also like to expand the services they are currently doing.

Councilmember Daines stated there wasn't a lot of funding to give and the \$1,000 was a token amount to help the Red Cross. She suggested taking \$1,000 from Financial Fitness and give to the Red Cross this year and then next year give Financial Fitness \$1,000.

Councilmember Swenson stated that she does not support operational funding and does not support funding the Multicultural Center. She feels that Neighborhood Nonprofit Housing and sidewalks are the major programs that should be funded and she has a concern about funding ongoing programs.

Councilmember Daines said she is also concerned about the ongoing office support of the Multicultural Center and is not supportive of this and she would also like to see less money going towards the Red Cross. She would prefer to see more funding go towards Neighborhood Nonprofit Housing.

Chairman Monson said he was very impressed with the Red Cross and the service they offered during the Canyon Road Landslide.

Mayor Watts said the Red Cross did provide an important role during the landslide disaster.

Ms. Jamieson clarified that the Red Cross does have an office here in Logan with a paid staff.

Councilmember Olsen said they do not have an 8-5 office.

Chairman Monson said that he knows with a new Director in place, the Multicultural Center is trying to make improvements and trying to serve a larger group. He also thanked the English Language Center for their efforts.

Councilmember Daines requested that during the budget process a workshop be held for the Council and that Gay Jamieson goes through the process of CDBG, how it works and where the money should be allocated.

Jay Nielson stated he is planning to hold a CDBG workshop in November 2010 which is closer to the time period when CDBG funding is first announced.

Chairman Monson thanked Ms. Jamieson for her work on the CDBG process.

**ACTION.** Motion by Councilmember Olsen seconded by Councilmember Quayle to increase the Multicultural funding from \$3,000 to \$7,000, add \$4,000 to the Red Cross for a total of \$5,000, No funding to Financial Fitness and divide the \$55,000 with a total of \$75,000 to Neighborhood Nonprofit Housing Corp and a total of \$85,000 going to Park Strip Reclamation and approve Res. 10-17 as presented. Motion carried by roll call vote. (3-2)

Laraine Swenson, voted no  
Holly H. Daines, voted no  
Dean W. Quayle, voted yes  
Herm Olsen, voted yes  
Jay A. Monson, voted yes

1. *Facility Construction* (Cache Community Food Pantry) - \$100,000
2. *Main Street ADA - Phase 2* (City – Community Development) - \$60,000
3. *Park Strip Reclamation - MFZ* (City – Neighborhood Improvement) - \$85,000
4. *Downtown Business Development Fund* (City – Economic Development) - \$50,000
5. *Homeownership Assistance Program* (Neighborhood Nonprofit Housing Corp) - \$75,000
6. *Computer Lab/Program* (English Language Center of Cache Valley) - \$35,000
7. *Smoke/CO Detector Program* (City - Fire Department) - \$2,000
8. *After School Program* (City – Parks & Recreation) - \$21,000
9. *Housing Rehab Assistance* (City – Building Safety Division) - \$10,000
10. *Facility Improvements* (Child and Family Support Center) - \$20,000
11. *Summer Program* (Boys & Girls Club of Cache Valley) - \$10,000
12. *Facility Improvements* (Sunshine Terrace Foundation) - \$10,000
13. *Emergency Assistance* (CAPSA) - \$10,000
14. *Emergency Home Repair Program* (BRAG) - \$5,000
15. *Office Support* (Multicultural Center of Cache Valley) - \$7,000
16. *Logan Office Support* (American Red Cross) - \$5,000
17. *Facility Improvements* (Cache Employment and Training Center) - \$12,000

**Consideration of a proposed ordinance vacating portions of the public right-of-way along the North and South sides of 1530 North right-of-way between 450 West and 550 West – 10-09.**

City Attorney Kymber Housley addressed the Council. He explained the proposed ordinance which was a public hearing at Council meeting on March 16, 2010 and only three councilmember's were present so the voting was tabled until tonight's meeting.

Mr. Housley explained the ordinance which is to vacate portions of the public right-of-way where there is parking for a private subdivision and the property owner would like to better regulate parking in this area and will also do the maintenance of this area.

**ACTION.** Motion by Councilmember Swenson seconded by Councilmember Quayle to approve Ord. 10-09 as presented. Motion carried by roll call vote.

Laraine Swenson, voted yes  
Holly H. Daines, voted yes  
Dean W. Quayle, voted yes  
Herm Olsen, voted yes

Jay A. Monson, voted yes

**PUBLIC HEARING – Budget Adjustment FY 2009-10 appropriating - \$17,450 for operation of the Outdoor Ice Rink – 10-19.**

Chairman Monson opened the meeting to a public hearing.

No comments were made.

Chairman Monson closed the public hearing.

**ACTION.** Motion by Councilmember Olsen seconded by Councilmember Daines to approve Res. 10-19 as presented. Motion carried by roll call vote.

Laraine Swenson, voted yes

Holly H. Daines, voted yes

Dean W. Quayle, voted yes

Herm Olsen, voted yes

Jay A. Monson, voted yes

**PUBLIC HEARING – Consideration of an ordinance amending the Land Development Code as it pertains to the maximum lot coverage for planned developments, requesting a change from 35% to 45% lot coverage (Meadow Valley) – 10-18.**

Chairman Monson opened the meeting to a public hearing.

Developer Craig Champlin addressed the Council. Mr. Champlin is the proponent of the Meadow Valley housing development. He stated he has done several projects and has never been held to the lot coverage requirement in the past. He said the current open space requirements for a 6,000 square ft. lot are that you can build on 2,100 square ft. of that space. The open area requirement is 3,900 square ft. If this change is approved then he will be able to build larger homes approaching a 2,700 square ft. footprint. He said that some of his lots are smaller than 5,000 square ft. and trying to build a home of this size on that size lot reduces the size of the home considerably. He stated the code change was developed by the Planning Department and he supports the proposed ordinance and feels it will help with future developments. He said that density is a solution to a lot of problems because land is getting more scarce and expensive.

Mr. Nielson said approving this will change the entire code and will apply until the Council adopts the new code.

Mr. Champlin said approval will put his homes in compliance with the existing code. He feels this is a good thing for Logan City.

Councilmember Daines said approval also supports what we are trying to do with Envision Utah in terms of density issues.

Councilmember Swenson said she does not support this ordinance and Envision Utah does promote density but it also promotes quality building with pedestrian friendly walkways and sidewalks. She feels the Council needs to look at this in terms of

everything involved and she would like to see a quality development. She does not feel that a quality development can be built on a smaller lot.

Mr. Champlin says this does not affect the sidewalks at all. If sidewalks are required they are already in the subdivision. He stated there is a sidewalk on one side of the road. He has been building these projects for 20 years and the only place he hears that his projects are not quality is here in these meetings.

Councilmember Swenson said she is waiting to see what similar developments will be built in other areas in Logan.

Mr. Champlin said the fact remains that the Council has a say on what sidewalks are required, what size road on developments and this amendment does not change that at all, it only changes the footprint of the lot. He said there are some people that want smaller lots. There will be a sidewalk on one side of the road and a park strip, this amendment does not change the lot size. The 20 ft. setback does not include the sidewalk or the park strip.

Councilmember Quayle said for the Northwest neighborhood they are grateful Mr. Champlin's development is there and he feels they are quality developments and feels he has done a very good development.

Peter Detorrie, real estate agent in Logan addressed the Council. He supports Mr. Champlin's project and he is also looking at building similar housing developments such as Mr. Champlin's in the Deer Crest area. Active adult living developments are something that people want with low maintenance and smaller yards.

Chairman Monson closed the public hearing.

Councilmember Swenson stated this amendment will affect every project that will come into Logan and it's not just for Mr. Champlin's project but for any planned unit development it will have this requirement.

Community Development Planner Glen Goins stated the staff's examination of this proposal came when they discovered the development met the setbacks but they exceeded the amount of space. He feels this amendment supports Envision Cache Valley and their direction.

Councilmember Olsen says this change will be used for housing and he does not want to get into a situation where the footprint of 45% is the amount and then it moves up to 55%. He wants Logan City staff to pay attention to this and make people stay in compliance. He asked Mr. Champlin to educate him and the audience he is building for with this development. He wants to better understand how these developments are built.

Chairman Monson stated he has looked at this development and he has also looked at different developments throughout Cache Valley. He said that seniors want low maintenance and they don't want a big yard to care for. They are looking to down size their homes and he feels Mr. Champlin's homes are desirable for a lot of people.

**ACTION.** Motion by Councilmember Quayle seconded by Councilmember Daines to approve Ord. 10-18 as presented. Motion carried by roll call vote (3-2).

Laraine Swenson, voted no  
Holly H. Daines, voted yes  
Dean W. Quayle, voted yes  
Herm Olsen, voted no  
Jay A. Monson, voted yes

**PUBLIC HEARING – Consideration of a proposed resolution to establish Assessment Area No. 1 within Historic Downtown Logan – 10-12.**

Chairman Monson opened the meeting to a public hearing.

Mr. Tom Hoffman addressed the Council. He represents Chandler Hill Investment for the improvements in the downtown. He stated that as a small businessman, he recognizes that downtown Logan is mainly specialty shops and during an economic down turn the specialty shops are struggling. He feels this proposed resolution will not help downtown businesses and the construction period will deter people and they will not come downtown to shop.

Chairman Monson closed the public hearing.

Mr. Housley stated that after the assessment area is created it starts the process, and then the assessment list is made. A board of equality will be established that will have staff and councilmember's that will hear the concerns of the downtown and the projects. The Council will need to approve future steps.

Mr. Nielson said this will follow the same model of the two previous sidewalk improvement projects. The downtown alliance will recommend a board of property owners that will be the liaison between the architects who designs the project and Logan City. The paving contractors will work in phases to allow access to businesses and the rear of the businesses will be the main access for everyone. Work will begin this construction season and they will work around all major events planned for the downtown.

Mr. Housley stated there was only one protest from Mehry Roshan whose business is the Persian Peacock.

Mr. Nielson estimated the cost of this project to be \$250,000 dollars and they used the same numbers on the previous phase which was the Eccles Theatre block. Construction costs could be less with this project.

Mr. Anderson stated that the five year average rate is between 2.5% and 3 % which is favorable for construction.

**ACTION.** Motion by Councilmember Olsen seconded by Councilmember Quayle to approve Res. 10-12 as presented. Motion carried by roll call vote.

Laraine Swenson, voted yes  
Holly H. Daines, voted yes  
Dean W. Quayle, voted yes

Herm Olsen, voted yes  
Jay A. Monson, voted yes

**PUBLIC HEARING – Consideration of a potential purchase of property located at 905, 913 and 915 Canyon Road.**

Chairman Monson opened the meeting to a public hearing.

Citizen John Watterson addressed the Council and asked what does Logan City plan to do with the property, how will the purchase price be determined and there are two other vacant homes in this area, is the City considering making an offer on these homes.

Chairman Monson closed the public hearing.

Councilmember Daines said she also received a phone call asking the same questions as Mr. Watterson.

Mr. Housley said the reality is the landslide happened and there is now a problem on the slope. UDOT will go in and restore and stabilize the slope and manage the storm water that is uphill from this area. The purchase price is based on the assessed value of the property and no appraisal was done. There are three properties that will be purchased with the willingness of the home owner.

Mayor Watts stated that he personally talked with the homeowner at 907 Canyon Road and they were not willing to sell at this time.

Mr. Housley said there was a private individual that came forward and offered to buy at the assessed price and then sold these properties to Logan City. The offer was based on assessed value. There is a vacant lot that the City is looking to purchase in the future. This area will not be developed and will be open space. There could also be a trail in this area. There is a potential that additional property could be purchased in the future. In fairness to the other homes that have been sold, the price for the remaining homes will not be increased in the future and people will not be forced out of their homes.

Citizen Lou Dean Johnson Watterson addressed the Council and asked if the private individual bought the homes at the same price that Logan City is going to pay. She also asked what will be done around the area; will it be left with dirt or kept up in some way?

Mr. Housley stated yes, the private individual bought the homes for the same price as Logan City paid and there will be vegetation on the hillside and the hillside will be stabilized.

**ACTION.** No Action required.

Councilmember Swenson no longer joining the meeting by phone.

**WORKSHOP ITEMS.**

**Budget Adjustment FY 2009-10 appropriating - \$10,000 for the EMPG grant;**

**\$430,000 to purchase property on Canyon Road; \$25,000 for architectural fees for fire station 72 – 10-21 – Richard Anderson.**

Finance Director Richard Anderson stated that a change needs to be made in the amount of the architectural fees for fire station 72 from \$25,000 to \$26,348.

This will be an Action Item at the next Council meeting to be held on April 20 2010.

**Consideration of a resolution to adjust service fees at the Logan City Police Department – 10-20 – Chief Gary Jensen.**

This resolution will be postponed until the Council meeting to be held on April 20 2010.

**Northern Utah Regional Landfill Authority (NURLA) Interlocal Agreement Amendment – Issa Hamud.**

Environmental Director Issa Hamud addressed the Council and explained the Interlocal Agreement with the Northern Utah Regional Landfill Authority.

**ACTION.** Motion by Councilmember Olsen seconded by Councilmember Daines to approve the NURLA Interlocal Agreement as presented. Motion carried by roll call vote.

Laraine Swenson, absent

Holly H. Daines, voted yes

Dean W. Quayle, voted yes

Herm Olsen, voted yes

Jay A. Monson, voted yes

**OTHER CONSIDERATIONS.**

No additional considerations were brought forward.

**RECESS TO MEETING OF LOGAN REDEVELOPEMNT AGENCY.**

**WORKSHOP ITEMS:**

**Consideration of a request from Young Electric Sign Company (YESCO) to modify its existing RDA participation commitment – 10-22 – Kirk Jensen**

Mr. Housley explained this is an amendment to an existing resolution. The issues are that YESCO had some wetland issues that increased their costs. The economic development committee recommended approval based on the fact they have exceeded their job projection and annual salary. The increment was kept the same but the cap was increased from \$179,000 to \$252,000.

Councilmember Daines stated that Councilmember Swenson does not support this proposed request from YESCO and did not support the initial incentivizing for YESCO.

This will be an Action Item at the next Council meeting to be held on April 20, 2010.

**Consideration of a request from Lundahl Family Associates to modify its existing RDA participation commitment – 10-23 – Kirk Jensen.**

Mr. Housley explained the request from Lundahl properties is the Joann's redevelopment on South Main Street. Originally they were given 80% of the tax increment generated and there was the requirement that they complete Phase II which included additional development. The committee recommended to eliminate the Phase II requirement and recognize what they have done to clean up the area and allow them to get the tax increment they are currently generating with Joann's. The Lundahl's do intend to do a Phase II project and are trying to find the right project for the area. The Lundahl's are not prepared at this time to talk about any potential developments for this area.

Councilmember Daines stated that Councilmember Swenson does not support the proposed request from Lundahl's

This will be an Action Item at the next Council meeting to be held on April 20, 2010.

There being no further business to come before the Council, meeting adjourned at 7:15 p.m.

Teresa Harris, City Recorder