

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, August 3, 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, and Dean W. Quayle. Administration present: Mayor Randy Watts, City Attorney Kymber Housley and City Recorder Teresa Harris. Excused: Laraine Swenson.

OPENING CEREMONY.

Police Chief Gary Jensen offered the opening prayer and led the audience in the pledge of allegiance.

Chairman Monson welcomed those present. There were approximately 8 citizens in the audience at the beginning of the meeting.

Meeting Minutes. Minutes of the Council meeting from July 20, 2010 were reviewed and approved with minor corrections.

Meeting Agenda. The meeting agenda was approved. Chairman Monson announced at tonight's meeting there would be one public hearing.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL.

John Iman addressed the Council regarding a letter dated July 27, 2010 and is from a group known as "*Citizens to Protect Property Rights, LLC*". The letter stated this is a group of citizens who don't agree with the approach Logan City has used regarding park strips.

Mayor Watts said that Logan City is aware of the ongoing concerns from this group and they are part of the lawsuit.

Mr. Iman offered his continued support and feels that the City is on the right track.

City Attorney Kymber Housley responded that the City is aware of the ongoing litigation, he was not aware of this letter.

MAYOR/ STAFF REPORTS.

Board Appointments – Mayor Randy Watts.

Mayor Watts asked for ratification of Konrad S. Lee to serve on the Logan City Planning Commission which is a four year term and Amy Hochberg to serve on the Historic Preservation Committee which is a four year term.

ACTION. Motion by Councilmember Daines seconded by Councilmember Quayle to ratify Konrad S. Lee and Amy Hochberg as presented. Motion carried unanimously.

Cache Highline Canal Presentation – Mark Nielsen.

Public Works Director Mark Nielsen gave an update of the Cache Highline Canal. He said the landslide that occurred on July 11, 2009 put into motion short term action by the canal company. The immediate impact was there was no way to get water to the share holders.

The short term canal solution is that Smithfield would pump their well and supply Smithfield and to the North. There is currently a pipe that going through Lundstrom Park to get water to the Logan Northern Canal and goes to North Logan. We also pump from the Logan City Well from 600 East and 700 North in order to get additional water. The canal company has a new diversion at 4800 North to supply more water to the North. These are all interim measures to try and get water out over the next few years.

Mr. Nielsen said that Senator Bennett pushed through an emergency allocation of \$400,000. Money was allocated through the National Resources Conservation Service (NRCS). NRCS then started working with the Logan and Northern Canal Company to identify how to get water back to the canal share holders. The Logan Northern Canal Company, Logan, Hyde Park and Smithfield Canal formed the Cache Highline Canal Company which is an entity that is comprised of both canal companies and are now working with the NRCS.

Logan City has shares of approximately 10% in the Logan, Hyde Park, Smithfield Canal for both irrigation and a source for culinary water. Stormwater benefits are a potential based on some of the identified options for the Cache Highline Canal Company. Many Logan residents own shares in the Logan & The Northern Irrigation Company and they were cut off from their secondary water source.

Alternative 1 is to combine diversions and install a pipe at Country Club Drive to divert water down to the existing Logan & Northern Canal along Highway 89. Alternative 2 is to combine diversions and install a pipe in the upper canal to Lundstrom Park and install a pipe at Lundstrom Park and 1400 North to divert water to the existing Logan & Northern Canal. Alternative 3 is to install a new pipe in Canyon Road to handle canal flow from existing diversion and pump water uphill at 600 East to 400 North into the existing canal. Alternative 4 is to combine diversions and install a pipeline in the upper canal to 3100 North in North Logan and install a pipe at 3100 North to divert water to the existing Logan & Northern Canal and also install a pipe in the existing Logan & Northern Canal going South to service shareholders.

The NRCS recommended Alternative 4 and believes it has the highest cost benefit ratio.

Mr. Nielsen said in his opinion, the Canyon Road alternative provides the least impact to everyone, it puts water back in the canal, and it doesn't impact the hydro and has good advantages. It is doable but there will be a lot of impacts to the utilities in this area and it will be expensive.

Mr. Nielsen said the advantage of Alternative 4 is the upper canal has a lot of problems. Combining the diversions and running the pipe through Lundstrom Park benefits a lot of people. It allows pressurization of most of the Logan Northern Canal. It allows current irrigators to not use pumps and power. It solidifies and fixes the Canyon diversion and it also helps with stormwater issues. Also, an open canal has significant loss. When the water is diverted from the Logan River and it gets to 3100 North an amount of 30-50% of water is lost. The water is discharged back into the aquifer but it diverts twice the amount of what is actually used. When this goes in a pipe it significantly reduces the need for that water and so it can free up water for future use.

The canal company recommends Alternative 4 and the federal government has given \$26 million dollars for this to occur and is a significant benefit to the water users. Alternatives 1, 2 and 4 impact hydro capacity. If they cannot mitigate the impacts then Alternative 3 would be preferred. We are working with the canal company and they are working on how they can mitigate the loss.

Chairman Monson said he has never lived along the canal but has heard from several people who do and they are concerned about the aesthetics of not having an open canal.

Mr. Nielsen said that aesthetics are a part of the process. He announced there will be a Scoping Process Public Meeting on August 11, 2010. There are options that can be considered with an open canal and the public will have an opportunity to give their comments. He also announced the Draft Environmental Impact Study (EIS) and public comment will be reviewed the Winter of 2010 and the final EIS will be in the Spring of 2011. The record of decision will be in the Summer of 2011, the design the Winter of 2011 and construction will begin in the Fall of 2012.

Mayor Watts said he lives along the canal and he supports and will move ahead for the betterment of Logan City and not himself personally. He is concerned about the future costs of this project.

Mr. Nielsen listed the future detailed discussions which are Light & Power hydro mitigation, discussion of the benefits to Logan City of the different alternatives, how the cities versus the canal companies shares of the proposed match was determined and the proposed funding options for the proposed City match, impacts on budgets, and work-in-kind options.

Councilmember Daines said she would like to hear more about the Light & Power mitigation and the funding options.

Mr. Nielsen said the August 11 meeting is one of several scoping meetings where the public can give input. He feels two years for the completion of the study and public input is very optimistic.

Light & Power Director Jeff White will give a report at the September 7, 2010 Council meeting on the hydro mitigation.

Chairman Monson would like to go on record saying that Logan City Council does not want an Environmental Impact Study on this because time is crucial in getting this completed.

Mr. Housley said that generally, once there is opposition the administrative rule triggers the next level of assessment. The Council can send a political message but it might not change the process of an EIS.

Mayor Watts feels the key is to put a lot of time and effort into coming up with a good, constructed guess on what the different alternatives will cost.

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, August 17, 2010.

Chairman Monson announced there will be a Joint Logan City and Cache County Council meeting on Tuesday, August 31, 2010 beginning at 5:30 p.m. in the Cache County Council Chambers.

There will also be a Joint Logan City Municipal Council and Logan City School District Board meeting on Tuesday, November 30, 2010 in the Logan Municipal Council Chambers.

Board Appointment - Chairman Jay Monson.

Chairman Jay Monson asked for ratification of Curtis Broadbent to be re-appointed to serve on the Logan City Audit Committee which is a two year term.

ACTION. Motion by Councilmember Monson seconded by Councilmember Daines to ratify Curtis Broadbent as presented. Motion carried unanimously.

Update on Main Street Banner – Downtown Alliance, Wally Bloss.

Mr. Wally Bloss addressed the Council. He said on behalf of the Downtown Alliance, he respectfully requested that the Main Street banner be reinstated.

Mr. Bloss presented a Banner Action Plan as follows:

- Create interlocal agreement between Logan City and UDOT.
- City sponsored events issue: Groups qualify through Logan City Cultural Arts Grant Funding process through the Cache Valley Visitors Bureau. Process created for all new non-profit or government applicants.
- Participants follow Logan City's former/existing standards until new parameters are identified.
- Request reservations are made with the new Logan Downtown Alliance Manager.
- Use a private contractor to hang and strike all signage (Main Street & Side Street).
- Require non-profits to provide proof of insurance.

- Allocate funds and re-install poles with the approval of UDOT.

Mr. Bloss announced that Gary Saxton is the new Downtown Manager.

Mr. Housley said the first step is to apply for a variance and UDOT has indicated they will not recommend approval but they are not discouraging application. He said Logan City cannot cosponsor events with grants and CDBG funding. A variance is an appeal and will start at that level with UDOT.

Chairman Monson said he was recently at a social event and he talked with a UDOT representative that said not to discount UDOT and there are historic precedents that can be considered.

Mr. Bloss asked at what time is a variance needed for something to go back that was already there.

Mr. Housley said UDOT will determine the timing and they are telling us that a variance is required. He said that with Logan's form of government, the Mayor is ultimately the one who makes the decision and he is the only one that can start the variance process.

Chairman Monson said if the Council is unanimous to start the variance process and they approach the City staff can this move forward.

Mr. Housley said the City staff will start the process if the Mayor tells them to do so.

Councilmember Olsen said this is an administrative process but the Council can unanimously recommend moving forward with the process.

Chairman Monson said that he has heard from people saying they miss seeing the Main Street banner.

Mr. Bloss said that UDOT has a board that can be addressed if needed.

Motion made by Councilmember Olsen to request that Mayor Watts proceed forward with the reinstatement of the Historic Main Street banner. Seconded by Councilmember Quayle. Motion carried 4-1 (Swenson absent).

Chairman Monson said he strongly recommends the reinstatement of the banner.

Mayor Watts said he will do his best to move forward but there are other options that can be considered. Those options could be side banners and he feels they have a real value. He takes those in the Logan City Risk Management Department and other City Department's input very seriously and he will continue to seek their input. He will come back to the Council with a recommendation and this will be done in a timely manner.

Consultant for Impact Fees Study – Chairman Jay Monson.

Chairman Monson said the issue of a consultant for impact fees needs to be further discussed. He said that Councilmember Laraine Swenson submitted her input on this issue by email and each of the Council received a copy.

Finance Director Richard Anderson feels that if the Council wants impact fees then the only way is to hire a consultant and they should not do this in-house.

Councilmember Daines asked what if we are just interested in information gathering at this point.

Mr. Anderson said we will want someone with expertise of an impact fee study. The Utah League of Cities and Towns is a good resource that the Council can use. He said that every six years we need to complete another impact fee study and the last study was done by a consultant outside of the State of Utah. He recommended that the consultant have Utah knowledge and know about the changing impact fee laws. The cost for a consultant is approximately \$50,000 and we will do a request for qualification and the hours needed to work. We can also include a “not to exceed amount”.

Chairman Monson asked to see a list of consultants that Logan City has used in the past and the amount they were paid.

Mr. Anderson responded he can provide a total dollar amount and it will be a large amount. He said that several studies have been done over the years. He will prepare this list for the Council.

Chairman Monson said he feels that Utah State University is a great resource for consultants.

Councilmember Olsen said he received input from citizens on the “Welcome to Logan” sign and they don’t want to spend \$20,000 on the design. He suggested that an appropriate department at Utah State University be asked to design a sign. We could have a contest and offer a cash award to the student or students who generate the winning sign for Logan City. He feels we should utilize the resource we have at USU.

Mr. Housley said the architects and engineers in the State of Utah have a strong lobbying group and there is a specific law that prohibits us from using an institute of higher education for this purpose. The students would have to do this without compensation.

Councilmember Olsen feels we should still approach USU and request this be done as a class project and not offer a cash reward. Councilmember Quayle agrees and supports this suggestion.

Councilmember Daines said when there is a design with architectural elements she asked who makes the final decision on what is the best. We will all live with this sign for a long time and everyone will not agree with the design and we need to get it right.

Community Development Jay Nielson said that is why a professional consultant would be hired who will gather multiple design ideas from the public and will then go through a process of evaluating and putting these ideas into several different options that a committee selected by the Mayor will go through and will come up with the best solution for the City. In the staff's view, this is not a matter of a sign but doing something that will identify Logan in a timeless way and will be something that will last a long time and still say, "Welcome to Logan" this is a special place. The process will be that information will be gathered, public workshops will be held and the product will be brought together so we can go out and solicit private and donated funds to build and construct the sign.

Mayor Watts said the gateway project already has a lot of funds that have gone towards it with the trail system and improvements that have been made. The sign needs to be something that is long lasting.

Councilmember Olsen said that he supports Mr. Nielson's idea and the message we are sending is important. The sign does need to be timeless and tasteful and should also be thrifty.

Chairman Monson said he just wants the sign to state somewhere, "Welcome to Logan".

Mr. Anderson said the funding for the design of the sign is from a RAPZ grant and should be used for that purpose.

Councilmember Daines said as a Council representative she would like to sit on the design review board for the new sign.

Boards and Committees – Chairman Jay Monson.

Chairman Monson reviewed the list of the City's boards and committees that was presented at the July 20, 2010 Council meeting. This list will be updated by City Recorder Teresa Harris. It was suggested this list be reviewed on an annual basis.

ACTION ITEM.

PUBLIC HEARING - Budget Adjustment FY 2010-11 appropriating: \$1,020 for Citation printing; \$15,000 for restricted library funds furniture; \$1,510,039 for sewer project – 10-43.

Chairman Monson opened the meeting to a public hearing.

Chairman Monson closed the public hearing.

ACTION. Motion by Councilmember Quayle seconded by Councilmember Olsen to approve Res. 10-43 as presented. Motion carried unanimously.

WORKSHOP ITEMS.

Budget Adjustment FY 2010-11 appropriating: \$7,642 for the Library Services and Technology Act Grant (LSTA); \$11,516 donation for police dog expenses – 10-47 – Richard Anderson.

Mr. Anderson explained the LSTA Grant is donations that have been received.

The donation for the police dog expenses has increased to approximately \$16,000.

This budget adjustment will be an Action Item at the August 17, 2010 Council meeting.

Consideration of a proposed request amending the Land Development Code's sign section to allow advertising on Cache Valley Transit District (CVTD) bus shelters – 10-45 – Russ Holley.

Community Development planner Russ Holley addressed the Council regarding the CVTD bus shelters. The proponent is the Cache Valley Transit District and they requested to amend the sign section of the Land Development Code. On July 22, 2010, the Planning Commission unanimously recommended that the Municipal Council approve a motion for a Code Amendment to the Land Development Code with the following changes to Staff's recommendation:

One (1) twenty-four (24) square foot maximum sign may be permitted on one wall of the bus shelter that is perpendicular to the street and located either up street or down street from on-coming vehicle traffic.

Sign material shall be attached to bus shelter glass and have a 50/50 visual opacity ratio that allows bus passengers inside the shelter to see oncoming vehicle traffic.

Mayor Watts said that consideration should be first be given to the business owner if they want to use the bus shelter for their business or allow other businesses to advertise.

Mr. Holley reviewed the changes that would take place in the Land Development Code the first would be to allow CVTD to advertise inside of the right of way and a new section would be added to allow signage in bus shelters.

Mr. Holley said that he recently visited two bus shelters, one here in Logan and the other in Smithfield. There are currently 18 bus shelters and 11 of those will qualify and meet the zoning specifications. Signage will not be allowed in the historic district.

Lisa Peterson from the CVTD said they will work with a marketing designer on the signs. The projected revenue is \$12,000 per year. Several of the bus shelters are not located next to a commercial business.

Councilmember Olsen indicated that the last time this issue came before the Council he objected because of the aesthetics of the project and other council members also had the same response. He has since changed his mind on this issue and wants to encourage people to use the transit system, especially during the winter months. He feels the signage

will attract riders. He also encouraged the CVTD to consider adding a bus route to the Cache County Jail.

Councilmember Quayle said he has used the CVTD bus system and is amazed at the clientele that rely on the bus system every day. He encouraged and supports this project moving forward.

Consideration of a proposed ordinance adopting a zone change for Promenade Phase I Subdivision located at 2800 North Airport Road – 10-46 – Glen Goins.

Community Development Planner Glen Goins addressed the Council and gave a presentation on Promenade Phase I Subdivision.

The proponent is requesting a Subdivision Permit for a 23 lot subdivision on 10.3 acres of land located on the south side of Airport Road at approximately 2800 North. This project is the first phase of development in the 135 acre Greenfield development known as the Promenade. Phase One is proposed to contain lots that range in size from 5,000 to over 13,000. This project will be developed as a mixed-use development, with a variety of housing types, and significant focus on building design, such that multi-family building design is compatible with single-family designs. The proposed building types are single-family home (16), Townhomes (14) and Mansion homes, which are multi-unit buildings that appear to be a large single-family home (16), for a proposed total of 46 units. The Planning Commission met and recommended unanimous approval for this subdivision.

Councilmember Olsen said his concern is road travel capacity with traffic going in and out of this subdivision.

Mr. Goins said this is a long process that the proponent will go through with this project and road capacity will be considered and determined. There are current impact fees that will help with the building of the road in this area.

Mr. Mark Nielsen said the developer will need to get utilities (water and sewer) out to this area. As this area continues to grow there will be more road development and the developer will have to pay impact fees.

Mr. Housley stated the developer will have to pay for the utilities and for the Promenade development; the developer will pay sewer and water. Typically, impact fees only pay about 10% of the overall cost of the project.

Golf Course Clubhouse Improvement Project – Russ Akina.

Parks and Recreation Director Russ Akina addressed the Council regarding a proposed Logan River Golf Course Clubhouse Improvement Project. He stated they are in the process now of a design of the Clubhouse.

Tom Jensen with Architectural Nexus and Golf Course Superintendant Jeff John were also in attendance.

Mr. Akina said that in 1992, the Logan River Golf Course opened to the public for business. Since then, the golf course has produced over 900,000 rounds of golf. Now, after 18 years the golf course needs to address a growing list of functionality issues in order to continue delivering golf services to its customers for the next 900,000 rounds.

The improvements proposed call for an increase from approximately 6,000 square feet to just less than 9,000 square feet. Early estimates are somewhere between \$130 to \$150 square foot to complete this project. The increase in square footage will address much needed improvements to the concession area, restrooms, meeting space for tournaments, storage, improved foot traffic flow, more efficient heating and cooling, and improved visibility for the Pro Shop Starter. To achieve these improvements, the deck of the existing main floor will be extended out toward the South. To implement the desired improvements, it is necessary for the existing main floor to be demolished and removed. The lower floor which contains the power cart storage area is proposed to remain as is. The Golf Course Advisory Board has reviewed the proposal.

Mr. Akina continued that to fund the construction of this project, the Parks & Recreation Department is seeking approval from the Logan Municipal Council to acquire an interest-bearing 20-year loan from a City enterprise fund in order to finance the project. Although the construction cost estimate has not been finalized, the Logan River Golf Course proposed to make annual payments to the City to repay the construction loan. A letter from Architectural Nexus, design consultants for the project, provides further detail regarding projected footage costs. The annual payments for the loan are based on fees to be charged for meeting space requests, other off-season permitted uses, and increases in the existing golf fee structure (green fees, carts, driving range, etc.)

Mr. Akina said the golf course typically hosts as many as 50 tournaments each season and with the improvements this will help bring in more tournaments and help finance the project. They are also considering the ability to have customers choose the caterer they would like and not have an exclusive caterer at the golf course. There is no plan to have a kitchen area and groups would need to hire an outside caterer for their events. There will be a concession area. The golf course will also consider off season use such as cross country skiing and being able to develop revenue programs that would help with the repayment. They are also looking at ways to increase their existing fees to shoulder the cost of construction.

Councilmember Daines asked about the projected figures for the repayment plan and asked if the numbers are too optimistic.

Mr. Akina responded with the cross country skiing, they looked at the outdoor ice skating numbers and what it generated which was \$7,000 last year during a two month period. He has not determined if ski rentals will be available at the golf course but is something they will consider. He is trying to balance building use in terms of tournaments and other services that are provided in the community.

Councilmember Daines asked about tournaments being held and regular players that come to the course that might not be able to play that day because of a tournament being held.

Mr. John responded there is a fine line between blocking off the course every Saturday and he tries to have one to two tournaments and leave every other Saturday open. He said that tournaments bring in a lot of revenue almost double at times than regular play. The staff does a good job of directing players to another golf course or schedule a tee time for another day. They also keep the schedule updated and posted so regular players know when tournaments are coming up.

Mr. Akina said that part time employees will need to be added to help with the additional activities that will occur at the course. He also said the Men's and Women's Club feel they are currently at a disadvantage at the start of the preseason when they are trying to build their membership and they don't have a place to hold gatherings and conduct business and a new clubhouse would give them a location. He said that refinement can be done with the numbers and there are three different sources of revenue that need to be looked in terms of how to address the repayment plan. Next year will be the last year for the debt service of the course and they want to finance with the resources that are typical to the golf course.

Councilmember Daines asked if there is a contingency plan if the revenues don't meet expectations in order to repay the loan.

Mr. Akina responded that a contingency plan would be to consider expanding the repayment years from 10 to 15 or even 20 years. If needed, they could also go from nine cents to 11 or 15 cents on the dollar.

Mr. Anderson stated that he has not looked through the numbers but feels that Jeff John and his staff are committed to making this project happen and raise enough revenue to cover a debt service is possible but it won't be easy. It could come from a different source than indicated. He feels it will take dedication to save money on the expense side but it can happen.

Mayor Watts said there is a revenue stream that will be available when the debt service is paid. He applauded Jeff John for finding ways to generate revenue. Originally, the funding for the golf course came through the general fund and is one of those things that citizens wanted to happen. He said that maybe some of the revenue stream down the road could pay off the debt service. He said there will not be restaurant at the golf course.

Councilmember Daines clarified that the revenue stream that Mayor Watts referred to is the \$380,000 which is a transfer from the general fund to the golf course. She is concerned that there are other needs in the Parks & Recreation Department where this money can go other than the golf course.

Councilmember Olsen said that local restaurants will provide catering services at the golf course and it won't be limited to one provider.

This will come back as an Action Item on August 17, 2010.

Logan-Cache Airport Landside Plan – Jay Nielson.

Community Development Director Jay Nielson addressed the Council and talked about the Logan-Cache Airport Landside Plan. He asked the Council to table this until the August 17, 2010 Council meeting so an ordinance can be prepared.

OTHER CONSIDERATIONS.

Councilmember Olsen asked Mr. Nielsen if a notification letter has gone out to the property owners on 300 East making them aware of the implementation of parallel parking on 300 East.

Mr. Nielsen responded he is in the process of sending this letter out to the residents on 300 East and the day of implementation for the new parking will be December 1, 2010.

Street Manager Jed Al-Imari will also send a sidewalk priority list to the Council.

Mr. Jay Nielson announced that the Planning Commission would like to have a joint meeting with the Logan Municipal Council to discuss the Land Development Code and meet with consultants. They would like to meet sometime in September 2010 and schedule a one hour meeting.

RECESS TO MEETING OF LOGAN REDEVELOPMENT AGENCY.

ACTION ITEM.

A. Consideration of a proposed resolution approving agency assistance to Sky Properties, Inc. for its redevelopment project in the South Main Redevelopment Area – 10-44 RDA.

Economic Development Director Kirk Jensen said the Redevelopment Agency of the City of Logan approved the incentive package for Sky Properties, Inc. to receive a \$100,000 contribution from the Redevelopment Agency of the City of Logan to assist with its redevelopment project. It now comes before the Council for their approval.

Mayor Watts clarified that Paul Willie with Wasatch Property is the owner of the Sears Building on South Main.

Mr. Jensen also said that the owner of this proposed project which is Sky Properties has also been involved in the South Wal-Mart and Logan Gateway project. The property tax from these two projects is approximately \$105,000 per year.

ACTION. Motion by Councilmember Quayle seconded by Councilmember Daines to approve Res. 10-44 RDA as presented. Motion carried 3-1 (Swenson absent and Olsen abstained).

There being no further business to come before the Council, meeting adjourned at 8:14 p.m.

ADJOURN.

Teresa Harris, City Recorder