

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, March 16, 2010 at 5:30 p.m. in the Logan Municipal Council Chambers, 290 North 100 West, Logan, Utah. Vice Chairman Herm Olsen conducting.

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

OPENING CEREMONY.

Cache Valley Transit Director Todd Beutler gave the opening prayer and led the audience in the pledge of allegiance.

Vice Chairman Olsen welcomed those present. There were approximately 32 citizens in the audience at the beginning of the meeting.

Meeting Minutes. Minutes of the Council meeting from March 2, 2010 were reviewed and approved with minor changes.

Meeting Agenda. The meeting agenda was approved. Vice Chairman Olsen announced at tonight's meeting there would be four public hearings regarding a proposed budget adjustment, Business License for Landlords, Parking Permit Fee and proposed ordinance vacating portions of a public right-of-way.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL.

No questions or comments for Mayor or Council.

MAYOR/ STAFF REPORTS.

Board Appointments – Mayor Watts.

Mayor Watts asked the Council for ratification of Afu Latu and Daniel Russell to serve on the Logan River Golf Advisory Board for a term of three years.

ACTION. Motion by Councilmember Swenson seconded by Councilmember Daines to approve ratification of Afu Latu and Daniel Russell. Motion carried unanimously.

Proclamation: Child Abuse Prevention Month – Mayor and City Council.

Mayor Watts read a Proclamation recognizing Child Abuse Prevention Month during the month of April 2010.

Esther Lee Molyneux from the Child & Family Support Center addressed the Council and showed a DVD presentation of the goals and services of the Child & Family Support Center.

At this time Vice Chairman Olsen welcomed two local scout troops that attended tonight's meeting.

COUNCIL BUSINESS.

Meeting Schedule. Vice Chairman Olsen 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 6, 2010.

Presentation: Cache Valley Transit District (CVTD) – Transit Director Todd Beutler.

Cache Valley Transit Director Todd Beutler and President of the Cache Valley Transit Board of Trustees Mike Arnold attended tonight's meeting to give a presentation on future projects of the CVTD.

Mr. Arnold addressed the Council and suggested that the CVTD could attend Council meetings in the future and give regular updates on an annual or semi annual basis. He recognized CVTD board members who were in the audience. He also read the mission of the Cache Valley Transit District which is to become the premier public transportation agency serving the Cache Valley Region, with excellence and the highest quality of service. Their value statement reads, The Cache Valley Transit District is committed to maintaining and enhancing the Region's quality of life by:

Delivering reliable and safe public transit service
Offering innovative services that reduce dependency on the automobile
Providing progressive leadership for the region's transportation needs
Supporting efforts to improve air quality

Mr. Arnold says the board of trustees takes the mission and value statements as their guiding principles in everything they do. He stated they have outgrown their current facility on 600 North and are seeking federal funding to expand their facility to meet future needs.

Todd Beutler addressed the Council and said that several of the CVTD board members from Logan use the bus system. The CVTD is currently in the negotiation process of purchasing property in North Logan to build a new facility to allow the system to expand. The property is 17.2 acres and they would like to build something that will last for the next 30 to 50 years. The new facility would also include a training course. They have also purchased five new buses with grant funding, two of them will be hybrid and the other buses are clean diesel. He stated that ridership is up right now because of the economy and higher fuel costs. They make 99% of their transfers and with the increased ridership they had to look at ways to meet their ridership needs, they make over 8,500 trips per day on the bus. They have looked at their routes and are making improvements as they go.

The CVTD is also planning for future needs such as Main Street service from 1800 North to the South end of Main Street, adding this will alleviate traffic on Main Street. They are also looking at 15 minute service during peak times and a connection to the Wasatch

Front, later evening service, and major destination routes so people can go directly to a location.

Vice Chairman Olsen asked about a joint Logan City and Cache County service to the Cache County Jail. This would be for mothers and children needing to get to the Cache County Jail to visit family members who are in jail. He said this issue will not go away anytime soon and he would encourage the CVTD board to review this request and see if service can be accomplished.

Mr. Beutler responded the Cache County Jail is being considered as one of the major destination routes.

ACTION ITEMS.

PUBLIC HEARING - Budget Adjustment FY 2009-10 appropriating - \$103,000 for the Western Regional Sewer Pressure Project – 10-14.

Vice Chairman Olsen opened the meeting to a public hearing.

Vice Chairman Olsen closed the public hearing.

ACTION. Motion by Councilmember Daines seconded by Councilmember Swenson to approve Res. 10-14 as presented. Motion carried unanimously.

PUBLIC HEARING – Consideration of a proposed resolution approving the CDBG 2010-11 Annual Action Plan and identify specific projects – 10-17.

Vice Chairman Olsen indicated that a public hearing for resolution 10-17 will move forward tonight but a vote and decision will not be made at tonight's meeting and will wait until the Council meeting on April 6, 2010 when all council members are present.

Vice Chairman Olsen opened the meeting to a public hearing.

Kim Datwyler, Director with the Welcome Home Own in Logan Program addressed the Council. She stated that funding for this program helps first time home buyers with down payments and closing costs to purchase homes in older neighborhoods, fix up the homes and revitalize the area. She stated they have seen large budget cuts this year and this will impact their program significantly. The market is driving down the purchase price of homes and people are purchasing homes in the County because Logan does not offer incentives and buyers can go out into the County to purchase a new home that they don't have to fix up. They are also seeing an increased number of foreclosures in Logan. With this year's amount of only \$40,000 they can help six families this year where in the past they have helped 22-26 families. They have revamped their program and buyers are now required to come up with a match of the full \$7,500 and they have to stay in the home 10 years before the amount is forgiven. They are not asking for an increase in administrative costs and will even decrease their administrative costs if needed to get more funding.

Vice Chairman Olsen closed the public hearing.

Councilmember Swenson said the home program that Ms. Datwyler mentioned is very helpful and several homes have transitioned to owner occupied. She feels that one time monies should not be used for ongoing salaries, etc and should only be used for one time projects.

Councilmember Olsen asked CDBG Coordinator Gay Jamieson if additional funding will be available.

Ms. Jamieson responded that we have not yet received the allocation notification from HUD. The amount would normally be higher than \$550,000 and is a conservative amount. At this time we don't know if more funding will be available.

Councilmember Olsen stated if more funding is available; the next priority is the Cache Employment and Training Center and Logan City's sidewalk program.

PUBLIC HEARING – Consideration of a proposed ordinance vacating portions of the public right-of-way at the intersection of 880 North and 400 West (Ashbury Court Phase 3) – 10-11.

Vice Chairman Olsen opened the meeting to a public hearing.

Jeff Jackson, representative of the proponent of the proposed right-of-way vacation addressed the Council. He stated that Ashbury Court Phase One and Two have been completed with a total of 39 lots. At this time 30 families have moved into these homes and he is proposing to bring additional families into this neighborhood. They provide affordable housing to young families with payments that are comparable to rent. If the vacation is not approved there will be a 60 foot roadway coming into the project that will be met down to a 30 foot road and there will need to be design changes. If the road is vacated, Logan City would not be responsible for snow removal and maintenance on the 100 foot roadway.

Justin Cooper, representative of the proponent of the Ashbury Court project addressed the Council. He thanked the Council for their support of the Renewable Energy Board and for being forward thinkers when it comes to renewable energy. He stated there are some very knowledgeable men and women serving on the board. He feels the Ashbury Court project meets the goals of the Renewable Energy Board and he encouraged the Council to approve the vacation of this public right-of-way.

Vice Chairman Olsen closed the public hearing.

Community Development Director Jay Nielson confirmed that Logan City staff recommends approval of the proposed vacation. He said this is being proposed as a private road and Logan City will never use this property.

ACTION. Motion by Councilmember Daines seconded by Councilmember Swenson to approve Ord. 10-11 as presented. Motion carried unanimously

PUBLIC HEARING – 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.

Vice Chairman Olsen opened the meeting to a public hearing.

Mr. Don Berringer addressed the Council and showed a map of the proposed vacation of property. He stated that the housing development wants to regulate parking and is asking Logan City to vacate this area to the homeowners association to maintain and manage. The area is currently has 48 guest parking stalls off a public road and the area is designated guest parking for residents of the community but is currently City property. Residents are using this for overnight parking and not guest parking which it was approved to be.

City Attorney Kymber Housley stated this is a partial vacation, the road is not being vacated just the parking lot to the side and should never have been approved as it is now.

Community Development Director Jay Nielson stated both roads were approved as public roads in 2005 and the site plan included parking. He stated that the area around this development is open space and a private space that the residents there enjoy.

Mr. Berringer stated that the homeowner's association will handle snow removal, maintain the area and will manage the parking component.

Vice Chairman Olsen closed the public hearing.

Councilmember Swenson abstained from voting on the proposed ordinance.

Mr. Housley stated that regarding a motion to pass the ordinance requires three votes/majority for approval.

ACTION. Motion by Councilmember Swenson seconded by Councilmember Daines to table Ord. 10-09 as presented until the April 6, 2010 council meeting. Motion carried unanimously.

WORKSHOP ITEM.

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

Finance Director Richard Anderson stated the proposed budget adjustment is for reimbursement funds for the operation of the outdoor Ice Rink for the 2009/2010 year and preparing the rink for future years. The total amount received was \$17,000 for skate rentals. Skates were purchased, maintenance equipment was needed for the location and \$4,000 was expended for personnel costs.

Councilmember Daines said new skates were purchased and more was spent in purchasing the skates than revenue received but if continued over the next few years they will eventually make money and the skates can be used in the future. She also feels the

rink was good for the community and the Parks & Recreation Board felt good about the purchasing the skates for future use.

Vice Chairman Olsen also felt the ice rink was a good thing for the community and thanked the Parks & Recreation Department for their efforts in keeping the rink open and maintained.

This will be an Action Item at the next Council meeting to be held on April 6, 2010.

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 – Glen Goins.

Community Development Planner Glen Goins addressed the Council and stated the Planning Commission unanimously recommended approval of this project. The proposal is to amend the section referring to “Maximum Lot Coverage,” by adding a footnote allowing lots in Planned Development projects to have up to a maximum of 45% lot coverage.

Currently, the Land Development Code establishes a maximum lot coverage for all residential zones. There is, however no provision which recognizes the reduced lot size in a Planned Development. For example, the smallest allowable lot in any residential zone is 6,000 square feet. A Planned Development allows for a reduction in lot size to a minimum of 5,000 square feet, while the lot coverage standards for larger lots remains in effect.

The proponent contends that the ordinance does recognize a compact lot design, but does not acknowledge the same housing product on a reduced-size lot. The proponent further asserts that the goal of a planned development is mainly to allow for the development of greater open space in a subdivision not to assure that smaller homes would be built and that therefore the same sized home (as would be built on a standard lot) built on a smaller lot will cover a greater portion of that lot.

Mr. Goins stated the General Plan encourages the use of compact lot design, lot and house size variety. The proposed amendment would further the overall goal of encouraging compact lot development to preserve open space and reduce land consumptive sprawl. The proposed amendment allows for lot variety as a means of enhancing streetscapes, and neighborhood design, while not requiring housing types which function only in a planned development.

Councilmember Swenson asked if the setbacks remain the same; Mr. Goins stated this is correct.

Councilmember Swenson asked on the design of Meadow Valley, what makes this a superior design and is the area titled “common areas” for open space, areas for equipment of detention ponds, etc.

Mr. Goins stated some can be detention ponds, equipment and playground areas but typically they would like to see open space areas. It is the discretion of the Planning Commission to determine if the open space is usable or not.

Vice Chairman Olsen asked if the amendment is adopted, will the proponent proceed with the lots which are currently not built on and utilize as much as 45% of the lot space rather than the 35% space.

Mr. Goins responded this is correct and they want to see lots of different sizes to have variety in the development.

Community Development Planner Russ Holley stated that in the original project plan of Meadow Valley it was in two phases and phase one is before the Council tonight. As far as open space, phase two does have more quality open space along the open canal at 200 West.

Councilmember Swenson asked do all of the homes that have been built to this point have a 25 ft. set back.

Mr. Holley responded the homes were approved with a 20 ft. set back, a side set back of 6 ft. and a rear set back is 10 ft. The roof overhang is 1 ft. and roof lines are 10 ft. apart.

Mr. Goins stated the planning commission voted to recommend this proposal and staff separated the front yard setback because they will address this moving forward.

Councilmember Swenson feels that lot coverage that has a generous front area and makes a difference to a neighborhood.

This will be an Action Item at the next Council meeting to be held on April 6, 2010.

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

Community Development Director Jay Nielson gave a presentation on the proposed resolution to establish Assessment Area No. 1 within Historic Downtown Logan. He said this is a request from the Logan Downtown Alliance to finish phase three and continue sidewalk improvement on Main Street. The proposed improvement area is between Center Street and 100 North on the West side of the road. State law now refers to this as an Assessment Area and is no longer called a Special Improvement District. The property owners have been mailed a notice and the protest time period ends March 31, 2010. The public hearing is scheduled for Tuesday, April 6, 2010. The cost is estimated at \$252,400 and \$65,000 of this amount is contributed by Logan City from previous CDBG allocations. The remaining \$187,400 would be paid proportionately based on the lineal ft. of frontage by the downtown property owners. Typically, Logan City pays for the design services and has purchased the historic lights that go on the street.

Mr. Nielson said there will also be a board of equalization created for the purpose of resolving conflict and to consider any protests. The board would consist of one council member and two City staff members. He will also propose to the Downtown Alliance that

they form a property owner board that makes recommendations to the City. The property owners will have a time period of five years to repay their assessment area. At this time, the City has not received any protests. If a majority of property owners come forward to protest the assessment area then it will not happen.

Councilmember Swenson said previous projects such as these have been very successful. She is concerned about the recent metal power poles that have gone up one block East of Main Street. She feels that people on Main Street are sacrificing to beautify their historic area and this is a three dimensional area and not just Main Street and she believes in also beautifying 100 East.

This will be an Action Item at the next Council meeting to be held on April 6, 2010.

OTHER CONSIDERATIONS.

Nothing to report at this time.

ADJOURN.

There being no further business to come before the Council, meeting adjourned at 7:10 p.m.

Teresa Harris, City Recorder