

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, June 21, 2011 at 5:30 p.m. in the Logan City Hall Conference Room, 290 North 100 West, Logan, Utah. Vice Chairman Dean Quayle conducting.

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

### **OPENING CEREMONY.**

Mayor Randy Watts gave the opening prayer and led the audience in the pledge of allegiance.

Vice Chairman Quayle welcomed those present. There were approximately 42 citizens in the audience at the beginning of the meeting.

**Meeting Minutes.** Minutes of the Council meeting from June 7, 2011 were reviewed and approved.

**Meeting Agenda.** The meeting agenda was approved. Vice Chairman Quayle announced at tonight's meeting there would be ten public hearings.

**Meeting Schedule.** Vice Chairman Quayle 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, July 5, 2011.

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

Citizen Gary Joy addressed the Council and thanked them for the work they do and for the time the employees, Council and Mayor take in making Logan a great City. He stated that the 8 percent proposed power rate increase will be very difficult for those on a fixed income and he asked the Council to consider this when they vote on this resolution.

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

#### **Cache Community Covenant Citation – Sgt. Brock Jones and Lt. Cavett Ishihara.**

Sgt. Brock Jones introduced the Community Covenant Citation that was signed by all 19 Mayor's from Cache County. The Community Covenant will be presented at the Freedom Fire event on July 1, 2011. He thanked Mayor Watts and the council member's of Cache County for their support of the covenant.

Mayor Watts encouraged everyone to purchase tickets and attend the Freedom Fire event on Friday, July 1, 2011 at Romney Stadium.

**Board Appointment – Mayor Watts.**

Mayor Watts asked the Council for ratification of Michelle King to serve on the Woodruff Neighborhood Council which is a three year term.

**ACTION.** Motion by Councilmember Monson seconded by Councilmember Daines to approve ratification of Michelle King as presented. Motion carried unanimously.

**COUNCIL BUSINESS.**

Vice Chairman Quayle welcomed several scout troops in the audience from the Logan 16<sup>th</sup> Ward, Logan Park Avenue and Troop 367 from the Eastridge Ward

**ACTION ITEMS.**

**Consideration of a proposed resolution to support the 200 East Project from Center Street to 300 South – Resolution 11-38.**

**ACTION.** Motion by Councilmember Monson seconded by Councilmember Daines to approve Res. 11-38 as presented. Motion carried unanimously.

**PUBLIC HEARING - Consideration of a resolution supporting the modification of Parking Restrictions along the East side of Main Street – Resolution 11-48.**

Community Development Director Mike DeSimone asked that Resolution 11-48 be tabled until the July 5, 2011 council meeting until additional information can be gathered and brought to the Council.

Vice Chairman Quayle opened the meeting to a public hearing.

There was no public comment and the hearing was closed.

**ACTION.** Motion by Councilmember Daines to table Resolution 11-48 supporting the modification of Parking Restrictions along the East side of Main Street until the July 5, 2011 council meeting seconded by Councilmember Monson to table Res. 11-48 as presented. Motion carried unanimously.

**PUBLIC HEARING - Consideration of a proposed zone change from Mixed Use (MU) to Commercial General (CG) and a design review for an electronic message display (EMD) sign at 660 & 682 South Main, Riverwoods Shoppes – Ordinance 11-18.**

Vice Chairman Quayle opened the meeting to a public hearing.

There was no public comment and the hearing was closed.

Councilmember Monson asked if the proposed ordinance is what the Planning Commission recommends.

Community Development Planner Glen Goins responded there are two separate issues. For one, there is the proposed zone change and the other is whether EMD signs meet the standards. The recommendation for the zone change itself was denial and the EMD was for approval. In order to have the EMD sign, there needs to be a zone change.

City Attorney Kymber Housley clarified the zone was reduced to the frontage portion only.

Councilmember Daines asked if this is a spot zone change for a particular purpose.

Councilmember Swenson responded this is for a particular purpose but she isn't considering the purpose as part of the rezone. The issue of having commercial on Main Street closer to the South of Center and Main is not a concern to her. Along with the rezone the EMD will also be allowed.

**ACTION.** Motion by Councilmember Monson seconded by Councilmember Swenson to adopt Ord. Res. 11-18 as presented. Motion carried 3-1 (Daines voted nay.)

**PUBLIC HEARING - Budget Adjustment FY 2010-11 appropriating : \$820 for Police Department banquet; \$21,384 reimbursement for snow removal at the airport; \$5,868 reimbursement for the bulletproof vest grant; \$1,392 for the Emergency Management Performance Grant; \$450,000 for increased health care costs; \$2,000,000 for increase purchase power costs; \$420,000 to purchase a sewer pipeline; \$72,000 for storm drains – Resolution 11-52.**

Vice Chairman Quayle opened the meeting to a public hearing.

There was no public comment and the hearing was closed.

Finance Director Richard Anderson confirmed the proposed budget adjustments will not come from the 18 percent reserve fund.

**ACTION.** Motion by Councilmember Daines seconded by Councilmember Swenson to approve Res. 11-52 as presented. Motion carried unanimously.

**PUBLIC HEARING - Consideration of a resolution approving Elected Official's Wages FY 2011-12 (Mayor) – Resolution 11-35.**

Vice Chairman Quayle opened the meeting to a public hearing.

There was no public comment and the hearing was closed.

Councilmember Swenson said she will vote against the Mayor and Council wage increase. She feels that we should be compared to cities that are similar in population to Logan and what is presented is not a valid sampling of comparable cities.

Mr. Anderson reminded the Council that Logan City offers and provides all services to the citizens and this is something to consider and not only the population.

Councilmember Swenson said she would like it to show that we are in range of salaries and comparable in all ways.

Councilmember Monson said he also doesn't agree with the proposed salary increase. He said the City gave all employees a wage increase of 1.6% last year. He feels the proposed 7 percent increase is not a fair comparable to the increase of 4.6% the employees have received over the past three years. He is not against increasing the Mayor's salary when employee's salaries are increased again in the future.

Vice Chairman Quayle said the Mayor merits the increase because he is responsible for a population of 50,000, manages a budget of over \$130 million dollars and is responsible for 575 employees. He feels we need to look to the future of those who will run for Mayor and we need someone who has the administrative skills and experience to reflect the Mayor position.

Councilmember Daines asked if the Council would consider an amendment to the proposed resolution to a 1.6 percent increase and put this in line with City employees.

Councilmember Swenson feels it needs to be based on accurate information and she does not feel that we should fall behind but it should be within range and have more reason for the data.

Mayor Watts said that he respectfully declines the 1.6 percent or any increase that is proposed. He said whoever replaces him as Mayor in the future, he feels there should be an attractive salary to bring in quality candidates. The City is a \$130 million dollar business and when he came into office he let the City Administrator go because he wanted to run the City. He reminded employees they have not been laid off, salaries have not been decreased and administration has taken their job very seriously. He was hoping to get a confidence vote from the Council tonight but he respectfully declines the 1.6 percent increase.

Councilmember Monson said this is nothing personal against Mayor Watts and is not a vote of no confidence of the Mayor and the job he does. He simply wants more information on this issue.

**ACTION.** Motion by Councilmember Daines seconded by Councilmember Monson to amend Res. 11-35 to increase the Mayor's salary 1.6 percent as presented. Motion carried 3-1 (Swenson voted nay).

**PUBLIC HEARING - Consideration of a resolution approving Elected Official's Wages FY 2011-12 (Council) – Resolution 11-53.**

Vice Chairman Quayle opened the meeting to a public hearing.

Citizen Joy Reyes addressed the Council. She said that she is the spokesperson for many who feel the pay raises for the Council at this time is not appropriate. The perception is that the City Council is trying to "be like everyone else". There are citizens who feel the City is spending money because it's there and there is a revenue resource that is available for salaries and it has to be spent.

Vice Chairman Quayle closed the public hearing at this time.

Councilmember Monson said that in referring to the comparison chart that was provided by Human Resource Director Greg Cox, he feels the comparison shows the Council's salary is already above where they should be.

Councilmember Swenson feels there shouldn't be any pay for elected officials and the study provided was flawed. She would be fine with not having any pay for elected officials and hire an administrator. She feels everyone does a good job and she is pleased with the job everyone does, she just feels we would get the best elected officials if there wasn't any money attached.

**ACTION.** Motion by Councilmember Monson seconded by Councilmember Daines to deny Res. 11-53 as presented. Motion carried unanimously.

**Consideration of a resolution approving Member Contributions to the Utah Retirement Systems Contributory Retirement Plan FY 2011-12 – Resolution 34.**

Mr. Anderson explained the proposed resolution is a housekeeping item and is already part of the budget.

**ACTION.** Motion by Councilmember Swenson seconded by Councilmember Monson to approve Res. 11-34 as presented. Motion carried unanimously.

**PUBLIC HEARING – Consideration of a resolution approving the Certified Tax Rate for FY 2011-12 – Resolution 11-49.**

Vice Chairman Quayle opened the meeting to a public hearing.

There was no public comment and the hearing was closed.

Mr. Anderson explained that every year the Cache County Auditor prepares the Certified Tax Rate calculation. The rate calculated this year is not an increase in taxes and Logan City is not proposing a property tax increase.

**ACTION.** Motion by Councilmember Monson seconded by Councilmember Daines to approve Res. 11-49 as presented. Motion carried unanimously.

**PUBLIC HEARING – Consideration of a proposed resolution approving an increase in storm water rates – Resolution 11-41.**

Vice Chairman Quayle opened the meeting to a public hearing.

There was no public comment and the hearing was closed.

Public Works Director Mark Nielsen said this is a proposed 28 percent increase in storm water rates from \$3.50 to \$4.50 per household. The proposed increase is to fund the canal project and future storm water projects which the EPA mandates and is something we are required to do.

**ACTION.** Motion by Councilmember Daines seconded by Councilmember Monson to approve Res. 11-41 as presented. Motion carried unanimously.

**PUBLIC HEARING – Consideration of a proposed resolution approving an increase in power rates – Resolution 11-42**

Vice Chairman Quayle opened the meeting to a public hearing.

There was no public comment and the hearing was closed.

Councilmember Monson asked why we can't take more from the enterprise funds to pay this and not raise rates.

Steve Crosby with the Logan City Light and Power Department explained power rates and what is happening. He stated the surcharge shows that the cost of power will keep going up and we are trying not to do the surcharge month after month. The light department has taken several cost cutting measures by eliminating positions within the department. The City has an outdated power system and currently we are doing a lot of replacement of utilities, salvage and reuse of material. They have tried to cut costs where needed. From 2009 to 2011 there has been a 27% power purchase increase. We are at the point that a rate increase is needed and other cities across the Wasatch front are also implementing power increases. Rocky Mountain is proposing a 16 percent power rate increase and Logan City has not had an increase since 2005. The surcharge has helped and the light department reserves are getting back to where they should be.

Councilmember Monson asked how do we respond to the average citizen who asks why we don't take all the money from the enterprise fund and put it into the light department. He said there is a concern from citizens but he can see the need for an increase.

Mr. Anderson responded if the Council took the money from the enterprise funds, they would have to raise property taxes and the other option would be to cut from existing budgets in the amount of 4.6 million dollars which is a very large amount. The magnitude of how much we bring from our enterprise funds to the general fund is clear. Purchase power rates are going up and we have to consider an increase.

Mr. Crosby said he feels the citizens of Logan have a reliable power source and if there is a problem, Logan City will respond quickly, usually within 15 minutes. Citizens also have ownership in the power department.

Councilmember Swenson said the light department is a huge benefit to the citizens of Logan in keeping taxes low and they provide excellent service.

Chairman Quayle reminded everyone that only half the amount of his utility bill is for the light department and the increase is only on the electric portion and not the entire utility bill.

**ACTION.** Motion by Councilmember Swenson seconded by Councilmember Monson to approve Res. 11-42 as presented. Motion carried unanimously.

**PUBLIC HEARING – Consideration of a resolution approving the Revenue and Expenditure Budgets for FY 2011-12 – Resolution 11-50.**

Vice Chairman Quayle opened the meeting to a public hearing.

There was no public comment and the hearing was closed.

The budget is presented as a balanced budget with projected revenues and requested expenditures in the amount of \$128,771,333.

**ACTION.** Motion by Councilmember Swenson seconded by Councilmember Daines to approve Res. 11-50 as presented. Motion carried unanimously.

**WORKSHOP ITEM.**

**Consideration of a proposed text amendment to the Land Development Code. Sections 17.12.080, 17.12.085, 17.13.040, 17.14.030, 17.15.080 concerning standards for Neighborhood Centers (NC) – Ordinance 11-36 – Glen Goins.**

Planner Glen Goins addressed the Council regarding Neighborhood Centers. The purpose of the discussion tonight is regarding Neighborhood Centers and the Neighborhood Center zone. The recently adopted Land Development Code was adopted in February with the exception of Neighborhood Centers for the purpose of establishing specific areas within neighborhoods where a locally serving retail area exists. This has gone to the Council several times and rather than come with a specific ordinance tonight it is Staff's intent to instead ask the Council questions and get their input to craft the language for the ordinance. He asked should Logan have Neighborhood Center zones. Where should they be located in a ¼ radius (2 blocks) within walking distance or a ½ radius (4 blocks). The ½ mile radius eliminates most of the potential zones and there would be fewer Neighborhood Centers. There are five designated Neighborhood Centers and they are ½ mile radius (4 blocks). The proposed pedestrian barriers that we could consider and the Council approved, Staff intends on keeping this in the proposed ordinance. He asked how they should look and Staff proposed the maximum height of 35 feet with a height transition included. How big should the Neighborhood Centers be was discussed and he is asking for input from the Council on the size. What they are considering is the footprint of the building. Another component is to have an open house and included the neighborhood and gets them involved. They also suggested that a market study be completed. Mr. Goins asked the Council for direction at this time.

Councilmember Monson said we can't really determine what the Neighborhood Centers should look like; we should set broad guidelines and have the project come before the Council and present their ideas. He doesn't think that "one size fits all" when it comes to Neighborhood Centers and we need a broad concept rather than something specific.

Councilmember Swenson said the Land Development Code is specific on what is built but we need to determine the radius and be specific about the size.

Vice Chairman Quayle feels that a Neighborhood Center should serve the neighbors and not be a destination for outsiders. It should be agreeable to the neighbors and the area of USU should be considered differently than the town areas of Logan.

Councilmember Swenson said we need to set specific guidelines and just because a neighborhood doesn't want a Neighborhood Center is not a reason to disapprove. She feels the Council should look at the three guidelines mentioned such as the size, office space and radius.

Mr. Housley said once a rezone is approved the Council has more discretion and a zone needs underlying criteria to support.

Vice Chairman Quayle does not think offices would be economically viable in a neighborhood setting.

Councilmember Daines said the other option is to take the component of Neighborhood Centers out of the Land Development Code completely. If something changes in the coming years and we want to add it back in, the Council can consider adding it to the Code.

Mr. Goins said there is not a demand for Neighborhood Centers at this time. There is an interest in the Island Market expanding for an office area. He said eventually we need to create walk ability and Neighborhood Centers are the answer.

Councilmember Daines clarified that the Council agreed to take offices out, the size would be a 3,000-5,000 square footprint and a ¼ radius for Neighborhood Centers. This could be requested anywhere but they have to meet the criteria including notifying the neighborhood, completing a market study and be economically viable.

The proposed ordinance will come back as a public hearing and action item at the July 5, 2011 Council meeting.

#### **OTHER CONSIDERATIONS.**

No other considerations from the Mayor or Council.

#### **RECESS TO MEETING OF LOGAN REDEVELOPMENT AGENCY.**

#### **ACTION ITEM:**

#### **PUBLIC HEARING – Consideration of a proposed resolution approving the Redevelopment Area Budget for FY 2011-12 – Resolution 11-51 RDA.**

Vice Chairman Quayle opened the meeting to a public hearing.

There was no public comment and the hearing was closed.

**ACTION.** Motion by Councilmember Monson seconded by Councilmember Daines to approve Res. 11-51 RDA as presented. Motion carried unanimously.

There being no further business to come before the Council, meeting adjourned at 7:00 p.m.

**ADJOURN.**

Teresa Harris, City Recorder