

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, June 7, 2011 at 5:30 p.m. in the Logan City Hall Conference Room, 290 North 100 West, Logan, Utah. Chairman Herm Olsen conducting.

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

OPENING CEREMONY.

Councilmember Quayle gave the opening prayer and led the audience in the pledge of allegiance.

Chairman Olsen welcomed those present. There were approximately 28 citizens in the audience at the beginning of the meeting.

Meeting Minutes. Minutes of the Council meeting from May 17, 2011 were reviewed and approved with minor changes.

Meeting Agenda. The meeting agenda was approved with an addition under Other Considerations to discuss a budget item regarding Fire Station 72. Chairman Olsen announced at tonight's meeting there would be two public hearings.

Meeting Schedule. 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, June 21, 2011.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL.

Logan citizen Steve Bower addressed the Council. He stated that recently a driver made a lewd comment toward some young girls who were walking on Center Street. The Logan City Police responded and he is concerned because the comment made by the police officer was this is free speech and Mr. Bower feels the police showed no interest in this incident and he feels that that something should be done.

Police Chief Gary Jensen said he will review the incident and will report back to the Council and Mr. Bower.

Logan citizen Don Toone expressed his concern about several sidewalk and areas in Logan that do not have wheelchair access. The area of most concern is 100 West 300 North. He distributed photos of this area to the Council.

Councilmember Daines said that for \$20,000 the intersection at this location could be fixed. She asked if the sidewalk project at the Logan City Service Center can be deferred until a later time and use the money to fix this sidewalk area.

Finance Director Richard Anderson responded the allocation of money for the Service Center repairs can be changed within the budget to be used for the repairs mentioned.

City Attorney Kymber Housley said the City is often criticized that we require private developers to meet design review permit requirements such as sidewalks but when the City does a project we make exceptions. We have tried in the last few years to hold ourselves to the same standard and we send a conflicting message when we don't meet the same requirements as the developers.

Public Works Director Mark Nielsen said the sidewalk area on 100 West 300 North is something that can be done. He will come back to the Council with a recommendation on funding the project.

MAYOR/ STAFF REPORTS.

Flood Update – Assistant Chief Will Lusk.

Logan City Fire Department-Assistant Chief Will Lusk gave an update on the flood situation. He said the Snotel graphs indicate there is still a lot of snow that needs to come down and it will all go into the rivers. Logan City crews continue to work around the clock to monitor bridges, canal head-gates, drainage culverts, and storm-water grates for debris and rising water as well as maintain pumping operations of high water around the Country Manor Subdivision. The Logan City website (www.loganutah.org) flooding page has been updated to include the river flow gauge for the Little Bear River and to reflect the current status of flood watches and warning for the Logan River. At this time, the Logan River is currently under a flood watch issued from the Salt Lake City office of the National Weather Service. A current figure on accumulated expenditures for manpower & equipment, as well as damages to roads and infrastructure for Logan City is approximately \$110,000 (This figure does not take into consideration damages to homes and private property). Assistant Chief Lusk thanked the Mayor, Council and all of the city crews that have helped with the flood situation.

Fire Chief Jeff Peterson gave a report of the recent fire incident that occurred this past weekend in the Island area. This involved a structure fire with a man trapped inside. The man was rescued by police and fire personnel. Chief Peterson commended the police officers and firefighters who were involved in the successful rescue of this man.

COUNCIL BUSINESS.

No council business was discussed at this time.

ACTION ITEMS.

PUBLIC HEARING – Budget Adjustment FY 2010-11 appropriating: \$14,852 for the Library CLEF Grant for the purchase of credit card machines and software for the Logan Library – Resolution 11-45.

Chairman Olsen opened the meeting to a public hearing.

There was no public comment and the hearing was closed.

ACTION. Motion by Councilmember Daines seconded by Councilmember Quayle to approve Res. 11-45 as presented. Motion carried unanimously.

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

Councilmember Daines said she has received emails from citizens who have said they have made comments regarding the 200 East Project but they haven't received a response back.

Public Works Director Mark Nielsen stated that responses are not sent out to people but the comments will be listed in the final document.

Mike Worrell with J-U-B Engineering stated that comments are in the process of being addressed however they are evaluating these comments to see if they require additional information. He is not sure of the timeline and how long this will take.

Councilmember Daines asked if the Council should consider postponing a decision on this resolution of support tonight until the residents have received a response.

Chairman Olsen said he received a response from a resident who stated the public comment deadline date had been changed on the website without notification.

Mr. Worrell responded the deadline date did not change and all comments have been received and they will be included in the final document.

Councilmember Quayle asked is there "study money" for one way couplets on the East and West side of Main Street and could this affect this project and when will we proceed with these studies.

Mr. Nielsen responded this study will not affect one-way couplets and if they are determined to be the right alternative they will be incorporated.

Councilmember Quayle said he is uncomfortable approving and moving forward with the support of the proposed resolution until all citizen comments have been addressed.

Mr. Nielsen said the reason he wants to move forward is he has received calls from residents who want to purchase a new home and they want to start property acquisition.

Councilmember Monson said he doesn't see a good alternative when it comes to traffic issues. He doesn't think that postponing this resolution will help anything. The 200 East project has been an issue for the past three years and feels it's time to move forward.

Mr. Nielsen said that delaying a decision from the Council until the June 21, 2011 Council meeting will not cause any problems.

Chairman Olsen said Main Street traffic is getting busier and there has to be impacts to alleviate traffic issues. He feels that people need to be listened to and we need to hear all comments.

Mayor Watts feels the individuals who this impact have been heard and we should move forward.

ACTION. Motion by Councilmember Daines to table Res. 11-38 until the June 21, 2011 Council meeting seconded by Councilmember Quayle as presented. Motion carried 3-1 (Monson voted no).

PUBLIC HEARING – Logan City Budget Transfers FY 2011-12.

Finance Director Richard Anderson stated that transfers are something that has taken place in Logan City for greater than 30 years. The City owns enterprise funds such as water/wastewater, environmental and electric. The City incurs risk and as a return on investment from these revenues, it returns or transfers to the general fund this money that would otherwise be transferred to shareholders. The money that is transferred goes back to the citizens of Logan to provide the services mentioned and keeps taxes as low as possible. This is an important source of revenue for Logan City.

Chairman Olsen opened the meeting to a public hearing.

Logan City Business Owner Tom Horlacher said he is concerned about these transfers and feels his business is impacted. He asked if there is money being transferred, are citizens overpaying and would the City consider giving a credit or reducing what they pay.

Finance Director Richard Anderson responded if the City did not transfer funds, we would have to cut services of the general fund or raise property taxes in order to compensate. Logan City has also made cuts in staffing and eliminated the capital replacement program and if additional cuts were made they would be services or a property tax increase.

Chairman Olsen closed the public hearing at this time.

WORKSHOP ITEMS.

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 – Richard Anderson.

Mr. Anderson stated the proposed budget adjustments are end of year budget items and need to be addressed at this time.

The proposed resolution will come back as a public hearing and action item at the June 21, 2011 Council meeting.

Consideration of a resolution approving Elected Official's Wages FY 2011-12 – Resolution 11-35 – Greg Cox.

Human Resource Director Greg Cox addressed the Council. He stated that wages for the Mayor and Council have not increased in the past three years and he feels in comparison with other municipalities and reviewing the current market rate, he recommended an increase should be made at this time. He said that Logan City is unique in that we provide all services for the City. He provided the Council with salary comparisons of other Utah cities. The proposed increase will also encourage candidates to run for office and pay them for the job they do.

Councilmember Monson said he has no problem with increasing the Mayor's salary but does not support a Council salary increase.

The Council requested there be two resolutions, one for the proposed Mayor's salary increase and the other for the proposed Council salary increase.

The proposed resolutions will come back as public hearing's and action items at the June 21, 2011 Council meeting.

Consideration of a resolution approving Member Contributions to the Utah Retirement Systems Contributory Retirement Plan FY 2011-12 – Resolution 11-34 – Greg Cox.

Mr. Cox stated the proposed resolution is required to fund the City's retirement system and we are required to go through this process each year.

The proposed resolution will come back as a public hearing and action item at the June 21, 2011 Council meeting.

Consideration of a resolution supporting the modification of Parking Restrictions along the East side of Main Street – Resolution 11-48 – Mike DeSimone & Chief Gary Jensen.

Community Development Director Mike DeSimone addressed the Council regarding the proposed parking restrictions along the East side of Main Street. He said the City was approached by the downtown merchants who have issues with parking along Main Street in front of the Tabernacle and asked that the parking be modified that vehicles may not exceed one stall and prohibit towed vehicles or trailers Monday through Friday. They would also like this area to be changed to 8 hour parking. He will meet again with the downtown merchants and Police Chief Gary Jensen to modify the proposed resolution.

Mr. Housley talked with Councilmember Swenson and she doesn't support 8 hour parking on the Main Street side of the Tabernacle. She suggested there should be a prohibition of trailer parking on the East side of Main Street Monday through Sunday and two hour parking Monday through Saturday.

Councilmember Quayle said there are programs at the Tabernacle on Saturday and he recommended that parking not be restricted on Main Street.

The proposed resolution will come back as a public hearing and action item at the June 21, 2011 Council meeting.

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 – Russ Holley.

Community Development Planner Russ Holley stated the proponent is requesting an amendment to the official zoning map for the property to change from the current zoning of Mixed use (MU) to Commercial (COM). The properties are part of the Riverwoods project. The entire project is located on approximately 30 acres. On May 12, 2011, the Planning Commission, by majority vote (3-1), recommended that the Municipal Council approve a motion for a zone change from Mixed use (MU) to Commercial (COM). He stated the proponent is also requesting a Design Review Permit to install an EMD sign on the property located at 682 South Main. Three options have been presented. Two options have the sign located on different areas of the building's wall at the corner of Main Street and 700 South and the third option has the sign located on a pole west of the building adjacent to Main Street. The Land Development Code (LDC) permits EMD signs' in the COM zone and limits the size of the EMD sign to 48 square feet. The code prohibits freestanding signs to have the EMD solely consist of the entire sign area. The code allows only one pole sign per project.

Councilmember Daines said this feels like a spot rezone and what prevents other businesses from requesting a rezone and putting up pole signage.

Planner Glen Goins said he is working on changing the wording of EMD sign allowances. He will bring this forward to the Council for their review.

Mr. Holley said a change was made to the EMD sign code that no longer allows a standalone EMD pole sign, the sizing remains the same.

Mr. Housley said the City Council is the final say on a rezone and a decision cannot be made at the staff level.

The proposed ordinance will come back as a public hearing and action item at the June 21, 2011 Council meeting.

OTHER CONSIDERATIONS.

Richard Anderson and Fire Chief Jeff Peterson addressed the issue of using capital money for the proposed construction of the new fire station. Bids have come back and they are \$100,000 more than what was anticipated. Mr. Anderson said there are three options for the Council to consider. One, we don't build the fire station which he does not recommend. Second, is to take \$100,000 from what we planned to do with roads which he doesn't recommend. The third option that he does recommend is to take an additional

\$100,000 from capital reserves to complete the fire station. This will leave two million in the capital reserves for future projects.

Chief Peterson stated the reason for the increase in the bid is there was a code change requiring a sprinkler system in a building and there were also drainage issues in the parking lot to meet the requirements.

Councilmember Daines asked since this is a fire station, can't we forgo the sprinkler system in the building and save \$50,000.

Chief Peterson responded that firefighters will not be in the station a lot of the time when fire personnel are out on calls and something could also happen in the middle of the night.

Mr. Anderson stated this will come back as an action item at the June 21, 2011 Council meeting.

RECESS TO MEETING OF LOGAN REDEVELOPMENT AGENCY.

ACTION ITEMS:

PUBLIC HEARING - Consideration of a proposed resolution approving Agency Assistance to the Logan Downtown Alliance in the Downtown Redevelopment Project Area – Resolution 11-43 RDA.

Chairman Olsen 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 Quayle to approve Res. 11-43 RDA as presented. Motion carried unanimously.

PUBLIC HEARING - Consideration of a proposed resolution approving Agency Assistance to the City of Logan for lease obligations associated with the Provision of Public Parking in Downtown Logan – Resolution 11-44 RDA.

Chairman Olsen opened the meeting to a public hearing.

There was no public comment and the hearing was closed.

ACTION. Motion by Councilmember Quayle seconded by Councilmember Daines to approve Res. 11-44 RDA as presented. Motion carried unanimously.

PUBLIC HEARING - Consideration of a proposed budget adjustment appropriating: \$20,000 for the Community Development's Housing Rehabilitation Program – Resolution 11-46 RDA.

Chairman Olsen opened the meeting to a public hearing.

There was no public comment and the hearing was closed.

ACTION. Motion by Councilmember Daines seconded by Councilmember Monson to approve Res. 11-46 RDA as presented. Motion carried unanimously.

PUBLIC HEARING - Budget Adjustment FY 2010-11 appropriating: \$50,000 for the salary of the Downtown Alliance Manager; \$23,000 for parking lot improvements behind the Ellen Eccles Theatre – Resolution 11-47 RDA.

Chairman Olsen 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. 11-47 RDA as presented. Motion carried unanimously.

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

ADJOURN.

Teresa Harris, City Recorder