

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, March 15, 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, Laraine Swenson, Holly Daines and Jay Monson. Administration present: Mayor Randy Watts, City Attorney Kymber Housley and City Recorder Teresa Harris.

OPENING CEREMONY.

Sharilee Griffiths, Director of the Cache Valley Volunteer Center gave the opening prayer/thought and led the audience in the pledge of allegiance.

Chairman Olsen welcomed those present. There were approximately 53 citizens in the audience at the beginning of the meeting.

Meeting Minutes. Minutes of the Council meeting from March 1, 2011 were reviewed and approved.

Meeting Agenda. The meeting agenda was approved. Chairman Olsen announced at tonight's meeting there would be four 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, April 5, 2011.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL.

Citizen Bonnie Hoth referred to a Salt Lake Tribune article dated February 1, 2011 where it talked about the pros and cons of city department heads and employees that live within the city as residents. She feels this issue should be included in our General Plan and she would like the Council to consider this for Logan City.

Chairman Olsen recognized and welcomed Logan Scout Troop 1 and Troop 101. He also welcomed Scout Troop 26 from Paradise, Utah.

MAYOR/ STAFF REPORTS.

Mayor Watts gave an update on the 1000 West Project and said those driving along this road will need to consider the delays and impact when traveling along this road due to the construction. The improvements will be made from Highway 89 to 2500 North. The project will take one year to complete. This will be a concrete road and crews will work continuously to complete.

COUNCIL BUSINESS.

Meeting Reminder: Chairman Olsen announced there will be a Joint Logan Municipal and Cache County Council meeting on Tuesday, March 29, 2011 at 5:30 p.m. in the Cache County Administration Building, Multi Purpose Room. Agenda items include an update on the canal project and air quality.

Chairman Olsen announced that at the council meeting on December 7, 2010, Ordinance 11-02 regarding the Temple Barn Rezone was continued at the request of the applicant until the March 15, 2011 council meeting. The applicant has again requested that Ordinance 11-02 be continued until the April 19, 2011 council meeting and it will be a workshop item at that time.

ACTION ITEMS.

PUBLIC HEARING – Consideration of a property purchase in the amount of \$159,500 for 11.49 acres located at 200 South 1400 West within the ¼ mile Landfill Buffer Zone.

Chairman Olsen opened the meeting to a public hearing.

There was no public comment and the hearing was closed.

No vote is needed from the Council on this property purchase.

PUBLIC HEARING – Consideration of a resolution to Levy an Assessment Area within Historic Downtown Logan – Resolution 11-22.

Chairman Olsen opened the meeting to a public hearing.

There was no public comment and the hearing was closed.

City Attorney Kymber Housley stated the assessment areas are new and this is the first one that Logan City has done. We have gone through the public hearing process and the property owners are aware of the amounts.

ACTION. Motion by Councilmember Quayle seconded by Councilmember Monson to approve Res. 11-22 as presented. Motion carried unanimously.

Consideration of a resolution approving the Logan City Water Conservation Plan for submission to the Utah Division of Drinking Water – Resolution 11-25.

Logan Assistant City Engineer Lance Houser responded to questions from Councilmember Swenson. He stated the payback period for a leaking pipe replacement it's difficult to put a number on a specific block of water line but over the last five years the City has averaged 1.5 million dollars per year to repair lines that are broken, leaking, costs of pumping and claims associated with property damage. It currently costs approximately \$100,000 to replace one block of water line and more cost effective to replace lines one block at a time. The pipe replacement plan looks at breaks per mile and

targets lines that have five or more breaks in the last 10 years. On the east side of Main Street the pipe is different than on the west side because of different soils.

Mr. Houser said regarding raising water rates, they have looked at rate structures and water conservation is mandatory to look at and the next cost of service study will be done one year from now. Regarding meter replacement there are two different meters. One is low flow commercial and will last 10-15 years and the repayment period is less than one year. In high flow industrial areas, they wear out in one year and the repayment is less than six months.

Public Works Director Mark Nielsen said with a secondary system, the line has to be charged in the Spring and emptied in the Fall. The additional labor is something that having a secondary system under the City's control should not be our priority. He recommended that new subdivisions should be installing secondary systems and be controlled by the homeowners association. Older subdivisions are very expensive because the pipe goes in the park strip. There is a lot of canal water available but people want a pressurized system rather than pulling from a canal. The city requires developers to bring shares for outdoor and indoor use and they usually don't want to pay the extra costs.

Councilmember Swenson feels the City should look at doing this as part of our code requirements.

Mr. Nielsen said we are waiting for the actual secondary source to be installed so we can address all of the issues. He will bring this back to the Council at a future meeting.

Councilmember Daines said she currently serves on the Parks and Recreation Board and the board recommended taking water from the canal to use at Lundstrom Park. There is an upfront cost and it's expensive but it would pay for itself later on and they are just waiting for the funding. The Logan Cemetery currently uses canal water to water their lawn.

The approved Water Conservation Plan is available on the Logan City website at www.loganutah.org.

ACTION. Motion by Councilmember Monson seconded by Councilmember Quayle to approve Res. 11-25 as presented. Motion carried unanimously.

PUBLIC HEARING - Budget Adjustment FY 2010-11 appropriating: \$552,661 to reclassify Business Improvement District fund balance; \$2,900 for Zoo building design fees; \$250,000 for electrical connection fees – Resolution 11-24.

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. 11-24 as presented. Motion carried unanimously.

PUBLIC HEARING - 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, 17.16.040 (E) & 17.17.030 concerning standards for Neighborhood Center (NC) and Gateway (GW) Zones – Ordinance 11-23.

Councilmember Swenson said we have thousands of nonresidential structures in Logan City and she would like the wording clarified that the intent is non residential structure of former commercial use as well as former places of worship. This would impact the Temple Barn property because it is both non commercial and is not a former place of worship. She would like to include what was intended on the zoning map.

Councilmember Monson said he would like to hear from the public first at tonight's meeting on this issue and then the Council can discuss it further.

ACTION. Motion by Councilmember Monson to eliminate the entire concept of predetermining where these potential locations are for Neighborhood Centers. If someone wants to come forward and propose a Neighborhood Center then the Council at that time can review the information. Motion failed for lack of a second.

Councilmember Quayle agrees and feels we should not designate what might come in the future; there are other former areas that are not currently designated.

Councilmember Swenson is concerned that people need to have trust and confidence that were they live is stable and the area they live will remain the same.

Councilmember Monson feels that six of the sites he visited are unacceptable as Neighborhood Centers. Property values will go down and people will not like these changes. He feels that Neighborhood Centers should come about naturally and we should not pre-judge where they should be on a map. He does not think this is the right thing to do.

Chairman Olsen opened the meeting to a public hearing.

Citizen Amanda Davis said there are pedestrian barriers on 400 North and the Temple Boulevard bluff and she would like the Council to consider limiting or removing the restrictions in this area. Regarding the ¼ radius, she feels the Council should consider other commercial areas and all commercial establishments in the area.

Citizen Jolene Wolter lives on the Boulevard and she would like the Council to think about the impact and safety factor if the Temple Barn project moves forward such as parking and families with small children.

Citizen Bonnie Hoth said she is fine with the proposed Gateway Zone amendment but she is concerned about the proposed Neighborhood Center. She feels the first problem is a safety issue with Neighborhood Centers and from the business owner's perspective, what overhead is needed for a viable business to go forward. She feels this should be considered. Historic and commercial use play into the fact that things have changed from what they were 50 years ago.

Citizen Shanna Avila commented that as a homeowner in the Temple Barn area she feels her property value will go down and she also has safety concerns for those living in the area.

Citizen John Avila said he is also concerned about the Temple Barn project and feels there will be parking problems in this area. This is still a rental area and access to the area is an issue with vehicle traffic.

Citizen Andrea McCulloch said the topic of commercial centers is a big issue. She feels it's important to get together as a whole and invest in neighborhoods. She would like to find a way to make things work for both the neighborhood and the Temple Barn project that she is proposing and would like to develop.

Citizen Marilyn Griffin said if we call it a Neighborhood Center that's where the neighbors will go and the neighbors should have a say. She feels the Council is a forward thinking group and they want the neighborhoods to remain. She does not want to be a Park City or any other city in Utah; she just wants to be Logan.

Citizen Spencer Davis thanked the Council for all they do. He feels there are flaws in the current proposal and he wants to see stability in his neighborhood. He feels that neighborhoods should be heard and their thoughts should be considered when it comes to Neighborhood Centers.

Citizen Penny Bagley lives by the Logan Temple. She gave a history of the parking in this area which at one time was located behind her former home. She does not want things to change in this neighborhood.

Councilmember Quayle asked the neighbors what they would like to see done with the Temple Barn building. The neighbors responded they would like to have a park area or have the building restored and become a historical site for people to visit.

Councilmember Monson said at one time it was suggested that Logan City should purchase. The Logan Parks Department has talked to the LDS Church and they are interested in the Temple Barn and restoring the building and improving the landscaping.

Councilmember Daines said it would be good to purchase this building but there are other priorities in the City.

Chairman Olsen closed the public hearing.

ACTION. Motion by Councilmember Monson to amend Ordinance 11-23 to delete Neighborhood Centers and keep Gateway Zones seconded by Councilmember Swenson. Councilmember Monson and Swenson withdrew the motion and second.

Councilmember Monson said he does not want to predetermine Neighborhood Centers and he would like to wait and see what comes in the future as neighborhoods developed.

ACTION. Motion by Councilmember Monson to send Ordinance 11-23 back to Staff for revisions on Neighborhood Centers and bring back to the Council at the May 3, 2011 council meeting and adopt a portion of proposed Ordinance 11-23 regarding the Revised Gateway Zones seconded by Councilmember Quayle. Motion carried unanimously.

WORKSHOP ITEMS.

Budget Adjustment FY 2010-11 appropriating: \$480,000 for 200 East Project; \$474,000 for the Dewitt Springs Hydroelectric Turbine Project; \$170,000 for property purchase of 11.49 acres located at approximately 200 South 1400 West – Resolution 11-28 – Richard Anderson.

Finance Director Richard Anderson addressed the council and explained the proposed budget resolution.

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

Consideration of a proposed resolution approving the CDBG 2011-12 Annual Action Plan Draft Review – Resolution 11-26 – James Olson.

Councilmember Monson asked if the City could complete some of the sidewalk on 300 South and could they do some of the work at a less expensive cost.

Public Works Director Mark Nielsen responded yes, but it will take away from other projects that crews are doing.

Councilmember Monson said there is an area located at 1400 North 1200 East that does not have a sidewalk on either side of the road and he would like to see this completed sooner than later. A new sidewalk would connect to an existing sidewalk and children would not have to walk in the road.

Councilmember Daines suggested that Street Manager Jed Al'Imari bring a prioritized sidewalk list to the Council and do this before the upcoming budget.

Mr. James Olson said the final allocation of CDBG money is approximately 60 days away and it will be a 7.5% reduction from last year's amount which was \$640,000.

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

Consideration of a proposed resolution amending the CDBG 2010-11 Annual Action Plan, specifically per the allocation to the Cache Community Food Pantry – Resolution 11-27 – James Olson.

CDBG Coordinator James Olson said the proposed amendment is for operating costs of the Cache Community Food Pantry and reallocation of money they received last year to purchase property in the amount of \$100,000 rather than using the money for a renovation project.

Cache Community Food Pantry Director Matthew Whittaker addressed the Council. He clarified they did apply for funding to replace their roof and last year they applied for funding to remodel their current building, The instead are requesting to reallocate this funding to purchase property next to their current building.

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

OTHER CONSIDERATIONS.

There being no further business to come before the Council, meeting adjourned at 7:30 p.m.

ADJOURN.

Teresa Harris, City Recorder