

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, September 20, 2011 at 5:30 p.m. in the Logan City Municipal Council Chamber, 290 North 100 West, Logan, Utah. Chairman Herm Olsen conducting.

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

### **OPENING CEREMONY.**

Community Development Director Mike DeSimone gave the opening prayer and led the audience in the pledge of allegiance.

Chairman Olsen welcomed those present. There were approximately 11 citizens in the audience at the beginning of the meeting.

Chairman Olsen announced that all six council candidates have agreed to take down their campaign signs until two weeks prior to the election.

**Meeting Minutes.** Minutes of the Council meeting from September 6, 2011 were reviewed and approved with minor changes.

**Meeting Agenda.** The meeting agenda was approved with additions under Other Considerations by Councilmember Swenson who would like to talk about the rezone project on 1000 North 600 East and also dogs in City parks and the procedural issues of these two items. Chairman Olsen announced at tonight's meeting there would be five 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, October 4, 2011.

Chairman Olsen recognized council candidates Doug Thompson, Karl Ward and Tom Jensen who are in the audience.

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

No questions or comments for the Mayor or Council.

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

Parks & Recreation Director Russ Akina reported to the Council on the 300 South sidewalk project. He said they are proceeding forward to bid the project and are working with Logan High School coordinating when football games are scheduled for the season. It most likely will be spring before the project begins.

Chairman Olsen said there is an area along 300 South where there is a substantial drop off along the roadway and he is concerned that someone could fall due to the unevenness and no sidewalk.

Mr. Akina responded he will talk with the Public Works Department and see if there's something they can do temporarily until the sidewalk is in place.

Public Works Director Mark Nielsen gave an update on the 10<sup>th</sup> West project. Most of the concrete work will be completed by mid November and the road (South end) will be completed by the end of this year. The Second Phase bid documents will be ready in January 2012; work will begin on the North side in the spring of 2012. The bridge is proceeding and the deck has been poured. They are installing curb and sidewalk and this work is going quickly. It needs to be above 50 degrees to paint stripe lines on the road so the cones and barriers could still be in place during the winter months.

Mayor Watts said the Canyon Road cleanup is going well and he invited citizens and the Council to drive along this area and see the improvement that has been made, this will remain open space. He also announced that manhole covers are being fixed throughout the City.

#### **COUNCIL BUSINESS.**

Chairman Olsen announced there will be a Logan Municipal Council Workshop on Tuesday, September 27, 2011 at 5:30 p.m. in the Council Chambers. The Council will discuss the canal.

City Attorney Housley stated that Brent Rose will also attend the canal meeting.

Councilmember Monson said he has a meeting in Salt Lake on September 27 and asked to be excused from the Council Workshop.

#### **ACTION ITEMS.**

**Budget Adjustment FY 2011-12 appropriating: \$10,473 for new police vehicle; –\$105,057 decrease in CDBG budget; \$3,112,541 for the 10<sup>th</sup> West Project (South End) - Resolution 11-71**

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. 11-71 as presented. Motion carried unanimously.

**PUBLIC HEARING – Consideration of a joint plan of the City of Logan and the Logan Downtown Alliance to encourage housing in Downtown Logan – Resolution 11-72**

Chairman Olsen opened the meeting to a public hearing.

Citizen Paul Hoth addressed the Council and asked what is the geographical boundary that is referred to as “downtown”.

Economic Director Kirk Jensen responded the boundaries mirror the Downtown Specific Plan which is the area of 500 North to 300 South, 100 West going West and 200 East going East.

Chairman Olsen closed the public hearing at this time.

Mr. Jensen said each of the councilmember’s received a copy of the document titled, *Downtown Logan, Focus on Housing* in the September 6 council packet. This is an implementation plan that tells us how we will go about establishing housing projects in the downtown and is in connection with the proposed Cowboy Partner project which is necessary for them to enhance their application to the Utah Housing Corporation for tax credits. The Downtown Alliance has reviewed and approved this plan.

Councilmember Olsen said that each of the councilmember’s received a letter from Adam’s Neighborhood representative Marilyn Griffin regarding information for the downtown plan. In her letter, she reminded the council that the general plan charges each neighborhood to prepare a specific plan in extension of the General Plan. She feels the Adams Park Neighborhood has not had an opportunity to review the proposal in conjunction with their neighborhood plan document.

Community Development Director Mike DeSimone said in the Logan General Plan it lists the areas where the plan should be reviewed and they started with the Adam’s Neighborhood. Mrs. Griffin has been informed of anything going on in the Adam’s Neighborhood and does receive notices because she is a Neighborhood Council Chair. He said we want to be careful giving the neighborhood council's any kind of authority and taking away authority from the Planning Commission and City Council and adding another level of bureaucracy. We want the neighborhood council’s to be involved and give their input but there is a process that needs to be followed.

Chairman Olsen said that Mrs. Griffin feels the Adam’s Neighborhood hasn’t had an opportunity to review the Church/Federal project that is part of the Adam’s Neighborhood and when they had their most recent meeting with city representatives it was not mentioned at that meeting.

Mr. DeSimone said that currently there is not a project in the downtown area, there is only a zone change at that this time and proposed text amendment. If and when a project applies then the neighborhood will be notified and they can give comment on the project at that time.

Councilmember Daines said we want input from residents but she doesn’t feel we want comments before a project comes before the planning commission.

Chairman Olsen said the issue is to have information available to the public and letting the neighborhood know what is going on and have communication with the City.

Mr. DeSimone said the neighborhood councils have an opportunity to make comments and give input and there is a process of how things should go when a proposed project comes forward. He wants the neighborhoods to be involved.

Councilmember Daines said in the new Land Development Code one of the requirements of the developer is to hold neighborhood meetings. The process is working and meetings are being held with the neighborhoods, giving them an opportunity to express their views.

Councilmember Swenson said the concern is not only to express their views but to draw the neighborhood plan.

Mr. Jensen said the proposed housing plan is nothing new and is already in the General Plan and the Downtown Specific Plan, we are just stating the efforts that have been ongoing and targeting developers.

Councilmember Swenson said it is specifically saying in the implementation of the Housing Plan that it is targeting workforce housing and Cowboy Partners has been mentioned.

**ACTION.** Motion by Councilmember Daines seconded by Councilmember Monson to approve Res. 11-72 as presented. Motion carried 4-1 (Swenson voted nay).

**PUBLIC HEARING – Consideration of a proposed adoption of the Logan Housing Plan – Resolution 11-69**

Chairman Olsen opened the meeting to a public hearing.

There was no public comment and the hearing was closed.

Councilmember Swenson said the final Logan Housing Plan does not show the rezone that appeared shortly before the General Plan was passed.

Community Development Planner Glen Goins said once approved, they will update all the maps, and the Plan is still in draft form. There are minor changes and a few typos that will also be changed. The draft that is before the Council now is the same they have seen over the past few months.

Councilmember Quayle asked about the financials and are they reasonable. He referred to page 44 of the document where it states, “We have ever increasing general funds for the implementation of this plan.” He doesn’t feel this is realistic at this point and time.

Mr. Goins responded this plan is not tied to the General Fund but will keep the doors open to CDBG funding. We will do the best we can with the funds available and whatever funds are available will be applied to housing.

Councilmember Daines asked about the Community Impact Board.

Finance Director Rich Anderson responded this is a State funding source and is a bond. This is not through the Olene Walker fund and is something that is bonded for and is mainly a loan.

Councilmember Quayle said there is a lot of talk about quantity and he feels there should be something written about quality in regards to rental licensing.

Councilmember Daines said on page 120 it refers to the “Good Landlord Program” which also talks about rental licensing.

**ACTION.** Motion by Councilmember Swenson with a comment that we have more than an adequate supply of affordable housing at present and for the next five years. We also have a high portion of non owner occupied housing. Seconded by Councilmember Quayle to approve Res. 11-69 as presented. Motion carried unanimously.

**PUBLIC HEARING – Consideration of a proposed text amendment to the Town Center (TC) zone in the Land Development Code (LDC) – Ordinance 11-67**

Chairman Olsen opened the meeting to a public hearing.

Citizen Bonnie Hoth addressed the Council and asked about the maps that show as attachments to the proposed resolution.

Mr. Goins responded the maps were in the previous council packet dated September 6, 2011.

Mr. Goins stated this is a proposed text amendment of the Town Center (TC) zone and was brought forward by Logan City. The proposal is to amend these sections by increasing the maximum residential density from 30 units per acre to 70 units per acre, and increasing the maximum residential density with a density bonus from 60 units per acre to 100 units per acre. The current allowable density in the Town Center Zone is a maximum of 30 units per acre, and a maximum of 60 units per acre if the maximum density bonus is granted.

Councilmember Swenson asked about the proposed 100 units and how many floors the building will be with the parking and 100 units.

Mr. Goins responded the idea is to say the developer is granted so many units to start making calculations from there and look at unit types the developer wants. The business model will dictate how many units they are proposing. They also have to calculate parking with the units they propose. They can build an eight story building if they are granted the density bonus and has to be proven by the merits of the design and the meet all of the requirements. The parking has to comply with the Land Development Code. In a recent discussion with Cowboy Partners they have confirmed this area will not lose any public parking and will actually add two additional parking spaces.

Chairman Olsen said the concern to him is that Cowboy Partners proposal calls for a transfer of ownership of the parking from the City to them as a private entity. We are giving up Logan City parking and they get parking with a lease back for Logan City use. He is concerned about this and has mentioned a 99 year lease and the fact is they will own the parking and the adjoining businesses have to comply with the new parking ownership.

Mr. Goins said staff agrees with the future potential of parking and they also have concerns. It's difficult to address when we don't have a specific project in place. Once a project comes forward we can negotiate on parking issues.

Councilmember Swenson said she is concerned about moving the density from 30 to 70 and she would feel more comfortable moving from 30 to 50 and from 60 to 80 on the density bonus. She would like to see a few of the projects get built first and see how this fits with the community first before allowing so much at all once. She knows Logan will densify and have tall buildings but she would prefer to transition slowly to that point.

Mr. Goins said the adjoining properties within 300 feet have been given notice and they had an opportunity to respond. Every neighborhood chair for every neighborhood council receives a packet and they also have an opportunity to respond. There are height and parking restrictions that will not change and design requirements that aren't just policy but they are mandated. Staff feels that we are looking at a 5-6 story building and the developer will have to earn the density bonus if they want to go higher. A density bonus has not been approved yet for any project up to this point.

Citizen Jan Nyman addressed the Council, she is representing Marilyn Griffin who is out of town at this time and represents the Adam's Neighborhood Council. Mrs. In a statement from Mrs. Griffin she expresses her concern about the neighboring businesses and where their parking will come from if the proposed project is approved. She also asked if there is a developer and architect for the project at this time.

Chairman Olsen responded that he spoke with a representative from the USU Credit Union and their only concern was to protect their own parking lot and that it not be impacted by a new project.

Mr. Housley said we do not have an application for a project at this time. A developer is interested but has not formally applied. Cowboy Partners is interested and there is a conceptual drawing of the project, the businesses have seen the drawing.

Citizen Bonnie Hoth addressed the Council and asked about the communication process since this falls within the Adams Neighborhood area. She asked how the information is going to be shared in a timely manner to the rest of the neighborhood outside of the 300 feet noticing area.

Mr. DeSimone responded that each of the neighborhood council chairs will be notified of any action that will take place with the rezone and if and when a project comes forward the neighborhood council will again be notified. Cowboy Partners held an open house last

week with the commercial business owners and there were comments about parking. The goal is to keep the same amount of parking that is currently there now.

Mr. Housley also noted that on the front page of the Logan City website under Notices and Hearings all meetings, notices and hearings will be posted and anyone can go to this location and get more information.

Chairman Olsen closed the public hearing at this time.

Councilmember Swenson asked what is the basis to determine going from 30 to 70 units per acre without a density bonus and from 60 to 100 with a density bonus. What basis do we have for more than doubling the units per acre.

Mr. Goins responded that a starting point was determined and the density bonus has to be earned and not just given. Similar projects were reviewed and all the maximum density points were based on a point system of 30 units. Staff feels that 70 should be the base number and this can be adjusted as Council would like.

Councilmember Swenson asked about other cities with comparable figures.

Mr. Goins responded that downtown Ogden City has similar numbers and is the closest they have found.

Councilmember Swenson said her concern is a tall structure in the downtown area that will look out of place in comparison to the other downtown buildings.

Councilmember Monson asked if this information has been sent to the Logan City School District. He said the school district is concerned about building more low income housing and school children who are transient and going in and out of the schools.

Councilmember Swenson read from minutes of a planning commission meeting where Logan City School District Superintendent Marshall Garrett voiced his concern of more affordable housing projects being built.

**ACTION.** Motion by Councilmember Daines seconded by Councilmember Quayle to adopt Ord.11-67 as presented. Motion carried 4-1 (Swenson abstained based on her concern that there isn't enough information to make the density decision at this time.)

**PUBLIC HEARING – Consideration of a proposed zone change from Public (PUB) to Town Center (TC) to accommodate proposed mixed use development of retail and residential at the corner of Church Street & Federal Avenue on .59 acres – Ordinance 11-68**

Chairman Olsen opened the meeting to a public hearing.

There was no public comment and the hearing was closed.

**ACTION.** Motion by Councilmember Swenson seconded by Councilmember Monson to adopt Ord.11-68 as presented. Motion carried unanimously.

### **WORKSHOP ITEM.**

**Budget Adjustment FY 2011-12 appropriating: \$15,091 for the reimbursement of supplying an engine boss and firefighter on the Idaho fire deployment; \$10,000 for the Emergency Management Performance Grant to assist with the expenses of local emergency management programs (salary, benefits, supplies and travel) - Resolution 11-74 – Richard Anderson.**

Mr. Anderson explained the proposed budget adjustment.

This will be an action item and public hearing at the October 4, 2011 council meeting.

### **OTHER CONSIDERATIONS.**

Councilmember Swenson spoke on procedural changes that have occurred and her particular concern is the way the rezone occurred in the General Plan in the area of 1000 North 600 East. She has looked through a timeline of this and never at any time was this brought up or discussed by the Council in any public meeting or otherwise to her knowledge. None of the council members were aware a change was made to the zoning map. At the same time going through the General Plan, another rezone came through and the process was followed. She feels this is very unfair to the neighborhood and never in her 15 years on the council or the planning commission has she seen a rezone go through without going through the process and given the attention as it goes through the planning commission and council. Rezones can have significant opposition from the public especially when it involves a neighborhood. She contacted former Community Development Director Jay Nielson and she transcribed his phone message. He said that a citizen spoke at the planning commission meeting and at the joint meeting with the council and planning commission and they suggested the area should be rezoned; it made sense and went through. She feels it's very unfortunate how this was handled and she offered her sincere apology and feels it was a big mistake on the part of the City. Staff should always bring changes forward and allow them to go through the due process.

She continued saying there are also concerns about the animal ordinance and feels the same thing happened when it was first discussed and was decided that animals would not be allowed in city parks except for certain parks discussed in that meeting and suddenly there is a sign posted where animals would be allowed. She feels the council is the legislative body and they have the responsibility to be open and candid with the public and these are not decisions of staff and should go through a public process. She expressed her great sorrow and dissatisfaction of what has occurred. She also said the maps that were distributed at the Adam's Neighborhood meeting following the passage of the General Plan did not show the change of the rezone. They were unaware that a change had been made and nobody had the correct information.

Councilmember Quayle asked if we made this mistake how can it be rectified.

Mr. Housley said that Councilmember Swenson pointed out the deficiencies and staff realizes they need to do a better job of getting out the correct notices and this was not done intentionally. This is something that former Community Development Director Jay Nielson thought he had authorization to change and was done during the time of his transition of leaving the City. In listening to the meeting recordings there was no specific discussion on the rezone but it wasn't something that was just added. Citizen Mark Lunt mentioned the rezone at the joint meeting and the December 9, 2010 Planning Commission meeting and subsequent to that it was added. A property owner has the right to rely on the zoning map as published and it was passed with the rezone included. There is a 30 day appeal in the State of Utah and the rezone was published as of February 13, 2011 with the correct map included, the map was posted as of March 7, 2011. It met the minimum noticing requirements but was not raised to the Council's attention. He said this can be disputed and his best legal judgment is the zoning is in effect and right now that is the legal zoning for that area.

Councilmember Monson said he met with the developer of the property and he hasn't done anything underhanded.

Chairman Olsen said when this was first brought to the attention of the Council the residents felt the rezone was "sneaky" and he feels there was no bad intent but it has the appearance of being "sneaky" and effective notice wasn't given to the residents. The Council did not know about the rezone and he feels badly about the entire incident.

Mr. Housley said the current map is was online March 7, 2011 and updated because of the publication that was done on February 13, 2011. The red line and the map was there somewhere between January 21 and 25, 2011 and we can say when it was last changed but can't say what that change was and that's why there is a range of dates. The red lined Land Use Code was published in January; the Council adopted the code February 1, 2011. It was lawfully published and noticed February 13, 2011 and then the updated copy was posted March 7, 2011. Anyone could have gone online between January 21 and 25, 2011 to see the updated map.

Councilmember Swenson said the map that is posted online is very small and cannot be read or viewed by anyone.

Councilmember Monson said he also talked to USU Campus Planning and Housing and they are not against this project and they knew about the project.

Mr. Housley said the planning department has met with several of the residents in this area and they will continue to answer any questions they might have.

Councilmember Swenson said regarding allowing dogs in the park, the code says we will not have dogs in parks unless it is set by policy differently. She would like this to come back to the Council for discussion. Dogs are currently allowed in Rendezvous and Stewart Nature Park and no other parks. This is a council decision and not an administrative decision. The Council met several times and discussed this issue and a decision was made that other than the two parks mentioned and no dogs would be allowed in city parks except where posted.

Mr. Housley said there are two code issues that refer to this issue and he read from the minutes of the September 5, 2006 council meeting when it was discussed to change the dog ordinance. It reads: *Councilmember Swenson said more public input would be received on the issue if specific parks were named in the ordinance, requiring changes to come before the Council. For ease of administration, Parks and Recreation Director Russ Akina supported leaving the designation of parks where dogs would be allowed as a policy decision. Councilmember Needham agreed that Parks and Recreation should have the flexibility to make changes.*

*The Council supported the part of the motion that prohibited domesticated animals at public assemblies.*

**VOTE ON THE MOTION.** *Councilmember Swenson revised her motion to omit specifying which parks would be posted to allow dogs or other domesticated animals. Motion was seconded by Councilmember Taylor and carried unanimously.*

*Joseph C. Needham, voted yes*

*Laraine Swenson, voted yes*

*Steven C. Taylor, voted yes*

*Tami W. Pyfer, voted yes*

*Stephen C. Thompson, voted yes*

*Motion by Councilmember Pyfer, seconded by 'Councilmember Needham to adopt Ord. 06-63, Animals in Parks, as amended. Motion carried 4-1, Swenson voted no. Joseph C. Needham, voted yes*

*Laraine Swenson, voted yes*

*Steven C. Taylor, voted yes*

*Tami W. Pyfer, voted yes*

*Stephen C. Thompson, voted yes*

Mr. Housley continued by reading the current code **Title 6.12.220 Subsection C** which states: *City Owned Land: It is unlawful for any person to take or permit any dog or other domesticated animal whether loose, or on a leash or in arms, in any city park, sports field, or sports park, city cemetery, and city zoo, except specific areas authorized and posted by Logan City.*

He also read the following code regarding regulatory signs **Title 12.24.020** which states: *Where signs have been posted under the direction of the mayor on any city owned or city leased property regulating walking, use of vehicles, parking, instructions as to animals or containing other regulatory information, it is unlawful for any person to violate the provisions of such regulatory signs. (Prior code § 13-3-2)*

Mr. Housley said as a policy matter this is something we should bring to the Council and if there are three members that want to talk about it in a public meeting then it can move to that level. The ordinance we have in place allows an administrative decision to make changes.

Councilmember Swenson said the administration has the authority to post the sign but the sign needs to be posted according to city policy and if the council sets policy the sign should be posted accordingly.

Mr. Housley feels it can be done on an administrative level and we want to work with the Council and on these important issues. There is no opposition in bringing this to the Council.

Councilmember Daines said Mount Logan Park was a test case area. The park is an access to the deer trail and the Harris Nature Park which are both off leash areas. A subcommittee of the Parks Advisory Board supported doing this as a test case and if people abused the process and did not use doggie bags and keep their dogs on a leash then it would be rescinded. They also involved animal control to watch and make sure that people were following the rules. She said from the perspective of the Parks and Recreation Advisory Board they wanted to try this as a test case and see if it would work and Mount Logan Park is a through way. They all felt this would be a good place to start.

Mayor Watts said Russ Akina came to him with this request and he approved the request administratively. He said in the future, Council will be made aware of these issues and if it be the desire of the Council it will be discussed further.

Councilmember Swenson said she would like this to come back to the Council further discussed and if the Council decides to do this as a test case then we have that direction, she is mostly concerned about the procedure than anything else.

Chairman Olsen said this issue will be on the October 4 Council agenda.

Councilmember Monson said he is concerned we are not attracting homes for mid to moderate home builders and feels we need to attract families back into Logan who are not just low income.

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

### **RDA ACTION ITEM:**

#### **PUBLIC HEARING - Consideration of a proposed resolution approving agency assistance to Lewiston State Bank for its Redevelopment Project in the Downtown Redevelopment Area (RDA) – Resolution 11-66 RDA**

Economic Development Director Kirk Jensen reviewed the proposed resolution. This is Lewiston State Bank's development of a branch at 298 South Main in the Downtown Redevelopment Project Area (RDA). The project is estimated to produce new property tax increment in the RDA of \$169,294. The incentivize package from the Redevelopment Agency is that Lewiston State Bank will receive 100% of the available property tax increment generated by the project annually during the life of the RDA, not to exceed \$50,000. Lewiston State Bank will also receive RDA funds for certain streetscape improvements approved as part of the Gateway Enhancement Project. All construction plans are to be approved by the City of Logan Planning Commission. Additionally, the

Redevelopment Agency encourages Lewiston State Bank to utilize local contractors and vendors whenever possible.

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.11-66 RDA as presented. Motion carried 4-1 Swenson recused due to her husband sitting on the Board of Directors of Lewiston Bank.

### **RDA WORKSHOP ITEM:**

#### **Consideration of a proposed resolution approving an addendum to the HyClone Laboratories, Inc. Redevelopment Agreement – Resolution 11-75 RDA – Kirk Jensen.**

Mr. Jensen stated an agreement to develop land was entered into on December 10, 2007 between HyClone Laboratories Inc. and the Redevelopment Agency of the City of Logan and it has become necessary to modify and clarify that agreement. This was a three phase development that began in 2007. Phase I is the Bio Center that has been completed. Phase II was originally going to be a build out of the second level Phase I and Phase III was suppose to be warehousing and additional office space. The developer has requested to modify Phase II of the Agreement to Develop Land (ADL) due to the changing market dynamics of the Developer and amend 4.2a “Phase II” of the ADL to the following:

The completion of the \$5.3 million investment in projects beyond the original bioprocess container manufacturing facility. The creation of a minimum of 156 new jobs on-site of Developer’s Loan operation, which pay an average wage of at least \$33,207 per year plus benefits. In the event that the Developer elects to complete, and does complete, Phase II, as set forth in the agreement, the City will be able to generate a minimum property tax increment of \$177,377.00. The Developer has also requested to modify Phase III of the ADL due to changing market dynamics for the Developers. Therefore, 4.2b “Phase III” of the ADL is amended to read as follows: The completion on the Optioned Property of a \$5 to \$5.5 million dollar building(s), consisting of 80,000 square feet for warehouse facilities. In the vent that the Developer elects to complete, and does complete, Phase III, as set forth in the agreement, the city will be able to generate a minimum property tax increment of \$107,532.00.

Mayor Watts said as this project was discussed with Thermo Fisher they were asked to be cognizant in protecting the 89/91 frontage. This is a highly visible area and it should be a nice, attractive looking building.

Councilmember Swenson said when this project was first presented with Phase I it was for a research and development building and that is not what we got. Thermo Fisher has been a good business and she concurs with Mayor Watts that if they do receive funding, the building should be the nicest looking on the corridor because the rest of the contract didn’t turn out the way it was presented.

Councilmember Monson said that HyClone used to be more involved in the community and Thermo Fisher doesn't seem to be as involved.

Mr. Jensen said he can't respond to this but with the transition from HyClone to Thermo Fisher there was a significant change in management and that might have affected things.

Councilmember Swenson said Thermo Fisher has made a significant contribution to the Corridor Plan. She suggested that before Thermo Fisher receives these funds, they be required to bring the plans to the Council and the Planning Commission for final approval and not just to meet the requirements of the planning commission but to make sure this is an attractive building.

This will be an action item and public hearing at the October 4, 2011 council meeting.

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

Teresa Harris, City Recorder