

Minutes of the meeting of the Logan Municipal Council convened in regular session on Wednesday, July 10, 2002 at 6:15 p.m., in the Logan Municipal Council Chambers, 255 North Main, Logan, Utah, Chairman Tom Kerr conducting.

Councilmembers present: Tom Kerr, Karen S. Borg, Tami W. Pyfer, Alan D. Allred, and Stephen C. Thompson. Administration present: Mayor Douglas E. Thompson, City Attorney Mark A. Sorenson, and Recorder Lois Price.

Councilmember Karen Borg offered the opening prayer and led the audience in the Pledge of Allegiance.

The meeting agenda was approved. Minutes of the meetings of June 13, June 19 (Council and RDA), and June 20, 2002 were approved with minor corrections.

Chairman Kerr announced to the audience that the 400 East/Dugway Project on the workshop agenda would be a presentation of information by Public Works Director Kevin Hansen, not a public hearing. Councilmember Thompson said he would like to hear citizen concerns. Chairman Kerr replied whether that would be allowed would be determined when the item came up.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL. There were no citizen comments.

MAYOR/STAFF REPORTS.

EMPLOYEE OF THE MONTH. Mayor Thompson honored Parks and Recreation Director Russ Akina as the June 2002 Employee of the Month and expressed appreciation for his leadership. Mr. Akina was presented with a trophy and a \$75 cash award.

YOUTH CITY COUNCIL. Michelle James, Youth Executive Council member, briefly told the Council about June activities.

MARINDALE AVENUE. Police Lt. James Geier reported on Marindale Avenue parking because of recent parking enforcement efforts. The question was what position the City should take in the future. The ordinance did not allow on-street parking on public streets where the width of the road measured less than 20 feet. Marindale measured 19 ft. wide from curb to curb. Some Marindale residents had requested that the City exempt Marindale from the ordinance since, historically, parking had been allowed. Lt. Geier mentioned Bonneville and Preston Avenues were other public streets that were less than 20 ft. in width.

Lt. Geier said the decision of whether to allow on-street parking on Marindale, a 1950's subdivision, was a public safety issue, basically for fire vehicles. He said Fire

Code required 20 ft. of unobstructed access. He said the question needed to be answered whether exempting Marindale created a city liability or hazard to life and property. "Public safety access would certainly be benefited without parking," he said.

Councilmember Pyfer asked about limiting parking to one side of the street and there was discussion. To allow this, the ordinance would need to be modified. Lt. Geier understood fire engines had made trial runs, and there was adequate width if cars were not parked adjacent to each other. Chairman Kerr asked whether access to solid waste collection vehicles had been given consideration.

Councilmember Thompson commented, "It sounds like we should put up some no parking signs and move on." Pyfer once again said she supported parking on one side of the street. "It sounds like the Fire Department would give the ultimate ruling of whether this constitutes a safety hazard," she said.

Chairman Kerr spoke of possibilities including, amending the ordinance, modifying the street, or enforcing the present ordinance. Councilmember Borg did not want the City to go ahead with enforcement without first notifying the neighborhood. None of the Councilmembers wanted to make a decision without neighborhood contact.

Mayor Thompson asked about allowing parking only on the east side of Marindale for the interim. Environmental Health Director Issa Hamud said it would be "very tight" for maneuvering solid waste collection vehicles. Options and problems were discussed: Changing the street, allowing parking on one side only, or putting up signage and enforcing the ordinance. The Mayor was directed to inform Marindale neighbors that, for the present, there was no parking on the street.

JULY 4th FIREWORKS COMMITTEE. Mayor Thompson and the Council congratulated the Fireworks Committee: Chair Holly Fjeldsted, Laurie Tanner, Jim Welling, Bruce Cook, Al Lewis, Al Burns, Jeff Peterson, Jeff Curtis, and Steve Mecham for a very impressive fireworks celebration. Al Burns of Fireworks West was given special thanks for his work and efforts.

COUNCIL BUSINESS.

MEETING SCHEDULE. Chairman Kerr announced the next regular meeting would be held July 17, 2002.

ACTION ITEMS.

PUBLIC HEARING - REZONE: (1) Eagle View Condominiums. LAARM, LLC, applicant/owner, requests rezone from Single Family Residential (SFR) to Multi-Family High (MFH) zone at approx. 500 West 940 South, TIN #02-136-0001 through 0016.

Community Development Director Jay Nielson presented a brief summary on the proposed rezone that would allow approximately an acre bordering Golf Course Road to be developed with multi-unit structures. In 1993, the Planning Commission approved construction of 16 structures with 64 residential units. 48 of the units were completed before approval lapsed. In the 1996 City-wide rezone, the entire Eagle View project was rezoned to Single Family Residential.

The proponent requested rezone for only the property on which the new development would be situated (1.17 ac.). The Planning Commission recommended rezone to MFH of the entire Eagle View Project totaling 4.56 acres for consistency of land use. Mr. Nielson said if the area was to remain SFR, it was unlikely the property would develop as single family units. Mr. Nielson pointed out the ordinance had been amended to reflect rezoning of the 4.56 ac. parcel.

Chairman Kerr opened the meeting to a public hearing. There was no comment, and the hearing was closed.

ACTION. Motion to adopt Ord. 02-38, Eagle View Condominiums Rezone, as revised, was made by Councilmember Pyfer, seconded by Councilmember Allred. Motion carried unanimously.

Karen S. Borg, voted yes
Tom Kerr, Chair did not vote
Tami W. Pyfer, voted yes
Alan D. Allred, voted yes
Stephen C. Thompson, voted yes

**LOGAN RIVER GOLF COURSE - Customer service and control of alcohol:
Regulating consumption of alcohol - 02-31 and 02-30.**

The Council considered adoption of a resolution and an ordinance that would permit the sale of beer at the Logan River Golf Course by a qualified concessionaire.

ACTION. Motion by Councilmember Borg, seconded by Councilmember Allred to amend Res. 02-30, in part, to read as follows: *Now, therefore, be it resolved by the Logan Municipal Council that a legal definition be established for the Logan River Golf Course and that the City of Logan be permitted to sell 3.2 light beer through a qualified concessionaire at the Logan River Golf Course in accordance with state law and in accordance with local restrictions imposed by the City.* Motion carried unanimously.

Karen S. Borg, voted yes
Tom Kerr, Chair did not vote
Tami W. Pyfer, voted yes
Alan D. Allred, voted yes
Stephen C. Thompson, voted yes

It was proposed by Councilmember Thompson that wording also be added so that the Council could review the action taken in one year. Mayor Thompson requested that the review be scheduled following a full golf season.

Police Chief Rich Hendricks commented on enforcement and spoke in support of the proposal to allow controlled beer sales by a vendor. "The way it is operating now, we are forcing people to violate the law. We have never had the resources or the will to enforce the law on the golf course. It benefits no one to enforce the law as written," he said.

ACTION. Motion by Councilmember Allred to add the following as a final paragraph to Res. 02-30, *"The resolution shall be reviewed in the Fall of 2003 for the purpose of determining the effective controls and continuance of this resolution. This will be done through the Golf Course Advisory Board during their third quarter report."* Motion was seconded by Councilmember Thompson. Motion carried unanimously.

Karen S. Borg, voted yes

Tom Kerr, Chair did not vote

Tami W. Pyfer, voted yes

Alan D. Allred, voted yes

Stephen C. Thompson, voted yes

Motion by Councilmember Allred, seconded by Councilmember Thompson to adopt Ord. 02-31, "Drinking Liquor in Public Places--Violation." This amendment added the wording "unless otherwise allowed by law," to the section prohibiting drinking of liquor in public places. Motion carried 3-2: Kerr, S. Thompson and Allred voted yes; Pyfer and Borg voted no.

Motion by Councilmember Thompson, seconded by Councilmember Allred to adopt Res. 02-30, "Permitting Sale of Beer at the Golf Course by Concessionaire."

Councilmember Borg read the following statement:

The consumption of alcohol by responsible adults is not subject to moral judgment by this body. However, no one can reasonably argue the great cost to society that the consumption of legal products like alcohol and tobacco and of illegal products has exacted.

This resolution does not mitigate in any way the existing concerns of enforcement or underage drinking. It does, however, put this governmental body, charged with the health and safety of the community, in the position of dispensing and profiting from the consumption of those products which have accrued untold costs economically and in the currency of human suffering.

Councilmember Pyfer did not believe the proposed action would reduce the amount of alcohol consumed on the golf course. Mayor Thompson supported the change from what he said was "no control of beer consumption" to "control by the concessionaire." Councilmember Allred said he did not "make the decision lightly, but it falls to the control issue." He hoped the change would reduce the consumption of alcohol at the golf course. Chairman Kerr said he understood and believed Councilmember Borg's statement but supported the change after discussions with the police. He said he did not approve the use of alcohol but recognized the environment we live in and

accepted the change as a starting point. "A year from now I may change my mind," he added.

Vote on the motion to adopt Res. 02-30 carried 3-2.

Karen S. Borg, voted no
Tom Kerr, voted yes
Tami W. Pyfer, voted no
Alan D. Allred, voted yes
Stephen C. Thompson, voted yes

WORKSHOP ITEMS.

400 East/Dugway Project Discussion.

At the request of Chairman Kerr, Public Works Director Kevin Hansen spoke about the history of the 400 East/dugway project since project approval by the Cache Metropolitan Planning Organization (CMPO) in 2000. He then reviewed the process on 400 East beginning with identification of issues and concerns that plans would attempt to mitigate, limit and reduce. He said JUB Engineers and the Langdon Group had been hired to interface with the public and draw out issues and concerns. Mr. Hansen said the project alternatives and process leading to the preferred alternative would be discussed on July 31 and August 7. Since the Council would approve funding for the 80-20 match, the final presentation would be to them. Mr. Hansen's comments included, "Most of the folks in the audience don't like it and don't want this in their neighborhood. They don't want their neighborhood impacted, and that is a valid concern. Our object is to try and find projects and develop those that will improve the overall transportation scheme in our community, that includes the greater community. I don't know if there will ever be a right answer. We are at capacity on Main Street. We have to find alternatives and will present the best solution we can find."

Councilmember Thompson inquired about costs. Mr. Hansen responded that the 400 East project was divided into three segments with a number of construction phases, one or all of which could be funded. He said when designs were refined the cost would be brought to the Council.

Chairman Kerr reluctantly agreed to accept limited citizen input.

Someone asked when the Langdon report would be available. Candi Miller from the Langdon group said the report would be mailed to those in the neighborhood who were directly affected and would also be available for public inspection at the City offices and library, as well as the open house on July 31 and the meeting on August 8. She said if any in the audience felt their concerns were not addressed in the design they should comment at the open house.

Iлона Japonen insisted that Karen Borg had agreed they could have ten minutes at this meeting to address the Council. Chairman Kerr agreed but set rules including no discussion about 1400 East, and no talk about canceling the project.

Ms. Japonen said an informal neighborhood meeting had been held. She said the 400 East dugway proposal, even in the context of other planned projects, made unrealistic expectations of the street. She said the proposal needed to be altered, not cancelled, and proposed some suggestions about dugway use, realignment and other changes to affected streets.

Jim Skabelund had ideas about 200 East, including widening the street to the east. He said changes to 200 East would impact half as many residents as the present dugway proposal and lessen the impact on the Island.

Jeff Ostermiller proposed an alternative plan to create two or more north and southbound one-way, two-lane roads. He suggested the possibility and advantages of using 400 East as a southbound route and 200 East as a northbound route. This would save tax dollars, provide more efficient traffic flow, address child safety concerns and reduce the impact to the community, he said.

Ms. Japonen presented some questions from the neighborhood meeting. She asked that the City provide citizens with facts and figures and reconsider 200 East as an option. She asked whether the 400 East dugway plan was a "done deal." She also said there were many interviewees who opposed the plan and wanted the opportunity to make amendments and alternative proposals. She said Langdon had not interviewed everyone they said they would and questioned their objectivity and bias. She said they were only using ideas that did not deviate from and were consistent with the City's plan.

Mayor Thompson defended the Langdon Group. He said they were doing their job fairly and with integrity. He said their assigned job was to gather information about what people thought. He said there was not yet a preferred alternative for 400 East. Residents had insisted that the City give draft plans, and these had been provided. "Our plan has not been produced yet. The input period is still proceeding." Mayor Thompson said there would be plenty of time to comment after presentation of the alternative proposals.

Residents of Cliffside, River Heights and the east side of the Island had not been contacted by the Langdon Group, Mrs. Japonen. She said the issue affected the entire community. Councilmember Pyfer defended the process and suggested any who wanted to be interviewed should provide their names.

Chairman Kerr defended himself against comments that he had already made up his mind on the 400 East project and clarified his stance. "There are potentially three, no four, routes to get into Logan from the south outside of Main Street that I know of today, 100 East, 200 East, 400 East, and 1000 East . . . Now we will some day build those routes in some form because that's the only way we can move traffic . . . They are upgrading 10th East. That is going to dump a lot more traffic onto Center Street and to get to the University or anyplace else they are either going to go up the steep dugway, the flat

dugway, or go downtown. That's what I've said for five years. I don't see any change in it, so don't misquote me and say that it's a done deal. I resent it very much."

Ms. Japonen talked about a 10th East dugway being rejected several years ago because it went through a few blocks of residential. She said the 400 East proposal affected more residential blocks and she wondered why one residential area would get preference over another.

Mayor Thompson thanked Ms. Japonen for her work in getting more interest in the project and recognized her obvious love for her neighborhood.

Fire Code Amendments.

Fire Marshal Liz Hunsaker reviewed a proposed change to the Fire Code allowing the City to have aboveground vaulted storage tanks for flammable liquids in residential areas to assist in providing backup power for city utilities. The amendment also adopted the International Fire Code, adopted by the State on January 1, and clarified a provision allowing the City to charge for hazardous material spill cleanup.

There was a discussion centering around the location of the city's aboveground tanks and the City's need for the exemption. Councilmember Thompson objected to the City getting an exception and asked if a private contractor would be given the same privilege. He felt the City should put its tanks underground. Ms. Hunsaker explained the City's tanks were over 1,000 gallons and would be Federally regulated if they were underground. Councilmember Thompson wanted to know why the City should be exempted. Councilmember Borg pointed that as the provider of public utilities, the City should be given exceptions in residential neighborhoods for the public good. "We are responsible for making the public utilities available. We're not talking about commercial storage. We're talking about a neighborhood with homes in it. Why would anyone else need to? There's no public good there, and it could be a public safety hazard?" she said.

Mayor Thompson said the ordinance addressed a public safety issue allowing emergency use for a public utility. There was a heated discussion between the Mayor and Councilmember Thompson about exceptions for government in other areas.

Chairman Kerr announced the ordinance would be considered at the July 17 meeting.

Countywide Planning Interlocal Agreement: Proposal to Terminate Agreement.

During Council budget sessions, the issue of terminating the countywide planning agreement had been raised. Mayor Thompson, a member of the Executive Board for Countywide Planning, had asked several individuals to provide background on the City's involvement. He apologized for not bringing past budgets for review nor inviting County Planner Mark Tuescher to give regular reports to the Council. The Mayor felt the organization was beneficial to the City. He asked Tom Jensen, Jay Nielson, and Kevin

Hansen to speak briefly about the background and specific benefits of an unbiased county office. All twenty county jurisdictions had participated in the Countywide Planning Office since 1995.

Mark Tuescher spoke about past regional projects and programs that directly and indirectly benefitted Logan, including demographics, training of boards, access management and storm water management. He said his job was long-range regional planning. Mr. Tuescher talked about funding for the office and the need for Logan to participate. He explained that although County Executive Lynn Lemon was his direct supervisor he was technically not a county employee.

Mayor Thompson distributed a letter of support from former Mayor of Lewiston Russell Hirst. Initially, Lewiston had not joined in the countywide planning effort.

Bobbie Coray, Executive Director of the Cache Chamber of Commerce expressed support for the office and encouraged continued support by Logan.

Councilmember Thompson said this was a "great model for county cooperation" and did not think the resolution terminating Logan's participation should go forward. Councilmember Allred said he would not vote to withdraw at this time. Councilmember Pyfer said she was hesitant to withdraw after hearing some of the information, especially about the work with storm water management. Chairman Kerr asked that she let him know her feelings about putting the issue on a future agenda for further discussion. If Pyfer decided she would not vote to withdraw, Chairman Kerr said the resolution would not be brought forward.

Mayor Thompson promised an annual report from Mark Tuescher on the Countywide Planning Office.

Chairman Kerr postponed bringing the resolution forward until August 7 at the earliest.

Councilmember Borg said she appreciated the information, however, she wanted more accountability and better reporting. Also, she did not think it was a good argument that Logan should be cooperative in this countywide effort. "We are suspect whether we do something or whether we don't do something, and I am weary of it and can no longer use that as a important item as I make my decisions on what's best for this community." Borg said.

Ambulance Rate Adjustments.

Assistant Fire Chief David Harston presented the annual ambulance rate increase allowable by the Utah Department of Health, Bureau of Emergency Medical Services. He said the new rates reflected a 3% increase, compared to a 7% increase last year. Councilmember Borg suggested that the Council pass a resolution adopting the maximum

allowable ambulance rate schedule as established by State statute. Councilmembers Allred and Pyfer expressed support.

Chairman Kerr announced action would be taken July 17 adopting the maximum allowable base ambulance rate as established by the State.

Sound Ordinance change to Accommodate Collection of Refuse and Recycling Materials.

Environmental Health Division Manager Issa Hamud requested an amendment to the noise ordinance that would exempt solid waste collection. He informed the Council that the City was collecting commercial garbage with front load trucks, beginning at 4:00 a.m. He said residential garbage was picked up beginning at 7:00 a.m.

Mr. Hamud spoke about actions taken to reduce noise generated which included avoiding commercial areas that are nearby residential areas before 6:00 a.m.; changing loud beepers on the trucks to softer tones; rubber lining the front load truck forks, providing large containers for less frequent pickups, evaluating different collection schedules, evaluating noise levels and distance and reviewing what other cities were doing.

Mr. Hamud said it was becoming difficult to follow commercial routes and accommodate those who complained of the early morning noise in nearby residential neighborhoods. Problems also included the very narrow commercial area, limited access for garbage collection, parking in front of garbage containers, traffic congestion, safety, potential collection delay, collection route. The preferred alternative to deal with the situation was to exempt solid waste collection from the noise ordinance. Mr. Hamud said this was the least expensive alternative.

Safety Director Scott Douglass spoke about reducing hazards as required by OSHA and workers' safety, as well as risk management and liability to the City. He said adding increased traffic to a difficult driving situation would certainly increase accidents. He said we were increasing our risk on both safety and risk management levels if the problem was not addressed.

Will Lusk spoke about measuring the sound from the garbage using the sound level meter. He said the decibel measurement levels set by our ordinance could be too low. He said a good standard when considering the operation of garbage trucks was if the noise was reasonable and necessary.

Attorney Sorenson explained the noise ordinance permitted the Mayor to make an exception based on what was reasonable and necessary, but it was felt the issue should be addressed on a city-wide basis. He suggested reviewing the noise ordinance and making comparisons to other cities to determine whether our decibels were in the right range.

Councilmember Borg questioned why the amendment making an exception for

the City was necessary. She proposed postponing action on the ordinance and researching a change in decibel levels, while continuing garbage collection as it was rather than making an exception for the city. "We may not need to make an exception, which is hard to swallow. It's always hard to set yourself up as an exception. We all have to feel we have a valid reason for doing this." Attorney Sorenson agreed to gather additional information and bring it to the Council at a future meeting.

Chairman Kerr tentatively set the item for discussion at the August 7 meeting.

There being no further business to come before the Council, meeting adjourned at 10:00 p.m.

Lois Price, City Recorder

Minutes of the meeting of the Logan Municipal Council convened in regular session on Wednesday, July 17, 2002 at 6:15 p.m., in the Logan Municipal Council Chambers, 255 North Main, Logan, Utah, Chairman Tom Kerr conducting.

Councilmembers present: Tom Kerr, Karen S. Borg, Tami W. Pyfer, Alan D. Allred, and Stephen C. Thompson. Administration present: Mayor Douglas E. Thompson, City Attorney Mark A. Sorenson, and Recorder Lois Price.

Assistant Fire Chief David Harston offered the opening prayer and led the audience in the Pledge of Allegiance.

There were no minutes presented for approval. The agenda was approved with the addition of several items to the Mayor's reports. The Mayor requested that action on the Fire Code ordinance be postponed until a later date.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL.

MARK LUNT. Mr. Lunt showed a short video he had made about the proposed 400 East/Dugway project and his idea for construction of a trail system. He was especially concerned about what he saw as the deterioration of the Island area, as well as downtown. His friend, Shawn Damitz, then sang an original song for the Council about "malfunction junction." The term had been used by Councilmember Borg to identify the intersection where the long and short dugways intersected with Canyon Road. Mayor Thompson commented that a bike/pedestrian trail in this area made "good sense."

MAYOR/STAFF REPORTS.

GOLF COURSE ADVISORY BOARD. Mayor Thompson informed the Council he had added Rick Johnson, 1035 Sumac Drive, to the Golf Course Advisory Board.

JULY 24 PARADE. Mayor Thompson invited the Council to participate in Logan's July 24th parade next Wednesday at noon. Councilmembers Kerr and Allred said they would be able to ride with the Mayor.

CULINARY WATER WELL. Water Division Manager Robert Larsen informed the Council that the Willow Park well pump had failed. He said the pump had been repaired and was back in operation but he supported keeping culinary water restrictions in place. The current restriction was no daytime residential watering during the hours of 8 a.m. and 8 p.m. He said because of dry weather and high water usage, the culinary water system was being closely monitored. Mayor Thompson added that an announcement would be made as to how long the culinary watering restrictions would be in place.

PARKS AND RECREATION WATERING. Parks and Recreation Director Russ Akina spoke about daytime watering of the cemetery, fairgrounds and parks. He said times and schedules had been adjusted in most locations to meet the 8 a.m. cutoff. He said the cemetery water source was the East Bench canal system. Water source for the golf course was ground water from ponds on the course. Daytime watering at the Quadruplex was necessary to maintain the safety of the ball fields.

COUNCIL BUSINESS.

MEETING SCHEDULE. Chairman Kerr announced that the next regular meeting of the Council would be held August 7. He announced a public hearing was scheduled for August 7 to consider increasing property tax revenue. Chairman Kerr said the hearing would be advertised in the Herald Journal as the law required.

Councilmember Thompson asked to be excused from the August 7 meeting.

ACTION ITEMS.

FIRE CODE: Ordinance amending the Fire Code to allow aboveground vaulted fuel storage tanks in residential areas for public utility equipment, and other matters - 02-36.

Chairman Kerr announced consideration of the ordinance was postponed.

AMBULANCE RATE ADJUSTMENTS: Resolution adjusting rates to those allowable by Utah Department of Health Bureau of Emergency Medical Services - 02-40.

A resolution was presented authorizing the City to implement the maximum allowable ambulance rate schedule established by the State of Utah. Assistance Fire Chief David Harston explained at the present time the rate schedule was amended each July.

ACTION. Motion by Councilmember Borg, seconded by Councilmember Allred to adopt Res. 02-40, Ambulance Rate Schedule, as presented. Motion carried unanimously.

Karen S. Borg., voted yes

Tom Kerr, Chair did not vote

Tami W. Pyfer, voted yes

Alan D. Allred, voted yes

Stephen C. Thompson, voted yes

WORKSHOP ITEMS.

CACHE COUNTY SHERIFF'S COMPLEX REZONE, Cache County/Michael Parson Family LC, applicant/owner, requests a rezone from Commercial General (CG) to Industrial (IND) zone on 26.57 acres at approx. 1200 West 200 North.

Community Development Director Jay Nielson presented information on Cache County's request to relocate the Sheriff's complex to a portion of the property owned by the Michael Parson family. The zoning amendment was required because detention facilities were not allowed in the CG zone.

Mr. Nielson presented a preliminary site plan for Council review and talked about the proposed 400 North realignment that would necessitate the new road dissecting the property. He also showed some photographs of similar facilities along the Wasatch Front. He explained that an accelerated processing schedule was proposed for this project, with this discussion taking place one week prior to Planning Commission consideration. This would save the County two weeks of processing time.

County Attorney Don Linton talked about plans for the development and explained how a land exchange with IKON would make the project possible at the 200 North site.

Councilmember Borg expressed appreciation for accommodating the County without circumventing the public input process.

Councilmember Allred asked about a 1200 West right-of-way. His concern was to avoid subsequent problems caused by a possible dead end street. Mr. Nielson said he would pursue this and report back.

BICYCLES ON SIDEWALKS - Public safety personnel.

Police Chief Rich Hendricks asked that the Council consider an amendment to ordinance 10.68.220 authorizing public safety personnel to ride bicycles on sidewalks in the downtown business district, as required by their job. The boundaries set by the ordinance were: Main Street between 2nd South and 5th North and on Center and 1st North between 1st West and 1st East, and on Federal Avenue and Church Streets.

Councilmember Allred asked about bicycle riding on the sidewalks in other parts of the City. He was concerned about small children not being legally permitted to ride on sidewalks. Chief Hendricks agreed to check on what was permissible and report back.

OTHER CONSIDERATIONS.

UDOT. Councilmember Pyfer volunteered to contact Utah Department of Transportation representatives to see when they would be able to come to a Council workshop to discuss Main Street traffic issues.

AIR QUALITY. Councilmember Thompson asked about air quality issues which had been discussed at a past workshop. Mayor Thompson said he had not heard any more from the State, but this would be a good subject for a future workshop.

There being no further business to come before the Council, meeting adjourned at 7:25 p.m.

Lois Price, Recorder

Logan Municipal Council

Logan, Utah

August 7, 2002

Minutes of the meeting of the Logan Municipal Council convened in regular session on Wednesday, August 7, 2002 at 6:15 p.m., in the Logan Municipal Council Chambers, 255 North Main, Logan, Utah, Chairman Tom Kerr conducting.

Councilmembers present: Tom Kerr, Karen S. Borg, Tami W. Pyfer, and Alan D. Allred. Stephen C. Thompson was excused. Administration present: Mayor Douglas E. Thompson, City Attorney Mark A. Sorenson, and Recorder Lois Price.

City Forester Joe Archer offered the opening prayer and led the audience in the Pledge of Allegiance.

Minutes of the meetings of July 10 and 17, 2002 were approved with minor corrections.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL. There were no questions or comments from the audience.

MAYOR/STAFF REPORTS.

EMPLOYEE OF THE MONTH. Mayor Thompson, Light and Power Director Ron Saville and City Forester Joe Archer honored Jeff Peterburg as the July 2002 Employee of the Month and expressed appreciation for his work. Mr. Peterburg was presented with a trophy and a \$75 cash award.

YOUTH CITY COUNCIL UPDATE. David Sweeney of the Youth Council reported on activities for the month of July.

DEER PEN PROPERTY STATUS. Parks and Recreation Director Russ Akina spoke about the need to address reimbursement of the property purchase loan from the Cemetery Trust and the Solid Waste Reserve Funds by selling developable land. The recommendation was to develop a masterplan for the property, after input from the Hillcrest neighborhood. Mr. Akina said the idea would be presented at a Neighborhood Council meeting on August 15, with the possibility of a report to the Council at the August 21 meeting.

SOCIAL SECURITY. Mayor Thompson announced that Social Security representatives would return to Logan on the first and third Wednesdays of the month beginning August 21, 2002, 9:30 a.m. to 3 p.m. in the City Hall Northeast Meeting Room.

COUNCIL BUSINESS.

MEETING SCHEDULE. Chairman Kerr announced that the next regular meeting of the Council would be held August 21, 2002.

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PUBLIC HEARING. Municipal Council Chairman Tom Kerr opened the public hearing and stated the purpose of the hearing was to gain citizen input as to their needs and potential CDBG projects. He requested that those who were present specifically for the public hearing should sign an attendance roll including name, address, phone number, and entity represented.

Chairman Kerr then read the following statement: "Approximately \$900,000 is expected to be available in the Bear River Region for CDBG projects. All of the allocated funds must meet a HUD National Objective and benefit low/moderate (LMI) income individuals. Projects which displace LMI persons are not likely to receive funding. The range of activities that may be undertaken with CDBG funds include reconstructing or rehabilitation of housing and other property; helping people prepare for and obtain employment through education and job training; providing public services for youths, seniors, or the disabled; or assisting low-income homebuyers with down payment assistance or closing costs. If anyone is interested, a complete list is available.

Chairman Kerr asked the public for questions or suggestions. He said one non-profit group had requested sponsorship and the City had one project for consideration.

Keith Christensen represented the non-profit group, Center for Persons with Disabilities, and asked for City sponsorship in requesting CDBG funds for construction of a playground for children with disabilities called Angel's Landing. He said the playground was designed for children of all abilities and would be constructed at Willow West Park beginning next year.

City Parks and Recreation Director Russ Akina, spoke about the City's project request for CDBG sponsorship for ADA upgrade of park restrooms. The funding would help the City comply with terms of a settlement agreement with the Department of Justice regarding areas where compliance was needed. Mr. Akina informed that Council of the possibility of matching funds which would impact next year's City budget.

Chairman Kerr asked for further comments. There were none, and the public hearing was closed at 6:45 p.m. Administrative Services Director Laurie Tanner explained that at the August 21 meeting a resolution would be presented which would adopt the 2002 CDBG Consolidated Plan for the City of Logan recognizing the two proposed projects as being needed in the community. She added that any non-profit organizations wishing project sponsorship could contact her for information within the next two weeks.

ACTION ITEMS.

PUBLIC HEARING: Proposed Property Tax Revenue Increase.

Finance Director Don Fulton presented background on the certified tax rate and the process of increasing the amount of money the City received from property tax revenue. He said from 1995 to 2002 assessed valuations of property had increased 82% but the certified tax rate, which was based on past year revenues adjusted for growth, had gone down 13%. He said the City was relying more on sales tax and contributions from enterprise funds as revenue sources. His recommendation was that it was necessary to stabilize property tax revenue in order to operate efficiently.

The proposal to increase property tax revenue would result in the tax on a \$135,000 residence being \$137.81, and the tax on a business having the same value being \$260.56. The proposed 2002 tax rate is .001856. Without the increase, the rate would be .001711. This would be an increase of 8.47%, or \$10.77 per year (\$.90 per month) on a \$135,000 residence or \$19.56 per year on a business having the same value. With new growth, property tax revenue would increase from \$2,059,062 to \$2,261,837, a revenue increase of 9.85%

Councilmember Borg asked what structure would be in place to keep the library and General Fund certified tax rates separate in the future. Mr. Fulton said if the City wished to maintain the same tax rate next year, the Council would have to take action at a tax hearing to do so. Councilmember Borg pointed out that the certified rate set for the library should not be set on the amount requested in the library budget, but on the budget amount the Council was willing to support. "We want an established amount of collection for the library," she said. Mr. Fulton explained the Council had the authority to specifically identify the rates for the library and for the General Fund each year.

Councilmembers Borg and Allred presented the written findings and recommendations of the internal audit they had conducted. (*See copy of findings following minutes of this meeting.*)

Councilmember Allred summarized the report and spoke about the process, which was thirteen meetings held with department heads. Prior to the meeting, ten questions were established, then the information interviews were held. Critical needs were identified, which included public works and road infrastructure, a second fire substation, and financial information inadequacies. Councilmember Allred said the crowns of city streets have built up over the years due to the chip and seal program negatively impacting vehicles and storm water drainage. A significant amount of funds would be required to address this need.

Councilmember Allred spoke about the necessity for the Finance Department to improve efficiency and accountability in relaying financial information to the departments. He said all departments interviewed supported the pay for performance system. Councilmember Borg added that the audit report did not deal with personnel

costs or market because it was the intent to take the next several months to review and study this issue.

Mayor Thompson said changes in financial reporting were underway and would be reported at the next meeting.

Chairman Kerr opened the meeting to public comment.

Julie Payne said her husband was a City employee but she spoke as a citizen as well. She supported the property tax increase and said not raising it would negatively impact services and programs. She strongly supported City programs and employees. She said delays in implementing salary increases had caused hardships for employees.

Lloyd Holmes told the Council he was not pleased with the results of the internal audit. His opinion was that it did not have much depth. He said Logan was not an economical City to live in and he complained about employee pay raises. The high cost of government was hurting people who were on fixed incomes, he said. He did not support the tax increase and thought the Council and Mayor should be able to "find \$200,000 in a \$90 million budget."

Fred Niederhausern asked when the tax would take effect. Chairman Kerr said it would take effect this year. Mr. Niderhausern expressed appreciation for the City program to replace old water lines. He asked about the residential franchise fee on utility bills, and the Mayor said he would talk with him privately about it.

There were no other comments, and Chairman Kerr closed the public hearing.

Councilmember Allred commented that "nobody looks forward to a tax increase." He explained why he felt it was necessary to support it. He said revenue had decreased over the years because the State property tax formula was regressive. His feeling was that budgeting to support "quality of life" programs was important. Allred added that "Such programs as CAA could be cut, but people feel it is worth a small increase in property tax to maintain the services and life style we have here. . . I feel the increase is justified to stabilize revenues with regard to the property tax base we have in the city and to stabilize our bond ratings."

ACTION. Motion by Councilmember Allred, seconded by Councilmember Borg to adopt Res. 02-45, Certified Tax Rate Increasing Property Tax Revenue. Motion carried.

Alan D. Allred, voted yes

Karen S. Borg, voted yes

Tom Kerr, voted yes

Tami W. Pyfer, voted yes

Stephen C. Thompson, absent

Councilmember Borg said she felt \$200,000 could have been cut from the General Fund budget if the Council was willing to reduce programs she called "dessert."

"If we don't have the gumption to eliminate dessert, we're not going to eliminate the vegetables," she said. The audit convinced her of serious needs that continue to be neglected and so she supported increasing the property tax increase. She also pointed out that the action would reverse the principle of decreasing property tax revenues.

Councilmember Pyfer recognized the need to stabilize the property tax revenue base but said she could not support the increase without a tradeoff elsewhere in the budget, such as reducing utility rates. Chairman Kerr did not believe a tradeoff could be identified in the current budget. Discussion centered around the urgency to increase revenue for expensive infrastructure needs. The majority agreed adjusting the certified tax rate was a necessary initial step.

Vote on the motion to adopt Res. 02-45 was called for and carried 3-1.

Alan D. Allred, voted yes

Karen S. Borg, voted yes

Tom Kerr, voted yes

Tami W. Pyfer, voted no

Stephen C. Thompson, absent

Councilmember Allred mentioned avenues for property tax exemption were provided by State law through the County to low-income, elderly and disabled persons.

Chairman Kerr thanked Councilmembers Allred and Borg, as well as the Mayor and his staff, for working hard to provide the internal audit report in a timely and efficient manner.

Chairman Kerr announced that the F/Y 2002-03 budget was formally adopted with the approval of this property tax increase.

CACHE COUNTY SHERIFF'S COMPLEX REZONE, Cache County/Michael Parson Family LC, applicant/owner, requests a rezone from Commercial General (CG) to Industrial (IND) zone on 26.57 acres at approx. 1200 West 200 North - 02-44

Community Development Director Jay Nielson was present to answer questions on Cache County's request to relocate the Sheriff's complex to a portion of the property owned by the Michael Parson family. The zoning amendment was required because detention facilities were not allowed in the CG zone. Mr. Nielson said the Planning Commission had recommended the rezone. There had been considerable discussion about why the area north of 200 North was not rezoned to IND. The Planning Commission unanimously felt there was opportunity for commercial development on the property as zoned, especially with the realignment of the road.

At the last Council meeting, the question of extending 1200 West was raised. Mr. Nielson reported there was no specific mention anywhere about this extension, and it was precluded south of 200 North because of residential development.

Chairman Kerr recognized the presence of Cache County Executive Lynn Lemon. He then opened the meeting to a public hearing on the proposed rezone. There was no comment and the public hearing was closed.

ACTION. Motion by Councilmember Borg, seconded by Councilmember Pyfer to adopt Ord. 02-44, Cache County Sheriff's Complex Rezone, as proposed. Motion carried unanimously 4-0.

Alan D. Allred, voted yes
Karen S. Borg, voted yes
Tom Kerr, voted yes
Tami W. Pyfer, voted yes
Stephen C. Thompson, absent

BICYCLES ON SIDEWALKS: Amending the ordinance regarding riding bicycles on sidewalks to accommodate public safety personnel in the downtown business district - 02-43.

Police Lt. Randy Auman was present to answer questions on an ordinance amending 10.68.220 authorizing public safety personnel to ride bicycles on sidewalks in the downtown business district, as required by their job. The boundaries set by the ordinance were: Main Street between 2nd South and 5th North and on Center and 1st North between 1st West and 1st East, and on Federal Avenue and Church Streets.

There had been a question about children's safety at a previous meeting. This was discussed, and it was pointed out no other sidewalks in the City were exempted from bike riding.

ACTION. Motion by Councilmember Allred, seconded by Councilmember Pyfer to adopt Ord. 02-43, Bicycles in the Downtown Business District, as amended. Motion carried 4-0.

Alan D. Allred, voted yes
Karen S. Borg, voted yes
Tom Kerr, voted yes
Tami W. Pyfer, voted yes
Stephen C. Thompson, absent

WORKSHOP ITEMS.

Parameters Resolution Refunding 1993 Water and Sewer Bonds.

Finance Director Don Fulton explained that a bond resolution would be presented for adoption at the August 21, 2002 meeting requesting the issuance and sale of not more than \$3 million water and sewer bonds. He said the interest rate would not exceed 4.5% per annum and would be sold in December 2002 when they became due. The refunding would result in a savings estimated to be \$71,000.

BUDGET ADJUSTMENT RESOLUTION F/Y 2002-03: (1) Carry forward \$30,000 for Dry Canyon flood control grant match; (2) Carry forward \$36,394 for Cops-in-Shops and SHOCAP Grants; (3) \$4,500 for After School Programs; (4) \$25,500 for Muncipool repairs; (5) Carry forward \$15,000 for Federal Transit Grants; (6) Carry forward \$420,784 for uncompleted water and sewer projects as of 6/30/02; (7) \$250,000 for COPS 2002 Technology Grant - 02-41

Budget Analyst Kristy Brenchley reviewed the resolution, four of which were amounts to be carried forward to the current budget year. Chairman Kerr announced the public hearing on the budget adjustment would be August 21, 2002.

Logan Downtown Alliance - Main Street Application Letter of Support - 02-42.

Greg Miller of the Logan Downtown Alliance requested Council support for an application for Utah Main Street Partner designation. Mr. Miller explained Utah Pioneer Communities Program provided services and grants to Utah cities that were designated as Utah Main Street Partners. He mentioned the possibility of future matching grants which should be a minimal the cost to the City.

Proposal for dead animal disposal at Landfill at no cost.

Environmental Health Director Issa Hamud requested approval for temporary free dead animal disposal at the Landfill to reduce illegal dumping of dead animals along the roads and waterways of Cache County while a contract with Cache Valley Byproducts was being reviewed and negotiated. The Cache County Service Area Board of Trustees approved the proposal. Chairman Kerr set the item for action on the August 21 agenda.

Vacating a portion of the Old Field Road (100 West) Right-of-Way.

Public Works Director Kevin Hansen explained that on November 1, 2000, the Council had vacated three pieces of land that were part of the Old Field Road on 100 West near Golf Course Road. One parcel was not included because an agreement had not been reached with the parcel owner. The owner had requested that the City vacate this property, the extreme north end of the Old Field Road. Mr. Hansen requested that the Council begin the process of vacating this right-of-way.

Chairman Kerr said the Council would schedule an ordinance for consideration in accordance with State law.

OTHER CONSIDERATIONS.

Beer at the Logan River Golf Course. Karen Borg was concerned that, against City policy, golfers were bringing beer for consumption on the golf course since there was no concessionaire to regulate the situation. Attorney Sorenson stated that until a bid for a licensed concessionaire was accepted by the City, there should be no alcohol on the golf course. Councilmember Allred suggested an "aggressive education campaign" for

the present. Mayor Thompson said he would ask Russ Akina to post signs alerting golfers to the policy.

There being no further business to come before the Council, meeting adjourned at 8:15 p.m.

Lois Price, Recorder

INTERNAL AUDIT REPORT FINDINGS AND RECOMMENDATIONS

The internal audit process consisted of 13 meetings held with Department Heads. The internal audit committee consisted of Alan Allred and Karen Borg, Councilmembers, and Doug Thompson, Mayor. The meetings were conducted quite informally, although each meeting was built around the structure provided by the following questions:

1. What are your short-term and long-term priorities?

Capital projects

Personnel

2. What information and services do you need from the financial department?
3. What information and services are you getting from the financial department?
Are you getting enough information for adequate and timely decision making?
4. Could your efficiency be improved if you had access to different levels of financial services or information?
5. How are your budget, bonds, and grants supervised in your department?
6. Discuss the balance between personnel and costs and equipment costs? Do you see an imbalance in your operating ratios? Do you have concerns about this area?
7. What inefficiencies, if any, could be corrected? What could be privatized? Leased? Cut?
8. Is the organizational chart in your department efficient? Does it cause delays? Double reporting? Is the organizational chart used city-wide efficient? Are there areas of interdepartmental cooperation and interfacing? Could this be improved? How?
9. What do you perceive as the strengths of the market salary program? What are the strengths of the pay-for-performance program? What are the weaknesses in both?

10. Do you have any areas that should or could be cut?

While other questions were addressed as the discussions progressed, and according to those concerns mentioned by the various department heads, these questions provided the structure for each meeting, and will provide the structure for this report.

1. What are your short-term and long-term priorities?

The great majority of department heads seemed very comfortable with the conditions of their various stewardships. Each department head identified priorities and most felt comfortable about a plan to achieve those priorities.

It is the opinion of this committee that there are some long-term priorities which should be addressed. Primary among these is addressing the long-term needs of the road infrastructure. Logan has opted to use a chip seal program to preserve the longevity of its roads. This has been successful, but not without its effects. As layers are applied to a road repeatedly, it increases the crown, or pitch of the road, which can have negative impacts on vehicles, and storm water drainage. As with many other kinds of maintenance programs, eventually "patching" becomes unsuccessful and it is necessary to rebuild. This threshold has been reached in the City of Logan and funds must be identified to address the current street infrastructure so that a rebuilding plan can begin as soon as possible. This is clearly, the largest expense identified by this committee, and one which has been neglected as other priorities have been accomplished for many years.

There continues to be a need for increasing personnel in Fire/Ambulance. This becomes demonstrative as plans go into effect to build the first substation within the Logan system. This, too, is a need which should not be ignored by this or future Councils and Administrations.

This committee is concerned about the depletion of the reserves for the Light and Power Department. Perhaps this is seen as a lesser priority because the Department has the ability to raise its own revenues. However, it should be recognized that that ability is not unlimited and close monitoring needs to occur to ensure that infrastructure maintenance and growth are accommodated to maintain the high quality of service which now exists. The Director pointed out the need for a new building and more space. Before the power crisis of 2001 there were sufficient reserves to fund this expense and more, but the reserves were expended to cover the cost of purchased power. The committee acknowledges that the desire to spare the citizens additional costs was a higher priority for elected officials, the Light and Power Advisory Board, and the Department itself than maintaining the reserves and drastically increasing the cost of power to the citizens of Logan.

The Director of Light and Power sees a need to provide a person to fill a customer service function within his department in the very near future. He may choose to bring this idea to the Administration and subsequently, to the Council for further discussion.

The Community Development Department has a vision to include a new division called *Neighborhood Improvement*. This represents both short and long-term capital and personnel expenditures. The Department foresees hiring a Neighborhood Improvement Coordinator and providing the requisite working space and equipment in the short-term. The division is eventually expected to include 3 persons. It is recognized that this concept is just maturing and much-needed discussion and interfacing with the Council will take place in the future.

2. What information and services do you need from the financial department?
3. What information and services are you getting from the financial department? Are you getting enough information for adequate and timely decision making?
4. Could your efficiency be improved if you had access to different levels of financial services or information?

Questions 2, 3, and 4, closely related, will be discussed together. With only the exception of the Human Resources Department, each department head classified existing financial reporting as insufficient. Complaints were unanimous that the reports are cumbersome, yet lacking in meaningful detail, and arrive so late as to be meaningless. Several departments are keeping their own books, some even purchasing software to do so. This situation is of great concern to the Internal Audit Committee. Not only do we have duplicate accounting existing in the system, but we have professionals, hired for other purposes, spending City resources of time and funds to duplicate a function of the Finance Department.

The committee researched the causes for this delay and there seem to be several. Chief among them are that the knowledge to fully access available information on line has not been imparted to the department heads. The Director of Finance reports that with an “online inquiry” department heads can have very timely and accurate data at their finger tips. The committee must ask, however, with the number of department heads making repeated inquiries and clarifications of Finance personnel, why steps have not been taken to empower the City’s managers to fulfill this function themselves. It would have greatly reduced frustration and improved accuracy city-wide, while saving countless hours for accounting personnel.

It may be significant to note, however, that those department heads who regularly make on-line inquiries state, “When we check the online budget version to see the status of an account, invoices submitted within the last 30 days do not appear. If invoices could be entered as they are submitted and show perhaps as an encumbrance then we would have a better idea of the status of the account.” There does seem to be discrepancy in these two reports, and for true improvement the question must be clarified and mitigated.

Many department heads, along with committee members questioned the sufficiency of the existing software used by the City for financial recording. There was an assumption that the software was out-dated and unable to provide accurate and timely information. The committee was informed by the Director of Finance, however, that the software was updated every year, that it was both current and serviceable. He did, however, point out that the addition of scanning capacity would greatly increase the level of detail available to other departments, particularly those who use open purchase orders.

Without exception, each department head avowed that when they contacted the Finance Department with questions or concerns, the service they received was courteous and prompt.

Several department heads suggested that procedures for project, contract and grant management be made uniform and be supervised by the Finance Department.

5. How are your budgets, bonds, and grants supervised in your department?

In those departments which have bonds and grants, the department head has the ultimate oversight for their management. In Parks and Recreation, the Police Department, and Public Works, large departments with many divisions, division managers oversee those items which are in their immediate jurisdiction with approval of the department head. The budgets in all departments are overseen by the department head with responsibilities delegated to the appropriate personnel for administration.

6. Discuss the balance between personnel costs and equipment costs. Do you see an imbalance in your operating ratios? Do you have concerns about this area?

With the exception of the Police Department, no department expressed a concern about this question. The Chief of Police felt strongly that the committee understand that “outside revenue makes the difference for this department.” The number of grants, and donations procured by the Police Department provides much of the quality of service that the community has come to expect. It was clear that the general fund does not support all of the activities conducted by this department for the City.

7. What inefficiencies, if any, could be corrected? What could be privatized? Leased? Cut?

Most of the departments had little to say about this question, except to point out those areas, such as parking enforcement, and contractors used on a seasonal basis, which have already been privatized. Some department heads expressed that the focus for the City of Logan has been on customer service in the last several years. This can, of necessity, sometimes impact efficiency. No one suggested that the pendulum had swung too far, or that they were completely unable to complete their tasks.

Public Works and Parks and Recreation shared a concern that their efficiency was impacted by poor interdepartmental communication and coordination. Public Works proposed that a universal work order system be implemented so that projects which affect more than one department can be coordinated, and so that services requested by one department from another can better be planned for.

Parks and Recreation expressed some frustration with the amount of nondepartmental maintenance that they have become responsible for. The Director of Parks and Recreation respectfully pointed out that there had been vigorous debate about his request for additional personnel, but that some may have been unaware of the scope of the duties encompassed by the department. This committee suggests that a remedy to this situation be administered, perhaps by having departments check out equipment for maintaining their facilities from Parks and Recreation or perhaps by privatizing this maintenance. This is clearly an item for discussion and amelioration.

Another item to be considered for possible privatization is tree removal in parks and parkland. The City Forester and crew are kept quite occupied removing trees and branches for the power department, the department in which they reside, and a serious problem has developed from dead branches and trees. This hazard is only increasing and must be addressed; perhaps privatization would be a valid, but more costly solution.

8. Is the organizational chart in your department efficient? Does it cause delays? Double reporting? Is the organization used city-wide efficient? Are there areas of interdepartmental cooperation and interfacing? Could this be improved?

There were no negative comments about the City-wide organizational chart; although several departments suggested that, as mentioned above, interdepartmental communication and coordination could be improved. The Director of Parks and Recreation has a vision for revamping his organizational chart, a process he believes may take a year or two to complete.

The Police and Fire Departments both recommended changes in their command structure. The difficulties are remarkably similar between the two departments and can be summarized by the use of the term "span of control." Both chiefs, independent of each other, mentioned that in times of crisis, which happen on a regular basis within the realm of Public Safety, the current structure does not provide for the best support from command personnel. The Fire Chief wants to incorporate the position of Battalion Chief, to provide on-site command at an incident, freeing the Captain, whom the staff know well and have a relationship with, to be in the structure with the fire fighters. This allows for seasoned leadership to be inside making judgement calls. At this time, the Captains remain outside in command and the fire fighters are inside without command personnel.

The Police Chief expressed concern that interagency communication is sometimes hindered because the level of command and responsibility performed by lieutenants in the Logan Police Department is equated with the title "Captain" elsewhere. When Logan City lieutenants are state-wide experts in many areas of policing and are asked to train other personnel from around the state, they are sometimes not afforded the respect equal to their responsibilities. The Chief of Police explains, "This is similar to the structure employed by our own fire department and allows us to be consistent with departments our size within the state of Utah."

As the Public Safety Departments reorganize, this committee suggests that the Chiefs coordinate with each other so that levels of command personnel in both departments is both parallel and well-understood.

9. What do you perceive as the strengths of the market salary program? What are the strengths of the pay-for-performance program? What are the weaknesses in both?

The answers for this question were virtually unanimous. Each department head expressed appreciation for the consistency provided by the market survey program utilized for salary determination. They believed that it was unbiased and useful, while recognizing that there are still areas for improvement. Especially appreciative were those department heads who had been in management positions for several years.

Some items for discussion throughout the year as the current pay system is examined are:

- The frustration of employees who are at the top of their pay scale and have no room for advancement.

- Inadequate starting ranges.

- The lack of national and local community comparisons.

The pay-for-performance program was also praised. There was some concern about subjectivity, however, it is recognized that any program which causes one person to judge the performance of another will be subjective.

There is continued training for management staff in consistent and fair implementation of the pay-for-performance program. While this has been a problem in the past, the consensus of the department heads is that there has been improvement. The Administrative Services Director asserted that, as more legitimate performance measures are adopted by each department, the pay-for-performance program will become even more meaningful in its utilization.

It is the recommendation of the committee that workshops commence immediately to educate the Council on the details of the payroll programs to improve future discussions as the program is evaluated throughout the current budget year.

10. Do you have any areas that should or could be cut?

Not surprisingly, no department volunteered areas to be cut, although this report has highlighted several areas to be examined for restructuring. Nor is it the desire of this committee to suggest areas for elimination. We believe that a decision to severely curtail the areas of and quality of service provided by the City of Logan to its citizens must be discussed by elected officials in an open forum where input and impact can be weighed.

It is incumbent upon the committee, however, to research the internal workings of the City and come to some conclusions about the accountability and efficiencies therein. This report has discussed several. There is a significant problem in relaying financial information to the departments. Management personnel have characterized shooting in the dark” financially because of a 4-month long blackout at the end of the fiscal year in which no current reports are attainable. They have labeled financial reports as “redundant,” “meaningless,” and “inaccurate.”

Suggestions have been made that the major financial operations of the City, such as grant, bond, and contract management be made uniform and more centralized. This is an area which bears exploring. A plan for financial accounting and accountability must be implemented to guarantee the premium use of tax payer dollars and the continued support of the Municipal Council.

Structural and organizational changes have been suggested throughout the report which will help to streamline functions, and mitigate the problem of unfair burdens on some departments to benefit others.

The Committee wishes to express its gratitude to all of the departments, department heads, and support personnel who facilitated this process. While it has been a challenging and deliberate task, we believe that it has been worthwhile. We recommend that this process be undertaken periodically to ensure continued quality in the service provided to the community we all espouse.

Minutes of the meeting of the Logan Municipal Council convened in regular session on Wednesday, August 21, 2002 at 6:15 p.m., in the Logan Municipal Council Chambers, 255 North Main, Logan, Utah, Chairman Tom Kerr conducting.

Councilmembers present: Tom Kerr, Karen S. Borg, Tami W. Pyfer, and Alan D. Allred. Stephen C. Thompson was excused. Administration present: Mayor Douglas E. Thompson, City Attorney Mark A. Sorenson, and Recorder Lois Price.

Police Detective Kent Harris offered the opening prayer and led the audience in the Pledge of Allegiance.

Minutes of the meetings of August 7, 2002 were approved with minor corrections.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL

RACHEL MOODY. Rachael Moody, 1190 West 1960 South, had several concerns about the Spring Creek neighborhood and the inability to get response from City staff. There had been changes to the subdivision that she did not believe were appropriately approved, or if approved, the plan was not being followed. She was upset that trailers were being moved in, resulting in a decrease to property values. Mrs. Moody was also concerned that there was no second access, and also that the police had stopped patrolling the neighborhood. She also asked about a "neighborhood watch" program that had not been put into place. Mayor Thompson agreed to see that her concerns were addressed and to report to the Council at the next meeting.

MAYOR/STAFF REPORTS.

UTAH BOYS STATE PROGRAM PARTICIPATION AND RECOGNITION. Mayor Thompson introduced Ken Hoyle, Boys State Director, and Aaron Johns, Governor of Boys State. They expressed appreciation to the City and the Police Department for their assistance with the Utah Boys State Program, especially to Detective Kent Harris, a Boys State Counselor, who accepted the award.

INTERNAL AUDIT. Finance Director Don Fulton outlined steps taken to improve financial information and reporting for City departments. He said the Finance Department was committed to improving communications on financial matters. Administrative Services Director Laurie Tanner spoke about the positive reaction by the Executive Committee to the actions taken. She explained that if staff needs in the finance area were not now being met, "it's our fault for not asking." Mayor Thompson said the Finance Department has "acted swiftly, skillfully and resourcefully to find ways to correct processes and communications." He thanked Audit Committee members Alan Allred and Karen Borg for the valuable suggestions during the internal audit process.

DEER PEN PROPERTY. Parks and Recreation Director Russ Akina told the Council that long-range development and masterplanning of the Deer Pen Property on the northeast bench had been discussed at a recent Hillcrest Neighborhood Council meeting. About 40-50 had attended and expressed an interest in the future of the neighborhood. Mr. Akina said the neighborhood would be kept informed through meetings as the masterplan was developed.

FIRE ACT GRANT. Fire Chief Jeff Peterson announced that Logan was one of seven cities in the state to receive funds from the Fire Act Grant. \$81,000 was received for upgrading air packs to NFPA compliance, requiring a \$9,000 City match.

UTAH LEAGUE. Council attendance at the Utah League of Cities and Towns Convention September 11-13 was discussed. Councilmember Pyfer said she would attend. Councilmembers Allred and Borg were unable to go. Chairman said he would attend a one-day legislative session.

1600 EAST. There was discussion about the improvements to Logan Canyon highway that was causing heavy truck traffic on 1600 East. Mayor Thompson said this would go on for about three more weeks. Councilmember Borg, 1600 East resident, was concerned about speeding trucks and safety of children now that school was beginning. Mayor Thompson said he would let her concerns be known.

COUNCIL BUSINESS.

MEETING SCHEDULE. Chairman Kerr announced that the next regular meeting of the Council would be September 4, 2002.

CAA QUARTERLY REPORT. Lisette Miles, Executive Director of the Capitol Arts Alliance, presented the quarterly report. She distributed brochures for the 2002-03 Ellen Eccles Theatre tenth anniversary season. She talked about the past successful season and said there were deferred theatre maintenance items in need of attention. Ms. Miles announced that the new name for CAA was the Cache Valley Center for the Arts.

ACTION ITEMS.

Water, Sewer and Solid Waste Revenue Bonds Refunding - 02-48. Resolution of the City Council of the City of Logan, Cache County, Utah (the "Issuer authorizing the issuance and sale of not more than \$3,000,000 aggregate principal amount of Water, Sewer and Solid Waste Revenue Funding Bonds, Series 2002B of the issuer; fixing the maximum aggregate principal amount of the bonds, the maximum number of years over which the bonds may mature, the maximum interest rate which the bonds may bear, and the maximum discount from par at which the bonds may be sold; providing for the publication of a notice of bonds to be issued; providing for the running of a contest period; and related matters.

Jim Matsumori of George K. Baum and Company, the city's financial advisor, explained the necessity to refund the 1993 Water and Sewer Bonds, which had been issued at 5.4% interest, to keep borrowing costs at a minimum. The first step in the process was tonight's parameters resolution which, among other things, initiated, by public notice, the thirty-day contest period. Mr. Matsumori said the bonds would not exceed 4.5%. A savings of \$25,000 per year over the life of the bonds (4.5 years) was estimated.

ACTION. Motion by Councilmember Borg, seconded by Councilmember Allred to adopt Res. 02-48, Water, Sewer and Solid Waste Revenue Bonds Refunding -- Parameters Resolution, as presented. Motion carried 4-0.

Alan D. Allred, voted yes
Karen S. Borg, voted yes
Tom Kerr, voted yes
Tami W. Pyfer, voted yes
Stephen C. Thompson, absent

PUBLIC HEARING: Budget Adjustment Resolution F/Y 2002-03: (1) Carry forward \$30,000 for Dry Canyon flood control grant match; (2) Carry forward \$36,394 for Cops-in-Shops and SHOCAP Grants; (3) \$4,500 for After School Programs; (4) \$25,500 for Municipool repairs; (5) Carry forward \$15,000 for Federal Transit Grants; (6) Carry forward \$420,784 for uncompleted water and sewer projects as of 6/30/02; (7) \$250,000 for Cops 2002 Technology Grant - 02-41.

Budget Analyst Kristy Brenchley reviewed items proposed for adjustment in the 2002-03 fiscal year budget. Chairman Kerr opened the meeting to a public hearing. There was no comment, and the public hearing was closed.

ACTION. Motion by Councilmember Allred, seconded by Councilmember Pyfer to adopt. Res. 02-41, Budget Adjustment, as presented. Motion carried 4-0.

Alan D. Allred, voted yes
Karen S. Borg, voted yes
Tom Kerr, Chair did not vote
Tami W. Pyfer, voted yes
Stephen C. Thompson, absent

LOGAN DOWNTOWN ALLIANCE - Adopting Main Street Application Letter of Support - 02-42.

Gene Needham III, President of the Downtown Alliance, requested Council support to make application to receive the "Main Street Partner Designation" sponsored by the Utah Pioneer Communities Program. The assistance provided through this organization would help with the Downtown planning and revitalization efforts, Mr. Needham said.

ACTION. Motion by Councilmember Pyfer, seconded by Councilmember Borg to adopt Res. 02-42, Main Street Partner Designation Letter of Support, as presented. Motion carried 4-0.

Alan D. Allred, voted yes
Karen S. Borg, voted yes
Tom Kerr, Chair did not vote
Tami W. Pyfer, voted yes
Stephen C. Thompson, absent

LANDFILL - Resolution allowing for disposal of dead animals at no cost - 02-47.

Environmental Health Director Issa Hamud requested that the Council support a resolution approving free dead animal disposal at the City Landfill. The proposal was an effort to reduce illegal dumping of dead animals in Cache County and had been approved by the Solid Waste Advisory Board. Mr. Hamud confirmed that the free disposal would be a temporary situation while a contract with Cache Valley By-Products was being negotiated.

ACTION. Motion by Councilmember Pyfer, seconded by Councilmember Borg to adopt Res. 02-47, Disposal of Dead Animals at the Landfill, as presented. Motion carried 4-0.

Alan D. Allred, voted yes
Karen S. Borg, voted yes
Tom Kerr, Chair did not vote
Tami W. Pyfer, voted yes
Stephen C. Thompson, absent

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) - Resolution adopting the 2002 CDBG Consolidated Plan - 02-49.

Administrative Services Director Laurie Tanner requested Council that a resolution be passed adopting the 2002 CDBG Consolidated Plan which recognized sponsorship of the City of Logan's ADA upgrade of park restrooms and the Center for Persons with Disabilities playground for children with disabilities. The resolution allowed the two projects to move forward to the CDBG application process.

ACTION. Motion by Councilmember Allred, seconded by Councilmember Borg to adopt Res. 02-49, 2002 CDBG Consolidated Plan. Motion carried 4-0.

Alan D. Allred, voted yes
Karen S. Borg, voted yes
Tom Kerr, Chair did not vote
Tami W. Pyfer, voted yes
Stephen C. Thompson, absent

VACATION OF NORTHERN PART OF "OLD FIELD ROAD" RIGHT-OF-WAY at 100 West to allow for alignment of 100 West from Highway 89-91 to Golf Course Road - 02-50.

Public Works Director Kevin Hansen explained that in November of 2000 the Council had passed an ordinance vacating three parcels of property that were part of the "Old Field Road." One parcel was not included because agreement had not been reached with the parcel owner. Since that time the owner dedicated the right-of-way for the new

road alignment and improvements had been constructed on 100 West. The vacation process met requirements of State law since the request had been made to the City by the property owner.

ACTION. Motion by Councilmember Allred, seconded by Councilmember Borg to adopt Ord. 02-40, Vacating the Northern Part of the Old Field Road Right-of-Way.

Motion carried 4-0.

Alan D. Allred, voted yes

Karen S. Borg, voted yes

Tom Kerr, Chair did not vote

Tami W. Pyfer, voted yes

Stephen C. Thompson, absent

WORKSHOP ITEMS.

Budget Adjustment F/Y 2002-03 appropriating: (1) \$126,000 for CDBG Affordable Housing Grant; (2) Carry over \$1,921 UCCJJ Narcotics Grant funds; (3) \$215,000 HUD Grant for Emergency Services Training Facilities; (4) \$190,000 for Recreation Center tennis court repair; (5) Carry forward \$5,000 grant from ULGT for Willow Park tree hazards - 02-46

Finance Director Don Fulton reviewed the budget items requested for appropriation, including \$75,000 for North Main relocation expenses for Axtell-Taylor at 1475 North Main, now that the project was completed. Administrative Services Director Laurie Tanner spoke about the Affordable Housing Project funds which would help twenty first-time homeowners purchase property. Public hearing on the resolution was set for September 4, 2002.

Amendments to Parks and Recreation Advisory Board Ordinance.

Parks and Recreation Director Russ Akina requested that the Parks and Recreation Advisory Board ordinance (Section 2.02.080 of the City Code) be amended to accommodate the current use. He said that as parks and recreation needs had evolved, it was not necessary for specific specialists to be members of the board, with the exception of representation from the Logan City School Board/ Chairman Kerr placed the ordinance on the September 4, 2002 agenda for action.

LOGAN BUSINESS FUND LOANS: (1) Anderson Seed and Garden Inc.; and (2) Stork Landing.

Economic Development Director Nevin Limburg distributed information summarizing two projects approved by the Economic Development Committee:

Anderson Seed and Garden Project, 69 West Center, Total Incentive: \$60,244

- A. Logan Business Fund Loan of \$50,000, 3% interest, ten-year amortization, five-year balloon payment, with project completion date of ten months.
- B. City property to be deeded to Anderson for project valued at \$4,964.

- C. Building permits and landfill cost for disposing of demolished warehouse \$5,280 from Economic Development Fund.

Stork Landing Project, 99 West Center, Total Incentive: \$100,000

- A. Logan Business Fund loan \$98,125, 3% interest, interest only first year, ten-year amortization, five-year balloon payment, project completion date of ten months.
- B. Building permits and 'asphalt apron' construction \$1,875 from Economic Development Fund.

There was discussion about the loans, project time limits, and consequences if the completion date was not met. Mr. Limburg said owners could be in default on the loan, but no penalty had been set. It was the feeling of the Council that there should be a penalty provision for those projects that did not make reasonable progress. It was proposed that ten months after loan issuance, should the project not be completed, the City could initiate action to call for payment of the loan balance in full. Mr. Limburg agreed to work with Attorney Housley to add this wording to both resolutions.

Mark Anderson of Anderson's said there was a disagreement with Chris Larsen, adjacent property owner, about the small piece of property he would be receiving from the City. Mr. Anderson spoke about his desire to develop it as a display garden, and his intent with work with Mr. Larsen toward a solution.

Chris Larsen said he favored both of the projects, but did not agree with the City deeding a right-of-way adjoining his building to another property owner. He said he wanted access to his building for maintenance and would like the property abutting his building to remain in the City's hands, with Mr. Anderson having the use of it. The amount in dispute was approximately four feet.

Mayor Thompson said his staff would work with the two parties to resolve the conflict. Chairman Kerr announced that the Stork Landing resolution would be placed on the September 4 agenda. If there was settlement of the disagreement between the Anderson's and Mr. Larsen, that resolution would also be placed on the agenda for action.

DISCUSSION OF 100 EAST, 200 EAST AND 400 EAST.

Public Works Director Kevin Hansen presented information to the Council on issues encountered when addressing a traffic management plan for the City. He urged the Council to reconsider 200 East as a north-south route which would disburse future traffic along several corridors, including the proposed 400 East Dugway project.

Mr. Hansen spoke about the importance of the Boulevard as part of the City's traffic management plan and said "the key to keeping the Boulevard working is 200 East." He did not believe this had been given adequate consideration when 200 East (as part of the Cache Metropolitan Planning Organization project plan) had been rejected by the Council three years ago. Mr. Hansen emphasized that the best plan would balance

and distribute the traffic on several corridors, thus lessening the impact on a single neighborhood.

Mr. Hansen expressed concern that at the July 15 CMPO meeting, the 100 East corridor was withdrawn from the funded list. He said the question was posed by the CMPO to Logan about reconsidering a 200 East corridor. "We are at a critical juncture," he said. He emphasized that all the corridors needed to be considered together to maintain the synergy of the project. "There is not enough money to build 200 East now. 100 East would even be a challenge. If we don't start now on 200 East, protecting corridors associated and Boulevard corridors, we will create bigger problems for ourselves . . ."

Councilmember Pyfer spoke about the necessity of getting 100 East back on the CMPO plan.

Councilmember Borg spoke out strongly against reviving the 200 East corridor discussion. "This discussion smacks of a distraction that I am not ready for," she said. She said she did not see a reason to "revisit" the proposal and resented being questioned repeatedly about it.

Councilmember Allred was concerned that we were "misdirecting" ourselves with a discussion of 200 East which would not change the course of the 400 East discussion. He agreed with Councilmember Borg that, at this point, it was a distraction. He said several years ago the Council decided that 100 East was an alternative and that the 400 East project could be done. "We are not saying anything different now," he concluded.

Councilmember Borg spoke about the reasons for eliminating the 200 East project several years ago. "We believed we did the right thing because there was nothing on the models that showed a difference in the level of service on 200 East or any other street if we went through with it . . . so we decided not to further decimate a neighborhood because there were no benefits. You have not shown me anything different . . . I am sick to death of hearing that the decision was made because it was an election year."

Heated discussion continued among Councilmembers. Mr. Hansen concluded, "It is my sense that you are not willing to reopen the discussion on 200 East." He said there appeared to be support for continuing long-range plans for 200 East. He also said it appeared that the Council supported 100 East being put back on the CMPO Plan.

Councilmember Allred talked about how all of the traffic management projects hinged on funding. "The priorities we placed are still our priorities. Even if we changed our priorities, it doesn't change the money."

OTHER CONSIDERATIONS.

WATER RESTRICTIONS. Mayor Thompson announced culinary outside watering was still restricted. Hours soon to be announced were 10 a.m. to 6 p.m.

There being no further business to come before the Council, meeting adjourned at 9:30 p.m.

Lois Price, Recorder

Minutes of the meeting of the Logan Municipal Council convened in regular session on Wednesday, September 4, 2002 at 6:15 p.m., in the Logan Municipal Council Chambers, 255 North Main, Logan, Utah, Chairman Tom Kerr conducting.

Councilmembers present: Tom Kerr, Karen S. Borg, Tami W. Pyfer, Alan D. Allred, and Stephen C. Thompson. Administration present: Mayor Douglas E. Thompson, City Attorney Mark A. Sorenson, and Recorder Lois Price.

Business License Administrator Gay Jamieson offered the opening prayer and led the audience in the Pledge of Allegiance.

Minutes of the meetings of August 21, 2002 were approved with minor corrections.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL.

JEFFREY YEARYEN. Mr. Yearyen said he lived at 600 West 400 North and was bothered by the noise of his neighbor's sheep. Animal Control and Prosecuting Attorney had told him there was nothing that could be done under the present City ordinance as it was specific to cats and dogs. The Mayor agreed to have his staff look into the situation.

MAYOR/STAFF REPORTS.

YOUTH CITY COUNCIL UPDATE. Amy Tolman, Youth Mayor Pro Tem, reported on August activities that included volunteer work and fundraising at the Cache County Fair. She thanked the Council for their support.

BOARD APPOINTMENTS. Mayor Thompson requested Council ratification of the following appointments and reappointments

Neighborhood Council, Woodruff Area Representatives: Alan and Maggie Hinckley, 635 Southwest Street.

Forestry Board: Appointments of Mark A. Anderson, 1185 Canyon Road, and Patty Grewe, 1795 Country Club Drive. Reappointment of Robert Skabelund.

Power Advisory Board: Appointment of Lee J. Badger, owner of Lee's MarketPlace, to fill the unexpired term of Blaine Butterworth.

Parks and Recreation Advisory Board: Reappointments of Eric Falk, Kathy Heninger, and Dan Johnson.

ACTION. Motion by Councilmember Pyfer seconded by Councilmember Allred, to accept the appointments and reappointments to the Neighborhood Council, Forestry Board, Power Advisory Board and Parks and Recreation Board as proposed by Mayor Thompson. Motion carried unanimously.

Alan D. Allred, voted yes

Karen S. Borg, voted yes

Tom Kerr, voted yes

Tami W. Pyfer, voted yes

Stephen C. Thompson, voted yes

WATER RESTRICTIONS. Mayor Thompson announced outside culinary watering was restricted between the hours of 10 a.m. and 6 p.m.

COMMUNITY TRIBUTE TO FREEDOM. Mayor Thompson invited all to attend a free concert at USU Kent Concert Hall on September 11, 2002, at 7 p.m. commemorating the 9-11 terrorist attacks.

COUNCIL BUSINESS.

MEETING SCHEDULE. Chairman Kerr announced that the next regular meeting of the Council would be September 18, 2002. Karen Borg asked to be excused from that meeting.

ACTION ITEMS.

WATER, SEWER AND SOLID WASTE REVENUE REFUNDING BONDS - 02-51
Consideration of a Resolution of the City Council of the City of Logan, Cache County, Utah (the “issuer”) finalizing the terms and conditions of the issuance and sale by the issuer of its Water, Sewer and Solid Waste Revenue refunding bonds, Series 2002B in the aggregate principal amount of \$2,615,000 (the “Series 2002B bonds”); awarding and confirming the sale of the bonds; authorizing the execution and delivery by the issuer of a Seventh Supplemental Indenture of Trust, a Bond Purchase Agreement and other documents required in connection therewith; and authorizing the taking of all other actions necessary to the consummation of the transaction contemplated by this resolution; providing a severability clause; repealing resolutions and orders in conflict; providing an effective date; and related matters.

Jim Matsumori, City financial advisor of George K. Baum, and Blake Wade, bond counsel of Ballard Spahr Andrews and Ingersoll LLP, requested Council action on a bond resolution regarding the issuance and sale of Water, Sewer and Solid Waste Revenue refunding bonds totaling \$2,615,000. The bid of Banc One Leasing Corporation at 3.1% interest was proposed for acceptance, contingent on the successful completion of the required 30-day contest period. Mr. Matsumori said the City would save over \$100,000 in costs by this refunding action. Bond closing was scheduled for September 25, 2002.

ACTION. Motion by Councilmember Allred, seconded by Councilmember Borg to adopt Res. 01-51, Water, Sewer and Solid Waste Refunding Bonds, as presented. Motion carried unanimously.

Alan D. Allred, voted yes
Karen S. Borg, voted yes
Tom Kerr, voted yes
Tami W. Pyfer, voted yes
Stephen C. Thompson, voted yes

PUBLIC HEARING - Budget Adjustment F/Y 2002-03 appropriating: (1) \$126,000 for CDBG Affordable Housing Grant; (2) Carry over \$1,921 UCCJJ Narcotics Grant funds; (3) \$75,000 for North Main Project Area expenses and incentives; (4) \$215,000 HUD Grant for Emergency Services Training Facilities; (5) \$190,000 for Recreation Center tennis court repair; (6) Carry forward \$5,000 grant from ULGT for Willow Park tree hazards - 02-46 Revised.

Budget Analyst Kristy Brenchley reviewed the proposed appropriations. There were no questions from the Council, and Chairman Kerr opened the meeting to a public hearing. There were no comments, and the hearing was closed.

ACTION. Councilmember Thompson asked for details of the fire facility. Fire Chief Peterson responded that the training facility would be located on 200 North, south of the park and ride lot at the Landfill, and there would be no utilities necessary or provided. Motion by Councilmember Pyfer, seconded by Councilmember Allred to adopt Res. 02-46 Revised, as presented. Motion carried unanimously.

Alan D. Allred, voted yes
Karen S. Borg, voted yes
Tom Kerr, voted yes
Tami W. Pyfer, voted yes
Stephen C. Thompson, voted yes

PARKS AND RECREATION ADVISORY BOARD ORDINANCE - Amending ordinance to change the composition on the board - 02-53.

Parks and Recreation Secretary Tammy Firth reviewed proposed changes in the Parks and Recreation Advisory Board ordinance. The major change would simplify the composition of the board by eliminating the requirement for recreation and wildlife and ornithology specialists.

ACTION. Motion by Councilmember Allred, seconded by Councilmember Thompson to adopt Ord. 92-52, Parks and Recreation Advisory Board. Motion carried unanimously.

Alan D. Allred, voted yes
Karen S. Borg, voted yes
Tom Kerr, voted yes
Tami W. Pyfer, voted yes
Stephen C. Thompson, voted yes

LOGAN BUSINESS FUND LOANS: (1) \$50,000 for Anderson Seed and Garden Inc. - 02-55; and (2) \$97,795 for Stork Landing - 02-56.

Economic Development Director Nevin reviewed changes to the two projects and requested adoption of the resolutions.

Anderson Seed and Garden Project, 69 West Center. Mr. Limburg explained the right-of-way dispute between Mark and Ronnette Anderson and Chris Larsen had been resolved by mutual agreement.

ACTION. Motion by Councilmember Allred, seconded by Councilmember Borg to adopt Res. 02-55, Anderson Seed and Garden Inc, Logan Business Fund Loan, as presented. Motion carried unanimously.

Alan D. Allred, voted yes
Karen S. Borg, voted yes
Tom Kerr, voted yes
Tami W. Pyfer, voted yes
Stephen C. Thompson, voted yes

Stork Landing Project, 99 West Center. Mr. Limburg said the loan amount in the first paragraph of the resolution should read \$97,795.

ACTION. Motion by Councilmember Thompson, seconded by Councilmember Allred that ",by precedent," be stricken from last sentence of the fourth paragraph of the resolution as follows. ". . . Since City of Logan incentive agreements, ~~by precedent,~~ are based upon performance, after ten months, should the project not be completed, following consultation with the loan recipient, the council may initiate action that could call for payment of the loan balance in full."

Motion by Councilmember Allred, seconded by Councilmember Pyfer to adopt Res. 02-56, Stork Landing Business Fund Loan, as amended. Motion carried unanimously.

Alan D. Allred, voted yes
Karen S. Borg, voted yes
Tom Kerr, voted yes
Tami W. Pyfer, voted yes
Stephen C. Thompson, voted yes

WORKSHOP ITEMS.

POLICE OFFICER BRYAN LOW - LAW ENFORCEMENT BLOCK GRANT.

Police Chief Rich Hendricks represented Bryan Lowe. It was explained that a Local Law Enforcement Block Grant had been awarded from the U.S. Department of Justice in the amount of \$9,584. A small match was required, and the money would be used to purchase equipment for the Police Department. A public hearing is necessary to meet grant requirements. Chairman Kerr set the hearing for September 18.

LAND USE CODE AMENDMENT. City of Logan, applicant, proposes a text addition to the Logan City Land Development Code Section 17.44.060: Moveable Structures. The proposed amendment would be a new section in the Land Development Code.

Community Development Director Jay Nielson reviewed a proposed amendment to the Land Use Code to allow better regulation of relocated structures. He said the department has received complaints about older homes moved from original lots and placed on wooden blocks on lots in the City. There were currently seven of these structures. It was explained the new law required a conditional use permit and a building permit prior to moving any building. The owner would then have 45 days to install the building on a permanent foundation. The ordinance would be retroactive to any structures currently in the stages of relocation.

Mr. Nielson talked about safety concerns associated with the buildings. Councilmember Borg asked if there was a need to substantiate more fully that the ordinance was also based on public health and safety issues.

Councilmember Thompson said he did not want a new law to impose undue hardship on anyone. Councilmember Allred spoke about the need to address the situation and take necessary action to avoid future problems. "I think it's reasonable to set this kind of a standard," he said. Mr. Nielson explained the Community Development Director could give a six-month extension if a situation warranted it. He said he would review temporary structures as applied to the proposed ordinance.

LAND USE CODE AMENDMENT. Val Grant, applicant, proposes a text change to the Logan City Land Development Code Section 17.15.020: Residential Site Development Standards. The proposal includes changes to the side yard setbacks for accessory structures in the Single Family Traditional (SFT) and Single Family Residential (SFR) zoning districts.

Planner Michelle Mechem presented information on a Land Use Code amendment dealing with setbacks for residential accessory structures. She explained that Val Grant had proposed a change dealing with structures in the side yard in SFT and SFR zones. The opinion of staff was that Mr. Grant's stipulations were unnecessary and arbitrary and benefited changes made to his specific property. The Planning Commission recommended denial.

There was agreement, however, Ms. Mechem said, that the setbacks for accessory structures needed to be changed. The City's proposal would affect all residential zoning districts and deal with side and rear yard setbacks for removable accessory structures. The Planning Commission recommended the amended Residential Site Development Standards. Ms. Mechem explained the differences between the two proposals and said many existing sheds would be brought into compliance if side and rear yard setbacks were reduced as proposed by the City.

A public hearing on the Land Use Code Amendments was scheduled for September 18, 2002.

INTERIM CACHE ACCESS MANAGEMENT: Proposed adoption of the Interim Cache Access Management Program.

Planner John Weber presented information on the Draft Interim Cache Access Management Program, which he said provided standards and a process for approving access to state highways, and bringing local government and planning into UDOT's access management process. The Plan was recommended for approval by the Planning Commission with two abstaining votes. One concern raised was that UDOT was not bound by the plan.

Mr. Weber explained the document was composed of two parts. Staff and the Planning Commission recommended adoption of the first section describing road categories and access design standards. They did not recommend approval of the section entitled "Land Use Considerations." It was felt this section was redundant and confusing, since the City addressed these considerations through the Land Development Code and Design Review Guidelines. Mr. Weber said other communities in the county had adopted the entire plan, but none had design review guidelines in place.

The Council was in general agreement that the draft plan, which had been under discussion by various entities for some time, was a step forward. It was proposed that adoption be by resolution, which Mr. Weber agreed to prepare for the September 18 meeting.

BUSINESS LICENSE CODE REVISIONS: 1) Appeals Process; 2) Sidewalk Vendors and Cafes.

Business License Administrator Gaye Jamieson reviewed a proposal to amend Title 5 of the Municipal Code dealing with the appeals process for business licensing. She said the original process had been developed for land use and land development processes and needed to be streamlined. Ms. Jamieson also reviewed changes to Chapter 5.35, Sidewalk Vendors and Cafes. She said the requirements had been too exacting for anyone to apply for these seasonal, renewable licenses.

Chairman Kerr set the two ordinances for action at the September 18 meeting.

LIGHT AND POWER DEPARTMENT - Proposed changes to electrical connection fees.

Light and Power Director Ron Saville introduced Garth Turley of the Light department staff who, with the assistance of Chris Niemann, gave a lengthy presentation on a proposal to change electrical fees charged for services provided by the department.

Staff informed the Council that although costs to provide services had increased, fees had not. No changes to the energy or demand charges were proposed. The Power Board had considered the changes over several meetings and recommended adoption.

Increases to residential and commercial customers were proposed for temporary service, connection, and reconnection. Information was presented about actual costs to the City to provide these services. The proposal was to increase fees to recover approximately one-half the cost.

Since the commercial fee increases were dramatic, Councilmember Borg was concerned about economic development. She wondered whether the action would decrease our competitive edge. She expressed concern that since reimbursement for some of the costs would likely go to the Light Department, amounts available for other areas of business incentives would be reduced. She thought actual project costs should be calculated rather than estimated. The loss of businesses to other communities in the valley was the "biggest threat at this time," she said.

There was discussion about accounting for actual project costs for labor, supplies and equipment. Councilmember Allred said, although he agreed in principal with Councilmember Borg, documentation to provide exact information for cost accounting was difficult and time-consuming.

Councilmember Thompson said the proposed increase would hurt small businesses. He spoke in support of impact fees. Councilmember Allred stated that impact fees would not help recover utility connection costs.

Councilmember Borg proposed that the new rates not be effective prior to January 1, 2003.

Councilmember Pyfer asked that action on the resolution be delayed. The Council agreed to place the issue on the October 2 agenda as an action item.

There being no further business to come before the Council, meeting adjourned at 9:40 p.m.

Lois Price, Recorder

Logan Redevelopment Agency

Logan, Utah

September 4, 2002

Minutes of the meeting of the Logan Redevelopment Agency convened in regular session on Wednesday, September 4, 2002 at 9:40 p.m., in the Logan Municipal Council Chambers, 255 North Main, Logan, Utah, Chairman Alan D. Allred conducting.

RDA members present: Alan D. Allred, Karen S. Borg, Tom Kerr, Tami W. Pyfer, Stephen C. Thompson, Mayor Douglas E. Thompson. Administration present: Economic

Development Director Nevin Limburg, City Attorney Mark A. Sorenson, Recorder Lois Price.

ACTION ITEM.

Budget Adjustment F/Y 2002-03 fiscal year budget appropriating: \$75,000 for expenses and incentives associated with North Main Project Area - 02-54 RDA.

Chairman Allred opened the meeting to a public hearing to consider a budget adjustment dealing with the appropriation of \$75,000 for relocation expenses of Axtell-Taylor GM Jeep, 1475 North Main. There were no comments and the public hearing was closed.

ACTION. Motion by Tom Kerr, seconded by Karen Borg to adopt Res. 02-54 RDA, Budget Adjustment, as presented. Motion carried unanimously.

Alan D. Allred, voted yes

Karen S. Borg, voted yes

Tom Kerr, voted yes

Tami W. Pyfer, voted yes

Stephen C. Thompson, voted yes

Meeting adjourned at 9:45 p.m.

Lois Price, Recorder

Minutes of the meeting of the Logan Municipal Council convened in regular session on Wednesday, September 18, 2002 at 6:15 p.m. in the Logan Municipal Council Chambers, 255 North Main, Logan, Utah, Chairman Tom Kerr conducting.

Councilmembers present: Tom Kerr, Tami W. Pyfer, Alan D. Allred, and Stephen C. Thompson. Karen S. Borg was excused. Administration present: Mayor Douglas E. Thompson, City Attorney Mark A. Sorenson, and Recorder Lois Price.

Youth City Council member Belinda Fanjul offered the opening prayer and Rani Reese led the audience in the Pledge of Allegiance.

Minutes of the meeting of September 4, 2002 were approved with minor corrections. The agenda was approved with additions to the Mayor's Reports and the continuation to October 16, 2002 of the public hearing on the Land Use Code amendment regarding "Residential Site Development Standards."

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL.

Tom Hale, 368 East 300 North, said his neighborhood needed help with parking enforcement, especially in the winter. He said he had not had good response in contacts with the Parking Authority representative. He was especially concerned about vehicles park in the parking strip. Mayor Thompson said he would look into the situation and respond.

MAYOR/STAFF REPORTS.

EMPLOYEE OF THE MONTH. Mayor Thompson and Parks and Recreation Director Russ Akina honored Tammy Firth, Parks and Recreation Secretary, as the August 2002 Employee of the Month and expressed appreciation for her work. Ms. Firth was presented with a trophy and a \$75 cash award. Mayor Thompson thanked the members of the Employee Recognition Committee.

GOLF COURSE REPORT. Reed McGregor, Chairman of the Golf Course Committee, reported briefly on the successful season at Logan River Golf Course. He reported that at the fiscal year's end both golf rounds and course revenues showed an increase over last year. He also spoke about activities sponsored at the golf course to encourage youth participation in the sport.

GOLF COURSE COMMITTEE. Parks and Recreation Director Russ Akina recognized Diane Calloway-Graham, past president of the Women's Association, and thanked her for her contributions as a member of the Golf Course Committee. Current Women's Association President Jenett VanWagoner was introduced as a new member of the committee.

BEAR RIVER SAFE KIDS COALITION. Mike Weibel and Todd Barston of the Bear River Health Department honored Assistant Fire Chief Dave Harston for his support and work with the Safe Kids Coalition for the past six years. Mr. Harston announced he would be retiring from City employment on September 27, 2002 after 32 years of public service. The Mayor and Council thanked him for his excellent service to the citizens.

YOUTH CITY COUNCIL. City Recorder Lois Price administered the oath of office to over forty Logan High School students belonging to the Youth City Council as members of the Executive Council, Department Heads, and Assistant Department Heads and Committee Members.

SPRING CREEK COOPERATIVE CONCERNS. Community Development Director Jay Nielson reported on issues raised by Rachael Moody at a previous Council meeting. Among other things, her concern was about trailers being moved to the development. Mr. Nielson explained Spring Creek Cooperative was a mobile home park that was being developed according to approvals given. He outlined in a handout a brief history of actions regarding the development from 1994 to the present. Mr. Nielson recognized the project was "full of misunderstanding" but said research showed processes had been followed correctly and approvals given as required by the Land Use Code. He mentioned that although the extension of 1100 West to 1800 South sometime in the future was mentioned, it was never the condition of any approvals. Mr. Nielson's findings were that Spring Creek Cooperative was in compliance with law as far as the information Community Development had available.

Mayor Thompson said that police patrols of the neighborhood were ongoing at the same level, which he said was slightly higher than the rest of the City.

LTD ANNIVERSARY CELEBRATION. Councilmember Pyfer invited everyone to attend the 10-year anniversary of the Logan Transit District on September 28, 2002 from 10 a.m. until 2 p.m. at the Transit Center, 150 East 800 North.

COUNCIL BUSINESS.

MEETING SCHEDULE. Chairman Kerr announced that the next regular meeting of the Council would be October 2, 2002 at 6:15 p.m.

ACTION ITEMS:

PUBLIC HEARING: Budget Adjustment F/Y 2002-03 appropriating \$10,649 for Law Enforcement Grant from U.S. Department of Justice, including \$1,065 match - 02-57.

Budget Analyst Kristy Brenchley reviewed a budget appropriation to the Police Department for a Local Law Enforcement Grant, which included a \$1,065 City match from police funds. The grant money would be used for the purchase of equipment.

Chairman Kerr opened the meeting to public comment on the appropriation. There was no comment, and the public hearing was closed.

ACTION. Motion by Councilmember Thompson, seconded by Councilmember Allred to adopt Res. 02-57, Budget Adjustment, as presented. Motion carried unanimously, Borg absent.

Alan D. Allred, voted yes

Karen S. Borg, absent

Tom Kerr, voted yes

Tami W. Pyfer, voted yes

Stephen C. Thompson, voted yes

PUBLIC HEARING: Land Use Code Amendments: 1) City of Logan, applicant, proposes a text addition to the Logan City Land Development Code Section 17.44.060: Moveable Structures. The proposed amendment would be a new section in the Land Development Code - 02-60; 2) Val Grant, applicant, proposes a text change to the Logan City Land Development Code Section 17.15.020: Residential Site Development Standards. The proposal includes changes to the side yard setbacks for accessory structures in the Single Family Traditional (SFT) and Single Family Residential (SFR) zoning districts - 02-61.

Chairman Kerr announced that the hearing dealing with Residential Site Development Standards was continued until October 16, 2002.

Community Development Director Jay Nielson explained that minor corrections had been made to the proposed ordinance. He said temporary structures were specifically addressed elsewhere in the Code and recommended, to avoid confusion, that the title of 17.44.060 be changed from "Building Relocation and Temporary Structures" to "Structure Relocation."

Councilmember Thompson felt an ordinance was being drafted to address ongoing issues with one individual. A majority of the Council agreed the problem of houses which had been moved and not been placed on permanent foundations in a timely manner should be addressed. Councilmember Allred commented that the ordinance was for the "overall general good to correct a situation."

Chairman Kerr opened the meeting to public comment. There was none, and the public hearing was closed.

ACTION. Motion by Councilmember Allred, seconded by Councilmember Pyfer to adopt Ord. 2002-60, with the title changed to "Structure Relocation." Motion carried unanimously, Borg absent.

Alan D. Allred, voted yes

Karen S. Borg, absent

Tom Kerr, voted yes

Tami W. Pyfer, voted yes

Stephen C. Thompson, voted yes

INTERIM CACHE ACCESS MANAGEMENT: Adoption of the Draft Interim Cache Access Management Program - 02-59.

Planner John Weber was present to answer questions regarding the adoption of the Draft Interim Cache Access Management Program. Mr. Weber said staff recommended adoption of the first 38 pages of the document. Adoption of the second section was not recommended since it was felt that the issues were adequately addressed in the City's Land Development Code and Design Review Guidelines.

ACTION. Motion by Councilmember Allred, seconded by Councilmember Pyfer to adopt Res. 02-59, Draft Interim Cache Access Management Program" as presented.

Motion carried unanimously, Borg absent.

Alan D. Allred, voted yes

Karen S. Borg, absent

Tom Kerr, voted yes

Tami W. Pyfer, voted yes

Stephen C. Thompson, voted yes

BUSINESS LICENSE CODE REVISIONS: (1) Appeals Process - 02-62; (2) Sidewalk Vendors and Cafes - 02-63.

SIDEWALK VENDORS AND CAFES. Greg Bleazard of the Business License Division was present to answer questions about the revisions to the Business License Code, which simplified the sidewalk vendor ordinance and added sidewalk café regulations.

Councilmember Thompson had recently dealt with the Business License Division to obtain a permit for a sidewalk sale. He was concerned about the definition of sidewalk vendor as well as over regulation by the City. He asked if businesses conducting sidewalk sales would need a "vendor" permit. There was discussion about possible clarification of the ordinance. Attorney Sorenson pointed out that the sidewalk vendor ordinance addressed persons conducting business, not temporary sales events that were held on the public sidewalk, which was a different issue. Mr. Bleazard explained how sidewalk sales were regulated.

Mayor Thompson suggested tabling the ordinance for further study. He invited Councilmembers to contact him if they could see ways to simplify requirements.

Councilmember Thompson asked whether serving of alcohol was permitted in a sidewalk café. Attorney Sorenson explained since the sidewalk was public property, it would not be allowed, unless the outdoor sale of alcohol took place on private property of a licensed premises. Councilmember Thompson suggested a reference to alcohol law be included in the Sidewalk Café section.

Chairman Kerr tabled the ordinance for further study.

BUSINESS LICENSE APPEALS PROCESS. ACTION. Motion by Councilmember Pyfer, seconded by Councilmember Thompson to adopt Ord. 02-62, Appeals Process. Motion carried unanimously, Borg absent.

Alan D. Allred, voted yes

Karen S. Borg, absent

Tom Kerr, voted yes

Tami W. Pyfer, voted yes

Stephen C. Thompson, voted yes

WORKSHOP ITEMS.

Budget Adjustments F/Y 2002-03 appropriating: (1) \$78,088 for Police UCCJJ Grant; (2) Carry forward \$4,957,480 for engineered wetlands project; (3) \$90,000 for FEMA Assistance Firefighters Grant; (4) \$24,061 for State Liquor Law Grant - 02-58.

Budget Analyst Kristy Brenchley reviewed the budget items included on the resolution. There were no questions. Chairman Kerr set a public hearing for October 2, 2002.

Proposed incentive from Economic Development Fund for Crumb Bros. Bakers at 300 West 300 South.

Economic Development Director Nevin Limburg explained Bill Oblock, owner of Crumb Bros. Baker, had purchased property and intended to construct a bread bakery. His capital investment in the business venture was estimated at \$1,310,000 and would create nine new jobs. He said the Economic Development Committee recommended an incentive from the Economic Development Fund of not more than \$25,000 to be paid over two budget years.

Community Development Director Jay Nielson confirmed that the zoning was appropriate for the wholesale/retail use. Mr. Limburg explained although there would be retail sales, they would not be a large percentage of the business.

Chairman Kerr added the resolution to the October 2, 2002 agenda for action.

There being no further business to come before the Council, meeting adjourned at 8:00 p.m.

Lois Price, Recorder

Minutes of the meeting of the Logan Municipal Council convened in regular session on Wednesday, October 2, 2002 at 6:15 p.m. in the Logan Municipal Council Chambers, 255 North Main, Logan, Utah, Chairman Tom Kerr conducting.

Councilmembers present: Tom Kerr, Tami W. Pyfer, Alan D. Allred, Stephen C. Thompson, and Karen S. Borg. Administration present: City Attorney Mark A. Sorenson and Recorder Lois Price. Mayor Douglas E. Thompson was excused.

Economic Development Director Nevin Limburg offered the opening prayer and led the audience in the Pledge of Allegiance.

Minutes of the meeting of September 18, 2002 were approved with minor corrections. The agenda was approved with an addition to the Mayor's Reports.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL.

Jennifer Mulholland commented that four-way stop signs were recently installed at 1000 North 600 East. She said trees in the parking strip obstructed the signs, especially when driving west. Street Department Manager Jed Al-Imari said some of the trees and limbs limiting visibility had been removed, but he would investigate the situation.

MAYOR/STAFF REPORTS.

EMPLOYEE OF THE MONTH. Teresa Harris of the Employee Recognition Committee and Facilities Manager Jon Coulam honored Stan Spence, Head Custodian for City Hall, as the September 2002 Employee of the Month and expressed appreciation for his work. Mr. Spence was presented with a plaque and a \$75 cash award.

YOUTH CITY COUNCIL. Belinda Fanjul reported on Youth Council activities during September which included being sworn in as Youth Council officers, as well as helping with the Top of Utah Marathon and the Logan Transit District Anniversary celebration.

"LOGAN FAMILY WEEK" CELEBRATION. Mayor Thompson declared the week of November 2-10, 2002 as "Logan City Family Week." Sharilee Guest, Chair of Logan's Promise, spoke about the week's activities which were sponsored by a number of community organizations.

COUNCIL BUSINESS.

MEETING SCHEDULE. Chairman Kerr announced that the next regular meeting of the Council would be October 16, 2002 at 6:15 p.m.

CAPSA DONATION. Chairman Kerr read a letter from Pamela Allen, Executive Director of CAPSA, thanking the City for budgeting funds to help support the organization.

ACTION ITEMS.

PUBLIC HEARING: Budget Adjustments F/Y 2002-03 appropriating: (1) \$78,088 for Police UCCJJ Grant; (2) Carry forward \$4,957,480 for engineered wetlands project; (3) \$90,000 for FEMA Assistance Firefighters Grant; (4) \$24,061 for State Liquor Law Grant - 02-58.

Budget Analyst Kristy Brenchley briefly reviewed items requested for appropriation. Chairman Kerr opened the meeting to a public hearing. There was no comment, and the hearing was closed.

ACTION. Motion by Councilmember Allred, seconded by Councilmember Borg to adopt Res. 02-58, Budget Adjustment, as presented. Motion carried unanimously.

Alan D. Allred, voted yes

Karen S. Borg, voted yes

Tom Kerr, voted yes

Tami W. Pyfer, voted yes

Stephen C. Thompson, voted yes

BUSINESS LICENSE CODE REVISION: Sidewalk Vendors and Cafes - 02-63.

Business License Administrator Gay Jamieson was present to answer Council questions about an amendment to Business License Code clarifying the ordinance and adding regulations for sidewalk cafes.

Chairman Kerr thanked Ms. Jamieson for the memo the Council had received from her explaining the alcohol issue brought up at the September 18 meeting. In part, the September 26 memo read:

"If we address alcohol in this chapter it would need to be limited to a simple reference to state and local alcohol code. All sidewalk cafes will be an extension of existing licensed restaurants. Those serving alcohol have a specific premises diagram on file with the State Department of Alcoholic Beverage Control - the premises would have to be redefined and approved by the State to include the sidewalk café extension. The State will not entertain the premises change without local approval." Ms. Jamieson said there was currently no local approval for this use.

Councilmember Thompson stated that he remained opposed to the many regulations imposed through business licensing.

ACTION. Motion by Councilmember Allred, seconded by Councilmember Board to adopt Ord. 02-63, Sidewalk Vendors and Cafes. Motion carried unanimously.

Alan D. Allred, voted yes

Karen S. Borg, voted yes

Tom Kerr, voted yes

Tami W. Pyfer, voted yes
Stephen C. Thompson, voted yes

CRUM BROS. BAKERY - 300 West 300 South: Resolution approving incentive from Economic Development Fund - 02-64.

Economic Development Director Nevin Limburg was present to answer any questions from the Council about the proposed incentive for a Crum Bros. Bakery. The incentive would not exceed \$25,000 and would help defray the cost of infrastructure improvements to the lot. It would be paid over two budget years, to coincide with project development in the spring and summer of 2003.

Councilmember Thompson asked a general question about salaries of employees. He said some projects, this one included, did not show any wage increase in the base annual salary per employee over a several years.

Mr. Limburg explained the Crum Bros. evaluation was based on neighborhood enhancement and project type rather than on new jobs created, since the number of employees was estimated at 7 to 15. He said he would ask the owner, Bill Oblock. Councilmember Borg responded that the proponent's intention for the business appeared to be as a training institute which could mean that the positions would always be entry level.

ACTION. Motion by Councilmember Thompson, seconded by Councilmember Allred to adopt Res. 02-64, Crumb Bros. Bakery Incentive, as presented. Motion carried unanimously.

Alan D. Allred, voted yes
Karen S. Borg, voted yes
Tom Kerr, voted yes
Tami W. Pyfer, voted yes
Stephen C. Thompson, voted yes

LIGHT AND POWER FEES: Resolution adjusting electrical fees charged to customers for services - 02-52.

Light and Power Department representatives Ron Saville and Garth Turley presented a resolution and fee schedule adjusting electrical fees charged for services. The schedules had not been revised for many years, resulting in the subsidization by the City of a disproportionate share of new customer connection costs. The new fees as presented would recover approximately one-half the cost of equipment installation.

There was a long discussion about the proposed increases. Both Councilmembers Borg and Pyfer expressed concern about negative impacts to economic development. The possibility of subsidization from the City's Economic Development Fund as large incentives were requested to defray the cost was a concern. Impacts to small businesses were also considered. Mr. Saville said a cost of services analysis had been done and the attempt was to come closer to the industry standard cost. He said the proposed overall cost increase was about 30%.

Councilmember Thompson said he had a hard time supporting the fee increase without a rate decrease. "To have high rates and then ask for a fee increase at this time, I don't think is appropriate," he said. Mr. Saville explained a rate decrease was not possible presently because the Electric Utility Fund was not in a good financial position.

Chairman Kerr spoke in support of the fee increases.

Councilmember Allred supported the resolution as a "move in the right direction." "I don't see how we can justify not increasing the costs to new commercial customers," he said. He pointed out the key issue was that we were spreading the cost to those businesses causing the cost.

There was a lengthy discussion on subsidization and why the rates of large commercial users did not pay off the City's investment in equipment. Mr. Saville explained the cost margin was very small.

Councilmember Pyfer was not comfortable with the City's power company installing the expensive equipment and owning it, then requiring businesses to pay for the equipment they did not own. Mr. Saville said this was a philosophical question, but the City had proposed the resolution after long discussions with and the support of the Power Board.

Chris Niemann, Metering Technician, brought up the point about the growth speculation by commercial businesses. He said because of the current low cost of electrical equipment and installation, owners would request larger services than needed. He said past history backed up his statement. Adopting the resolution increasing fees would help address this situation.

Discussion continued about the fairness of the charges. Councilmember Borg stated that the Council had deliberated long enough, and it was time to make a decision.

ACTION. Motion by Councilmember Allred, seconded by Councilmember Borg to adopt Res. 02-52, Light and Power Fees. Motion carried 3-2:

Alan D. Allred, voted yes

Karen S. Borg, voted yes

Tom Kerr, voted yes

Tami W. Pyfer, voted no

Stephen C. Thompson, voted no

There being no further business to come before the Council, meeting adjourned at 7:45 p.m.

Lois Price, City Recorder

Minutes of the meeting of the Logan Municipal Council convened in regular session on Wednesday, October 16, 2002 at 6:15 p.m. in the Logan Municipal Council Chambers, 255 North Main, Logan, Utah, Chairman Tom Kerr conducting.

Councilmembers present: Tom Kerr, Tami W. Pyfer, Alan D. Allred, Stephen C. Thompson, and Karen S. Borg. Administration present: Mayor Douglas E. Thompson, City Attorney Mark A. Sorenson and Recorder Lois Price.

Administrative Services Director Laurie Tanner offered the opening prayer and led the audience in the Pledge of Allegiance.

Minutes of the meeting of October 2, 2002 were approved with minor corrections. The agenda was approved with additions to the Mayor's Reports.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL.

Cobert Williams, a Hillcrest neighborhood homeowner, addressed zoning regulations concerning homes being sold to individuals, then changed from single family to student living. He requested enforcement of the single family use and asked that non-complying owners be given thirty days comply. He requested that a fine be charged to violators. Mr. Williams said neighbors had been in contact with Suzanne Galloway, Planning Aide, who worked on enforcement and she had a list of violators.

City staff addressed the Council and explained the process, indicating that an enforcement ordinance would soon be before the Council that addressed fines and fees, among other things.

Councilmember Thompson asked for a report on the Hillcrest situation, and the Mayor assured him this would be done.

MAYOR/STAFF REPORTS.

RECOGNITION OF FORMER PLANNING COMMISSIONERS. Mayor Thompson recognized and thanked Paul Larsen and Jenny Box for service on the Planning Commission.

RECOGNITION OF WOODRUFF NEIGHBORHOOD COUNCIL REPRESENTATIVE. Mayor Thompson recognized and thanked Todd Wright for his service as Woodruff Neighborhood Council Representative.

GOLF COURSE ADVISORY BOARD CHANGES. Parks and Recreation Board Director Russ Akina reported Chris Ellert's term as Men's Golf Association President had expired, and Reed McGregor had resigned from the Golf Course Advisory Board. Both were recognized and released with appreciation. Jeff Wengreen, new Men's Golf Association President, will take Mr. Ellert's position. Mr. Akina invited all Councilmembers to attend the next board meeting/reception on October 30 at 6:30 p.m.

PARKS AND RECREATION ADVISORY BOARD. Dan Johnson presented the quarterly report of the Parks and Recreation Advisory Board.

PARKS AND RECREATION BOARD APPOINTMENT. Mayor Thompson requested ratification of the appointment of Sandra Schimmelpfennig, 77-1370 South Place to a three-year term on the Parks and Recreation Board.

ACTION. Motion by Councilmember Pyfer, seconded by Councilmember Borg to confirm the appointment of Sandra Schimmelpfennig to the Parks and Recreation Board. Motion carried unanimously.

Alan D. Allred, voted yes

Karen S. Borg, voted yes

Tom Kerr, voted yes

Tami W. Pyfer, voted yes

Stephen C. Thompson, voted yes

POLICE DEPT. REORGANIZATION. Police Chief Rich Hendricks addressed the reorganization of the police force and explained the reasons for the changes.

COUNCIL BUSINESS. Chairman Kerr announced the next meeting of the Council would be held November 6, 2002 at 6:15 p.m.

ACTION ITEMS:

PUBLIC HEARING (continued): Land Development Code Amendment - Val Grant, applicant proposes a text change to the Logan City Land Development Code, Section 17.15.010: Residential Site Development Standards. The proposal includes changes to the side yard setbacks for accessory structures in the Single Family Traditional (SFT) and Single Family Residential (SFR) zoning districts - 02-61

Planner Michelle Mechem presented the Land Development Code ordinance written by staff changing the setback requirements for accessory structures in all residential zoning districts. The change would affect only new accessory structures that were less than 10 feet tall, less than 120 square feet in size and were removable. The front setback for these structures was now 10 feet behind the front plane of the primary structure. The side yard setback if the side yard did not abut a street would be one foot and the rear yard setback if the rear yard did not abut a street would be one foot. The proposed distance between the primary structure and the accessory structure was six feet.

Val Grant presented his proposed ordinance. He stated that two years ago he began to remodel the landscaping at his house. He indicated the process he went through to build a storage shed on the north side yard of his home on the property line. He requested the opportunity to present his case to a review board of the City. He asked if such a board could be set up if there was not one at this time.

Mr. Grant asked Ms. Mechem how many City properties were currently in violation. She responded that there were probably a lot. Mr. Grant went on to explain that his structure was 105 sq. ft. and met the ordinance for the side yard, except for the 10 ft. setback. He said that was not in any of the ordinance he had seen. He stated his

neighbors would sell him the one foot of property needed to get the structure off the property line.

Councilmember Pyfer questioned how far the structure was from the house. Mr. Grant explained. Chairman Kerr asked about the slope of the roof. Mr. Grant said he could install the gutter so drainage would run off a different way. Councilmember Pyfer questioned what parts of the new ordinance the structure did not meet. Councilmember Thompson asked about the recommendation from Community Development. He further asked if the department would act on all complaints. Mayor Thompson replied action would be taken on all complaints. Councilmember Thompson brought up the parking situation in front yards, and pointed out we chose to ignore it.

Councilmember Allred asked if Mr. Grant had been to the Board of Adjustment. He said he had, and his request for a variance had been denied. Chairman Kerr asked if a building permit had been required for the structure. Ms. Mechem said one was not needed for this small structure.

Councilmember Borg questioned the framework of the existing law. She explained the definition of a variance as it pertained to City ordinance. She stated she did not know how we could help Mr. Grant unless the Council felt compelled to change the ordinance by removing the one foot setback requirement. She was not ready to make that exception.

The meeting was opened to a public hearing.

A contractor questioned the setbacks as arbitrary. He thought the intent of the setback was to keep ugly sheds from being seen from the street. He said if the intent of the ordinance was met, the Board should approve a variance.

Art Rivers asked about the variety of sheds located in the Logan River Estates development. He supported setting up a board to look at the regulations and possibly give rulings on an individual basis. Councilmember Pyfer asked about rules governing Logan River Estates.

Councilmember Thompson asked about reasoning behind the one foot side and rear yard requirement. Michelle Mechem stated it helped avoid property line disputes, allowed emergency access and prevented eaves from dripping water onto neighbor's property. Councilmember Thompson asked about the language in the Code covering the dripping of water onto neighboring property.

The public hearing was closed. There was further discussion about the reasoning behind the one foot regulation. Michelle Mechem said one foot was determined because setting an accessory building within one foot of side and rear yards would give property owners the best use of available property. Councilmembers Pyfer and Borg did not support changing an ordinance for one situation. Councilmember Pyfer said the one foot side and rear yard requirement made sense.

There was further discussion centered around the idea of citizens writing ordinances as well as the possibility of forming a residential review committee. Michelle

Mechem pointed out this assignment would be a big job for a volunteer committee because they would have to review every structure.

ACTION. Motion by Councilmember Pyfer, seconded by Councilmember Borg to adopt Res. 01-61, Residential Site Development Standards" as proposed by the City staff. Motion carried unanimously.

Alan D. Allred, voted yes

Karen S. Borg, voted yes

Tom Kerr, voted yes

Tami W. Pyfer, voted yes

Stephen C. Thompson, voted yes

WORKSHOP ITEMS.

Krystie Brenchley - Budget Adjustment F/Y 2002-03 appropriating: (1) \$17,837 for Dispatch Center tower installation; (2) \$2,082 additional Mini-Gang Grant funds; (3) \$30,925 additional for City Hall parking lot project; (4) Carry forward \$372 for Library LSTA Spanish Grant; (5) Carry forward \$16,615 for Library from Gates Foundation Grant; (6) \$10,748 for library security system enhancement; (7) \$12,500 for Fire Dept. vault modifications; (8) \$21,343 for Bridgerland Literacy CDBG Grant; (9) Transfer \$100,579 grant funds from Patrol to Cops & School budget and appropriate \$5,190 new grant funds; (10) \$7,500 for PD Investigation from Byrne Law Enforcement Grant; (11) \$81,440 for, FTA for capital equipment purchase; (12) \$33,605 transfer for golf cart purchase - 02-66.

Krysti Brenchley reviewed each budget appropriation. The Council questioned Kevin Hansen on the bid increase for the south parking lot. He explained the additional money was needed for underground fiber installation. Public hearing on the appropriations was set for November 6, 2002.

Don Fulton - Purchasing Ordinance amendments.

Finance Director Don Fulton explained the need to update the purchasing ordinance raising the limit of purchases not requiring purchase orders from \$500 to \$1000. Action on the ordinance was set for November 6, 2002.

Kevin Hansen - North Logan/Logan boundary adjustment.

Public Works Director Kevin Hansen explained an adjustment was needed to obtain land along 200 West and about 1650 North to complete the construction of the 200 West right-of-way. North Logan wished to acquire land at approximately 1450 North 400 East, and an exchange had been negotiated. The Council questioned boundary lines and property ownership. Mr. Hansen explained the problems and advantages of the exchange. Councilmember Borg suggested some language changes to the resolution. Mr. Hansen agreed to make the changes prior to Council action on November 6.

Kevin Hansen - Proposed Hillcrest Fire Station siting.

Public Works Director Kevin Hansen spoke about the preferred fire station site approved by a citizens committee and supported by City administration. The location was on 1100 North where the volleyball pit is currently located. Mr. Hansen explained the process involved. He indicated that meetings were held with the neighborhood and a citizens committee. Further discussion involved coordination with USU's masterplan and approval by their administration and Board of Trustees.

Councilmember Allred requested that a list of the members of the committee be supplied. He also wondered about older buildings on 1200 East, and if access to 1200 East would be advantageous. Fire Chief Jeff Peterson indicated the location was just a block east of 1200 East. He further stated that there would be traffic lights used to access 1200 East.

There was discussion about other sites. Mr. Hansen said one other site had been considered but it was not acceptable as an alternative. He added that timing was an issue in utilization of the grant. The estimated cost of the building was in the \$700,000 range, Mr. Hansen said. Council concurrence will be requested to proceed with the approved site for construction of the fire station.

John Weber - Auto Care Collision Repair Addition Rezone. Kim Fredric/Auto Care Properties, applicant/owner, requests a rezone from Agriculture (AG) to Commercial General (CG) zone on 4.526 acres at 1240 South Hwy 89/91.

Planner John Weber addressed the rezone of Auto Care Collision to accommodate business expansion.

Councilmember Pyfer asked about the zoning of an adjacent physical fitness center. Mr. Weber explained the business had been constructed several years ago in an AG zone. Zoning of the property to Commercial had been recommended by the Planning Commission at the time but for an unknown reason had not been submitted to the Council for approval.

Councilmember Thompson suggested this proposal be an impetus to realign LeGrande Street at Highway 89-91. Councilmember Borg disagreed and felt Mr. Frederic would be held hostage for a project the City needed to do. The access was discussed. The zoning of the fitness center was discussed further. Mr. Weber agreed to contact the owner of the property to commence a rezoning action to Commercial.

Public hearing for the rezoning of the Auto Care Collision Project was set for November 6, 2002.

Councilmember Thompson requested that Kevin Hansen give a report on the timeline for the LeGrande Street realignment project.

John Weber - Rosehill Rezone. Troy Kartchner/Marvin Hansen/Bradley Hoggan, applicant/ owners, request a rezone from Agriculture (AG) zone to Single Family Traditional Planned Development (SFT-PD) zone on 30.76 acres at 1600 West Young Ward Road.

Planner John Weber reviewed background on the Rosehill Rezone which had been annexed into the City in 1997. The area currently proposed for rezone included property that was discussed previously as the Arbor Meadows proposal, reviewed at length in 1999. A rezone to SFT (Single Family Traditional) was proposed and ultimately denied by the Council in January of 2000.

The Rosehill proposal was brought to the Planning Commission as an SFR (Single Family Residential) rezone request. Denial was recommended on August 8. Reapplication for a rezone to SFT-PD (Single Family Traditional-Planned Development) consistent with staff recommendation was sent on for Council approval at the September 26 Planning Commission meeting. Mr. Weber explained the SFT zone would allow a maximum of 115 lots, while the SFR zone would allow 165 building lots. Staff had felt this number was too high for the area. The Council questioned various aspects of the proposal.

Councilmember Borg brought up her concern of placing a more urban type of development adjacent to the more rural county development. Mr. Weber added that there were neighbors who opposed this project.

Public hearing on the rezone was set for November 6, 2002.

Russ Akina - Bonneville Shoreline Trail. Easement Agreement with USU.

Parks and Recreation Director Russ Akina presented information on an easement agreement between the City and Utah State University supporting the Bonneville Shoreline Trail Project. The Council asked about the "blue line," an elevation marker line at 4950 feet. Mr. Akina said in some areas the trail would reach above the blue line. Mr. Akina said the trail would not be paved and could be used as a fire break. Other questions about siting were answered.

Mr. Akina said he would provide copies of the Bonneville Shoreline Trail Corridor Agreement between USU and the City.

There being no further business to come before the Council, meeting adjourned at 9:40 p.m.

Krysti Brenchley
Acting Recorder

Minutes of the meeting of the Logan Municipal Council convened in regular session on Wednesday, November 6, 2002 at 6:15 p.m. in the Logan Municipal Council Chambers, 255 North Main, Logan, Utah, Chairman Tom Kerr conducting.

Councilmembers present: Tom Kerr, Tami W. Pyfer, Alan D. Allred, Stephen C. Thompson, and Karen S. Borg. Administration present: Mayor Douglas E. Thompson, City Attorney Mark A. Sorenson, and Recorder Lois Price.

Pretreatment Coordinator Lynn Miller offered the opening prayer, and Environmental Director Issa Hamud led the audience in the Pledge of Allegiance.

Minutes of the meeting of October 16, 2002 were approved with minor corrections. The agenda was approved with additions to the Mayor's Reports and Council Business. The Mayor also announced that the Community Development Award presentation would be postponed until November 20.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL. There were no public comments.

MAYOR/STAFF REPORTS.

EMPLOYEE OF THE MONTH. Mayor Thompson, Administrative Services Director Laurie Tanner, and Environmental Director Issa Hamud recognized Lynn Miller, Pretreatment Coordinator, as the October Employee of the Month. He received a plaque and a check for \$75.

YOUTH CITY COUNCIL UPDATE. Viviana Rameriz reported on Youth Council activities for October that included a leadership conference, mock trial, and children's Halloween haunt.

BOARD APPOINTMENTS. Mayor Thompson requested ratification of the appointment of Ray Robison to a term on the Planning Commission and Dan Watson to the Historic Preservation Commission to fill the unexpired term of Gary Stevens.

ACTION. Motion by Councilmember Pyfer, seconded by Councilmember Thompson to confirm the appointments of Ray Robison to the Planning Commission and Dan Watson to the Historic Preservation Committee. Motion carried unanimously.

COUNTYWIDE PLANNING OFFICE REPORT. Mark Tuescher reported on activities and budgeting for the Countywide Planning and Development Office, created by interlocal agreement, and funded by the County and municipalities, including Logan. An office work plan and budget was distributed. Mr. Tuescher said the 2003 budget would be revised since the County Executive had said there would be no salary increases.

Budget figures were discussed and questioned. The Council asked that future printed information be provided prior to the meeting. Mr. Tuescher agreed to come to a Council meeting before the end of the year with more accurate budget figures.

LEGRANDE STREET REALIGNMENT. Mayor Thompson informed the Council that LeGrande Street realignment work was scheduled for the current budget year.

FIRE SUBSTATION SITING COMMITTEE. Mayor Thompson said the individuals on the fire substation siting committee were: Paula Olsen, Jana Lee Shirk, Gwen Griffiths, Lynn Wright and Steve Sheffy.

COUNCIL BUSINESS: Chairman Kerr announced the next regular meeting of the Council would be held November 20, 2002 at 6:15 p.m.

INDEPENDENT AUDIT. Councilmember Allred, Audit Committee member, reported he and Councilmember Borg had received a draft of the management letter from Jones Simpkins, CPAs. He said a summary of the audit report would be presented at the November 20 meeting. Finance Director Don Fulton mentioned that the negative fund balance in the General Fund had been reversed. He gave credit to division and department managers for keeping expenditures below budget.

Councilmember Thompson asked to be excused from the December 18 Council meeting.

ACTION ITEMS:

PUBLIC HEARING: Budget Adjustment F/Y 2002-03 appropriating: (1) \$17,837 for Dispatch Center tower installation; (2) \$2,082 additional Mini-Gang Grant funds; (3) \$30,925 additional for City Hall parking lot project; (4) Carry forward \$372 for Library LSTA Spanish Grant; (5) Carry forward \$16,615 for Library from Gates Foundation Grant; (6) \$10,748 for library security system enhancement; (7) \$12,500 for Fire Dept. vault modifications; (8) \$21,343 for Bridgerland Literacy CDBG Grant; (9) Transfer \$100,579 grant funds from Patrol to Cops & School budget and appropriate \$5,190 new grant funds; (10) \$7,500 for PD Investigation from Byrne Law Enforcement Grant; (11) \$81,440 for, FTA for capital equipment purchase; (12) \$33,605 transfer for golf cart purchase - 02-66 (Revised)

Finance Director Don Fulton reviewed the proposed budget adjustments. Chairman Kerr opened the meeting to public comment. There was none, and the public hearing was closed. Councilmember Thompson asked about Item No. 7, \$12,500 for Fire Department vault modifications. Mayor Thompson explained the funds were from the sale of land to Bear River Mental Health for their building expansion.

ACTION. Motion by Councilmember Allred, seconded by Councilmember Pyfer to adopt Res. 02-66, Budget Adjustments, as presented. Motion carried unanimously.

PURCHASING ORDINANCE AMENDMENT: Increasing limit for which purchase order is required - 02-65.

Finance Director Don Fulton explained that for accounting efficiency, the administration felt it was appropriate to increase the level for which a purchase order was required from \$500 to \$1000. Councilmember Allred supported the change stating that accounting precautions and safeguards were in place, as were competitive bidding requirements.

ACTION. Motion by Councilmember Allred, seconded by Councilmember Borg to adopt Ord. 02-65, Purchasing, as presented. Motion carried unanimously.

NORTH LOGAN/LOGAN BOUNDARY ADJUSTMENT - Resolution accepting proposal to adjust boundaries - 01-67.

Public Works Director Kevin Hansen explained changes proposed to Logan/North Logan boundaries that would allow a North Logan development to proceed at approximately 1450 North 400 East. In trade, Logan wished to obtain land at 1650 North 200 West to straighten 200 West. Mr. Hansen explained part of the negotiations with North Logan were that they would acquire the 200 West property and deed it to Logan. If that could not be accomplished, the boundary adjustment would not take place.

Public noticing requirements set forth in State law would be met prior to a public hearing before the Council on December 6.

ACTION. Motion by Councilmember Pyfer, seconded by Councilmember Borg to adopt Res. 02-67, Accepting Proposal to Adjust Logan/North Logan Boundary, as presented. Motion carried unanimously.

FIRE SUBSTATION - Resolution supporting the siting of a Fire Substation - 02-70.

Public Works Director Kevin Hansen presented a resolution supporting the Mayor in the negotiation of a lease with USU for a new northeast bench Fire Department substation site selected in coordination with USU and a citizen's committee. USU strongly supported the site at approximately 1250 East 1100 North, Mr. Hansen said.

Councilmember Borg said she did not want to take action on this important item without a public hearing noticed on the meeting agenda. Other Councilmembers agreed.

Chairman Kerr announced the issue would be considered following a public hearing at the November 20 meeting.

PUBLIC HEARING: Auto Care Collision Repair Addition Rezone. Kim Fredric/Auto Care Properties, applicant/owner, requests a rezone from Agriculture

(AG) to Commercial General (CG) zone on 4.526 acres at 1240 South Hwy 89/91 - 02-68.

Planner John Weber reviewed the Auto Care rezoning proposal. He said that the adjacent rezoning to Commercial General (CN) would come to the Council at a later date. Councilmember Pyfer asked about curb, gutter and sidewalk improvements being required on LeGrande Street. Mr. Weber said improvements had not been required with this small-scale expansion as there was no new access, no increase in traffic, and no impact on LeGrande Street. He explained the project had gone through the design review process.

Chairman Kerr opened the meeting to a public hearing. There was no comment. Mr. Weber had not received any input from citizens. The public hearing was closed.

ACTION. Motion by Councilmember Allred, seconded by Councilmember Borg to adopt Ord. 02-29, "Auto Care Collision Repair Rezone," as presented.

Councilmember Thompson challenged Mr. Weber's recommendation about the project not warranting site improvements on LeGrande Street. There was discussion about whether City sidewalk funds were available for construction of a sidewalk along LeGrande Street. It was pointed out again that the project had received design review approval without these improvement, and the Council's decision was whether or not to rezone the property.

Cloyd Frederic, business owner, said he was concerned about dealing with Spring Creek as it ran parallel to LeGrande. He said he was not opposed to participating in the cost of sidewalk improvements "when the time comes." Public Works Director Kevin Hansen confirmed there were issues that needed to be resolved with Spring Creek, but the rezone should not be held up because of that.

VOTE ON THE MOTION to rezone was called for: Motion carried unanimously.

PUBLIC HEARING: Rosehill Rezone. Troy Kartchner/Marvin Hansen/Bradley Hoggan, applicant/ owners, request a rezone from Agriculture (AG) zone to Single Family Traditional Planned Development (SFT-PD) zone on 30.76 acres at 1600 West Young Ward Road - 02-69.

Planner John Weber summarized the proposal to rezone two parcels totaling 30.76 acres in southwest Logan from Agricultural so that multi-family housing development could take place. Concerns had been raised about the effect of urban development on the rural county population. Mr. Weber said this rezoning would provide a natural buffer along Spring Creek. He added that one of the key parts of development would be a traffic study of Young Ward Road (which was located entirely within the City.)

Councilmember Borg said this decision was a "big step" and she would be more comfortable if there was a project accompanying the rezoning. She said she would like a

project to react to because of the impact of developments on this environmentally "sensitive" area.

Assistant City Attorney Kymber Housley responded that when the Council passed a rezone, any of the allowable ordinance uses could take place on the property. The design phase and specific site standards were addressed by the Planning Commission and through ordinances. Councilmember Borg said she understood zoning and land use regulations, but she was "looking for an investment" she had not yet seen.

Attorney Housley continued that when the Council asked to see a project first, they were tying the zone change to a specific project. "It's a fine line you walk when you want to see projects first," he said, "It's hard to say your decision is based on the type of uses allowed in the area and not on a specific project." He cautioned the Council to trust Planning Commission decisions. There was discussion about the "Planned Development overlay" and the possibility of zoning the property Single Family Traditional (SFT) only.

Ed Jenson, landowner west of 1600 West, spoke opposing the rezone. He said he was a farmer and member of the Spring Creek Irrigation Company Board of Directors. His concern was residential development adjacent to farmland that could jeopardize a water source, increase the liability of the irrigation company, and cause erosion. He said 1600 West, a gravel road, was heavily used and dust was a problem. He also spoke about the farm uses and activities that took place on his property and said development could jeopardize his farming operation. He said hunting was also an issue. He asked that impacts on neighbors to the west be considered in the Council's decision, as well as impacts on roads and water quality.

Marsha Israelson, 2624 1800 South, presented a petition signed by 90 homeowners who were concerned about the rezone because of possible farming, crime, water issues and conflicts between rural and urban lifestyles.

Evan Olsen talked about Spring Creek being the most polluted waterway in Cache Valley. He also said the development was "leap frog." He opposed it because of his desire to preserve what he called the "basis of Cache Valley" which he said was agricultural land.

Laurie Bradshaw who lived west of Logan River Estates, spoke about her displeasure with that neighborhood, specifically targeting promises not kept by the developer. Her opinion was that there would be more of the same with the Rosehill project.

As an aside, Chairman Kerr told the audience that there would be no public comment accepted on the 400 East/Dugway issue when it came up on the agenda. This was discussed and the Council agreed, but it was also agreed there would be a noticed public hearing prior to Council action.

Discussion on the Rosehill rezone continued. Todd Watterson said he was a duck hunter who urged the Council to consider the impact of residential development on hunting.

Alan Hinckley, southwest Logan resident, said he had seen conflicts between rural and urban uses before and suggested some type of transition or buffer area.

Chairman Kerr closed the public hearing.

Storm water issues were discussed. Mr. Hansen said this would have to be carefully evaluated and controls established. Mayor Thompson stated it would be unwise to approve any plan that did not deal responsibly with water quality controls.

Chairman Kerr spoke in support of good residential development on the land.

Councilmember Borg expressed her opinion that this was a "black and white issue," with the Council being able to decide whether the best use of the land was residential or agricultural. "This is an excellent project," she said, "And is exactly what I would want to bring balance of development to the area. However, there is the agricultural use to consider. This is a good place to maintain an agriculture zone in the city."

ACTION. Motion by Councilmember Borg to deny the rezone, finding that the best use of the land was agricultural, and in the interest of preserving our environment and the gateway to the city. Motion seconded by Councilmember Pyfer.

Transfer of development rights was questioned by Councilmember Thompson and discussed. He said he was a property rights advocate and believed we should do everything possible to protect our green space.

Councilmember Pyfer said water problems and possible conflicts between rural and urban uses concerned her. She agreed that agricultural was the best use of the land at present.

Chairman Kerr stated residential development could be a positive thing for the area. Councilmember Allred also supported the idea that the best use of the land was residential.

VOTE ON MOTION TO DENY. Borg and Pyfer voted yes; Allred and Kerr voted no. S. Thompson abstained. Motion failed. Councilmember Thompson said he did not like losing the open space but also did not believe property owners who had invested in the land should be penalized. He said he could not vote either to deny or approve the rezone.

BONNEVILLE SHORELINE TRAIL: Resolution acknowledging easement agreement between USU and city in support of project - 02-73.

Parks and Recreation Director Russ Akina requested Council approval acknowledging an easement agreement between the City and USU in support of the Bonneville Shoreline Trail Project.

ACTION. Motion by Councilmember Borg, seconded by Councilmember Pyfer to adopt Res. 02-73, Bonneville Shoreline Trail. Motion carried unanimously.

Chairman Kerr recessed the meeting at 9:00 p.m. The meeting was reconvened at 9:10 p.m.

WORKSHOP ITEMS.

Administrative Enforcement - Land Development Code Amendment - Chapter 17.60.

Planner Michelle Mechem presented information on an ordinance amendment that would replace the current enforcement code. The new enforcement section would allow the Community Development staff to more effectively handle the growing volume of enforcement complaints. Ms. Mechem reviewed the current enforcement practice and compared it to the proposed process. Staff felt the new process would be more efficient. The Planning Commission had recommended approval.

Councilmember Borg was "adamantly" opposed to the hearing examiner being a city employee. Attorney Housley pointed out that other cities employed an administrative hearing judge which would require funding. He said one advantage of the ordinance was that it decriminalized zoning violations.

Councilmember Pyfer favored the proposal for the occupancy ordinance but was concerned about enforcement of other issues.

Councilmember Borg recommended that a time line for compliance be added to the section on provisions for abatement. She said the ordinance was a good thing but needed to be "fine tuned."

Attorney Housley asked that Council contact the Community Development staff with changes to the ordinance. Chairman Kerr announced that a public hearing on the amendment was set for November 20.

DETERMINATION OF NON-CONFORMITY STATUS FEE.

Community Development Director Jay Nielson presented information supporting the establishment of a processing fee for requests for research to establish legally existing nonconforming status. A \$40 fee was recommended to cover the cost of public notice. Overall, the total cost to determine the nonconforming status of a property including staff

time, and supplies was about \$200. Mr. Nielson explained the Land Development Code provided that the Council could establish fees to cover these types of costs.

Chairman Kerr announced a resolution to consider adopting the fee would be on the November 20 agenda for action. The Council asked that the item be noticed as a public hearing.

Pebblebrook at Logan River Golf Course Rezone PSC Development/Bridgerland Group, applicant/owner, requests rezone on approx. 3.7 acres at approx. 150 West Golf Course Road from Commercial Neighborhood (CN) zone to the Multi Family High (MFH) zone.

Planner John Weber presented information on the proposed Pebblebrook rezone for property located on the south side of Golf Course Road between the Logan River and the Logan City Golf Course.

Councilmember Borg said she could not support a rezone to multi-family high. She said promises were made by the Council at the city-wide rezone hearings in 1996 that there would be no more multi-family development in this southwest neighborhood. "We made that promise, and I see no reason to go back." She said any discussion at that time about allowing more intensive uses meant retail or commercial.

Mr. Weber said this area was an extension of multi-family to the north and pointed out the property did not lend itself to CN (Commercial Neighborhood) development because it was adjacent to a large commercial area.

Councilmember Allred agreed that the intent of the Council in 1996 was not to add more MFH zoned land. He said he would not vote for the rezone as proposed.

Councilmember Pyfer said she would not vote for the rezone to MFH as proposed.

Councilmember Thompson remarked that needs in the area had changed over the years, the developer was reliable, and the change to MFH should be considered.

Chairman Kerr announced that the rezone proposal would not be brought forward as there were three Councilmembers who opposed it.

PUBLIC PARKING ON MARINDALE AVENUE.

Police Chief Rich Hendricks presented a proposal to allow parking on Marindale Avenue, which was less than the 20 ft. minimum width required to accommodate parked cars. Chief Hendricks explained that a neighborhood meeting was held and residents supported parking on the east side of Marindale Avenue on even numbered days and on the west side of the street on odd numbered days. It was requested that this experiment

be allowed for a period of one year, at which time the policy would be reviewed. Chief Hendricks said street signs would be placed on Marindale stating the parking restrictions.

Chairman Kerr added the proposal as an action item to the November 20 agenda.

LIGHT AND POWER INTEGRATED RESOURCE PLAN.

Jay Larsen of the Light and Power Department explained that an Integrated Resource Plan (IRP) was required by Western Area Power Administration as part of the City's power purchase contract for the Federal Hydro Power (CRSP) allocation. A revised IRP was required every five years. Mr. Larsen explained the plan included different power supply options the city was considering, as well as conservation and efficiency efforts.

Chairman Kerr added consideration of a resolution to adopt an Integrated Resource Plan to the November 20 agenda for action.

PEBBLEBROOK REZONE. Assistant City Attorney Kymber Housley advised the Council that State law required that the Pebblebrook rezoning hearing be held. Chairman Kerr placed the zoning issue on the November 20 agenda.

400 EAST/DUGWAY PREFERRED ALTERNATIVE.

Public Works Director Kevin Hansen prefaced his presentation on the 400 East Dugway traffic project with the statement that it was time for the Council to make the decision about whether to proceed. "We have gathered the issues and concerns and are presenting them to you. We think we have a design that addresses them." he said. Mr. Hansen emphasized that whether the project should be constructed was not part of their study. That decision was left to the Council as elected officials.

Mr. Hansen's presentation dealt with the option known as "Phase 1 Preferred Alternative No. 7." It had been adjusted to incorporate suggestions and mitigations expressed by citizens at public meetings and featured the following:

- Efficient north-south travel at three points: Boulevard to 400 East; Boulevard to 500 East; Canyon Road and Island to 600 East.
- Stoplight at 400 East and 400 North.
- Trails.
- New Dugway with 6% grade or less.
- Citizen Parkway potential at Boulevard between 500 East and 300 North and existing steep Dugway (600 East).
- Closure of steep Dugway (600 East from Canyon to Boulevard) to motorized vehicles.
- Corrections to intersections on Canyon Road at 400 East and 600 East.

There was discussion about whether the Dugway reconstruction and 400 East improvements were two separate projects. Mr. Hansen said they were planned as two

phases but were not separate projects. He then proceeded with a lengthy presentation in which the following major points were made:

A north-south route was needed to address projected population growth and Main Street traffic congestion. The proposed project was part of an adopted Cache Metropolitan Planning Organization 2025 Logan Range Transportation Plan. The 400 East/Dugway project was selected because of problems with alternative routes. The 400 East neighborhood was selected because it was the most easterly feasible route based on geography and connectivity.

Mr. Hansen reviewed the public process beginning with neighborhood meetings in January 2002.

Phase I of the Preferred Alternative required: A new Dugway from 400-600 East; redirecting traffic on the Boulevard; closing short and long dugways; adding trails; adding a signal light on 400 North at 400 East. It assumed the Dugway and 100 East improvements would be done concurrently. Phase II of the Preferred Alternative required: Establishing a citizens committee to help determine the street section; delaying implementation of 400 East improvements until traffic volume exceeded 8,000 vehicles a day on 400 East.

Mr. Hansen reviewed how citizen concerns were addressed, which included adding school safety improvements, trails and pedestrian walkways, and Boulevard access from the new Dugway.

The method of payment was presented. Mr. Hansen explained the total cost of Phase 1 was estimated at \$7,338,000. The City's 20% share totaled \$1,668,000. Trails and the traffic light were not in the CMPO funding. It was proposed that the City would bond against Class C road funds, which would also include the City share of the 100 East project. Mr. Hansen said the City share of the 100 East project was 7% of the total. He estimated the total bond amount to be roughly \$2 million.

The problem of funding Class C road projects was mentioned. Mr. Hansen said this would be a problem that would have to be solved.

Because it was getting late, the Council decided to continue the workshop on the 400 East issue until Wednesday, November 13 at 5:00 p.m.

There being no further business to come before the Council, meeting adjourned at 11:25 p.m.

Lois Price, City Recorder

Minutes of the meeting of the Logan Municipal Council convened in workshop session on November 13, 2002 at 5:00 p.m., Municipal Council Chambers, 255 North Main Street, Logan, Utah, Chairman Tom Kerr conducting.

Councilmembers present were: Chairman Tom Kerr, Karen S. Borg, Tami W. Pyfer, Alan D. Allred, and Stephen C. Thompson. Administration present: City Attorney Mark A. Sorenson and Recorder Lois Price.

The purpose of the workshop was to discuss and review information presented previously by staff regarding the 400 East/Dugway Preferred Alternative. If constructed, the two-lane road would connect 400 East on the Island with the intersection of 400 North and 600 East.

Councilmember Thompson suggested that the plan before the Council might be flawed and should be thrown out and projects outside of the 400 East dugway considered. "We may have the wrong plan," he said. His concern was that the right questions had not been asked. Councilmember Allred countered that facts were needed before a determination could be made to dismiss the alternative before them.

Public Works Director Kevin Hansen had presented basic information on the 400 East Dugway at the November 6 Council meeting. He introduced guests present and said they were available to address any questions the Council might have: Jay Aguilier, Cache Metropolitan Planning Organization, Brian Deeter and John Powell of J-U-B Engineering, and Candy Miller and Nancy Taylor from the Langdon Group.

Councilmember Pyfer asked Mr. Hansen if the two-phased 400 East Dugway proposal was considered "one project."

Mr. Hansen responded that it was. He explained the charge had been to develop, knowing issues and impacts, a route that would meet the traffic needs and the concerns of the public. He said he did not have the authority to "kill the project." "We were to develop the project, to understand and identify issues and impacts, then address and mitigate them the best we could. In that sense, I think we've done a very good job," he said. It was emphasized that the 400 East Dugway project was part of a mosaic. Mr. Hansen said he could not recommend it in isolation, but it was part of a larger traffic improvement plan. "The issue we focused on here was how to build this project the best," Mr. Hansen said.

There was discussion about whether the two phases could be considered separate projects. Councilmembers Borg and Allred felt the phases could be considered separately.

Mr. Hansen spoke about how this project would improve Main Street traffic congestion by providing an alternate north-south route.

Councilmember Borg supported Phase One. She said she believed improvements could be made that would disperse traffic and leave the Island neighborhood unchanged without widening 600, 400 and 200 East streets. "I see these projects as two. If we do Phase One (dugway improvements), we may not need Phase Two (400 East widening) for a very long time," she said.

Councilmember Pyfer expressed concern about the parameters of the study. Her opinion was that there would be less impact and less money spent if there was a study that included improving the dugway as well as using some of the ideas that had come from the study. She said specific things, such as working with the short dugway problem were not studied, other than in the context of the larger project.

Jay Aguilier explained that a 25-year horizon, with the focus of moving traffic through the valley, was considered in the CMPO study. Road improvements that would help in the short-term were not considered.

Councilmember Pyfer agreed that the dugway needed attention now. Her concern was that the options studied connected to 400 East, closed the 600 East route.

Councilmember Thompson suggested the best use of CMPO funds could be to secure rights-of-way for future road development. The difficulty and near impossibility of an eastern bypass from the Cliffside neighborhood becoming a reality was discussed.

There was discussion that centered around the importance of dispersing north and southbound traffic on the east side of Main Street and most feasible routes to accomplish this.

Mr. Hansen told the Council a study could be done to address what he called "micro points," but it would not address long-term traffic problems. He said such a study would not be good planning or a good approach. He pointed out that 400 East was only one component of the overall plan and urged the Council to plan for the future.

Councilmember Borg said she could not support a "Band-Aid approach." She supported adopting Phase I of the Preferred Alternative. This would include: A new dugway from 400 East to 600 East; redirecting traffic on the Boulevard, closing the short and long dugways, adding trails, installing a signal light on 400 North at 400 East.

Councilmember Allred agreed with Borg. "We have reached this point because of southeast growth, and this is not the only decision we have to make. We need long-range planning," he said. There was discussion about possible impacts of dugway improvements and whether 400 East changes could be avoided. Councilmember Pyfer thought improvements to 400 East would be unavoidable if Phase I was funded.

Mr. Aguilier talked about the timeline for using Federal funds. He said there was some flexibility.

Discussion centered around the 400 East/Dugway Preferred Alternative and a possible delay for further study. Mr. Hansen did not think anything would be gained by delaying a decision.

Councilmember Borg's comment was " I see this as the very best way to preserve 200 East and 400 East for future generations, or it wouldn't have my nod."

There was discussion about the public hearing scheduled for November 20 and the rules for the meeting. It was agreed speakers would be limited to three minutes each, and written comments would be accepted. Councilmember Borg said she would like to hear from the neighborhood around Adams School (500 North and 400 East). Chairman Kerr stated there was a possibility action on the issue would be postponed.

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

Lois Price, City Recorder

Minutes of the meeting of the Logan Municipal Council convened in regular session on Wednesday, November 20, 2002 at 6:15 p.m. in the Logan Municipal Council Chambers, 255 North Main, Logan, Utah, Chairman Tom Kerr conducting.

Councilmembers present: Tom Kerr, Tami W. Pyfer, Alan D. Allred, Stephen C. Thompson, and Karen S. Borg. Administration present: Mayor Douglas E. Thompson, Assistant City Attorney Kymber Housley, City Attorney Mark A. Sorenson (arrived late due to an appointment in Salt Lake City), and Recorder Lois Price.

Mayor Douglas E. Thompson offered the opening prayer and led the audience in the Pledge of Allegiance.

Minutes of the meeting of November 6, 2002 were approved with minor corrections. The agenda was approved following an announcement by the Mayor that the Community Development Award presentation would be postponed until a future meeting.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL.

TOM ROBINS. Mr. Robins, a USU Student, asked that the City make information available on garbage billing. He said it was not commonly known that by electing to use a 60-gallon garbage container rather than the standard 90-gallon container, a household could reduce their garbage bill by \$5 per month. Mr. Robins asked that the City make the policy known to students by printing information in the student newspaper, on the utility bill, and posting it on the City's website. He pointed out that by informing the student population of the savings that could be realized it would increase recycling, saving money for students and also helping the environment.

MAYOR/STAFF REPORTS. Mayor Thompson said there were no reports for the evening.

COUNCIL BUSINESS: Chairman Kerr announced the next regular meeting of the Council would be held December 4, 2002 at 6:15 p.m. Meetings in January would be held the 8th and 15th.

INDEPENDENT AUDIT AS OF 6/30/2002. Councilmember Allred, Audit Committee member, turned the time to Don Fulton for a financial report. Mr. Allred explained that independent auditors from Jones Simkins, CPAs would then summarize the audit, which was distributed to the Council in draft form. He also explained the audit should be accepted by the Council this evening to meet the deadline for submission to the State. He said the Audit Committee had reviewed the document and recommended acceptance.

Mr. Fulton reviewed information contained in his letter of transmittal, located in the introductory section of the Comprehensive Annual Financial Report for the fiscal year

ended June 30, 2002. A portion of the report highlighted significant events and accomplishments as follows:

New Construction. *The City issued building permits for 379 new residential units and 39 new commercial units with a combined value of \$65,559,145.*

Redevelopment Project Areas. *During the current fiscal year construction of a new Lowe's and Home Depot home improvement stores was completed and their grand openings were held in November. The addition of these two businesses added \$180,552 to the City's sales and tax revenues for the fiscal year. In October 2002 a new Sam's Club opened and General Motors opened a new expanded dealership in the auto mall. Commercial growth continues to be strong, and the City is benefiting from the disposable income that was previously being spent outside of Cache County.*

HyClone completed an \$8,000,000 addition to its facilities, and the expansion of the Gossner Cheese plant was also completed. Work continues at the Logan/Cache Airport on projects that will expand air service into the valley and assist local businesses.

Water and Sewer. *The City issued \$9,045,000 to construct a wetland treatment lagoon to reduce the level of ammonia being emitted and to bring the City into compliance with State of Utah requirements on emission levels. Construction began in June 2002, and the project was completed in November. The City passed sewer rate increases to cover the debt service payment requirements, and even with the rate increase, monthly sewer rates to City residents are still below state averages.*

Electric Utility. *The Municipal Council approved the issuance of \$9,020,000 in electric revenue bonds for the retrofitting of the diesel generation plan with three gas turbines. The bonds were issued in August 2001 and construction was scheduled to be completed by mid-October 2001. The three gas turbines will generate 15 megawatts of power as compared to 5 megawatts generated with the diesel generators. A lawsuit was filed in District Court to stop the project. The delay resulted in the plant not going on line until May 2002.*

Police/Court Building. *Construction was completed during the fiscal year and in November 2001 the facility was occupied.*

Parks and Recreation. *The new outdoor swimming pool completed its first full year of operation. Both the new outdoor pool and skate park were heavily utilized. The City began construction of a new soccer park on the south side of the city. Additions to the bike trails continued, as well as designs for a new park in the northwest began. Construction on Mt. Logan Park was completed, and this will serve the needs of the residents in the east bench area.*

Logan Transit District. *The LTD continues to provide service to over one million riders each year. The transit system is completely financed by a 1/4 percent sales tax, and no fees are charged to ride the busses.*

Environmental Health. Construction was completed on a new scale house and scale at the entry to the landfill. The Environmental Health Department continues to actively promote recycling and composting. A green waste program was implemented where lawn clippings, etc. are collected in a separate container. The program is gaining in popularity with the citizens. Because of the recycling and green waste programs, the amount of material brought into the landfill has been reduced, and the life of the landfill extended. The City has begun construction of a new garage and office facility for the Environmental Health Department, and the estimated \$3,800,000 cost is being financed with the department's cash reserves.

2002 Winter Olympics. From January 1, 1990 to June 1999, the Utah State Tax Commission deposited into an Olympic Special Revenue Fund an amount equal to 1/64 of the local option sales tax distribution from all counties, cities and towns in Utah. The Tax Commission is required to refund to counties and municipalities their proportionate share of amounts deposited into the Olympic Special Revenue Fund. On March 15, 2002, a distribution of the Salt Lake Organizing Committee's reimbursement to the Olympic Special Revenue Fund was made, and the amount reimbursed to the City of Logan was \$597,261.

Mr. Fulton reported that the economy continued to expand, and the City continued to develop its commercial tax base. He highlighted information about the various budget funds. There was discussion about the information supplied on the Electric Utility Fund dealing with the conversion of the city's diesel generation plant to a gas turbine generation plant, and a lawsuit which was filed against the City by a citizen's group. Councilmember Thompson felt the information was incorrect. It was agreed by the Council that wording having to do with the dismissal of the lawsuit would be removed.

Mr. Fulton mentioned that the negative fund balance in the General Fund had been turned around. He gave credit to department managers and the administration for careful management of their budgets. "We remain in a healthy situation, probably as far as economic strength goes, one of the strongest cities in the state," he said. Mr. Fulton cautioned that there was a problem with tax increment vs. debt in the North Main RDA that would require action in the future.

Mike Kidman, of Jones Simkins, CPAs presented the draft of the Management Letter related to the Comprehensive Annual Financial Report. He expressed appreciation to the Finance Department staff and for the work of the Audit Committee. Curtis Roberts gave an overview of the report. The management letter was discussed by Mike Kidman. He said the independent auditors felt good about the city's financial condition and controls. There were no major issues relating to the audit that the City needed to address.

ACTION. Motion by Councilmember Allred, seconded by Councilmember Thompson to accept the audit in draft form with wording changes to be made to the power plant litigation information as discussed. Motion carried unanimously.

Alan D. Allred, voted yes

Karen S. Borg, voted yes

Tom Kerr, voted yes
Tami W. Pyfer, voted yes
Stephen C. Thompson, voted yes

ACTION ITEMS:

LIGHT AND POWER INTEGRATED RESOURCE PLAN - 02-72.

Jay Larsen of the Light and Power Department was present to answer questions regarding adoption of the 2002 Integrated Resource Plan for the City of Logan. The plan was required by Western Area Power Administration to insure efficient usage by the City of its Federal hydro power allocation.

ACTION. Motion by Councilmember Allred, seconded by Councilmember Borg to adopt Res. 02-72, 2002 Integrated Resource Plan, as presented. Motion carried unanimously.

Alan D. Allred, voted yes
Karen S. Borg, voted yes
Tom Kerr, voted yes
Tami W. Pyfer, voted yes
Stephen C. Thompson, voted yes

MARINDALE AVENUE: Resolution regulating public parking - 02-71.

Police Chief Rich Hendricks was present to support a resolution to allow parking on Marindale Avenue, a street less than 20 feet wide, for a trial period of one year. Parking would be allowed on the east side of Marindale on even-numbered days and on the west side of Marindale on odd-numbered days.

ACTION. Motion by Councilmember Allred, seconded by Councilmember Thompson to adopt Res. 02-71, Marindale Avenue Parking, as presented. Motion carried unanimously.

Alan D. Allred, voted yes
Karen S. Borg, voted yes
Tom Kerr, voted yes
Tami W. Pyfer, voted yes
Stephen C. Thompson, voted yes

PUBLIC HEARING: Pebblebrook at Logan River Golf Course Rezone. PSC Development/Bridgerland Group, applicant/owner, requests rezone of approx. 3.7 acres at approx. 150 West Golf Course Road from Commercial Neighborhood (CN) zone to the Multi Family High (MFH) Zone - 02-77.

Planner John Weber briefly outlined the area proposed for rezone to Multi Family High (MFH). Chairman Kerr opened the meeting to a public hearing.

Lori Leonhardt, 300 West resident, was concerned about increasing traffic on 300 West and children's safety. She said neighborhood residents did not feel more apartments would be in residents or their children's best interests.

Kevin Yeates, neighborhood resident, said his concern was with negative impacts to the environment, wildlife, and wetlands.

Joylyn Nelson, who had been involved in the 1996 downzoning of this neighborhood, opposed the rezoning because of increased density and traffic. She pointed out the neighborhood was already impacted by recreational uses, such as the golf course and Willow Park. She said the area had been stabilized by the increase in single family homes, but multiple homes in the area had been turned into duplexes and many were rented to students. She was skeptical about applying a high density zone to a parcel on which the exact acreage was unknown. She said the river bottom could not be used in the acreage total, and she feared it would be. Ms. Nelson said the development would border the pedestrian trail through the golf course, and parking was very limited on Golf Course Road. She asked that the zone remain Commercial Neighborhood.

Sid Smith expressed concern about the reliability of the developer and his past performance.

Mark Cohn, PSC Development, said he was the developer of Riverwalk Apartments and the potential purchaser of the property. He spoke about the need for affordable, quality family housing and supported the zone change. He pointed out that there would be traffic impacts when the property was developed, no matter what the zoning, and the owner had the right to develop the property.

Mr. Weber explained the CN zone allowed a mixed commercial/residential use. If a commercial component was constructed fronting the street, then MFM housing could also be constructed because it was the nearest equivalent zone.

Marty Spicer, owner of the property, talked about the southwest neighborhood and the 1996 city-wide rezone. He said for several years he had tried unsuccessfully to develop the land with CN zoning, and spoke in support of MFH in this location. He said City staff and the Planning Commission had recommended the rezone and asked the Council to be fair to the developer and support the MFH recommendation.

Nyle Stoddard questioned dense housing at this location and asked that protection of the river be considered in the Council's decision.

Chairman Kerr closed the public hearing.

Councilmember Thompson stated the City had a duty to provide quality, affordable housing. Councilmember Pyfer pointed out the City had provided good, affordable housing in this neighborhood and should remember commitments made to the neighborhood in the past.

Mr. Weber was asked about density. He said MFH allowed 14 units per acre; MFM permitted 11 units per acre.

ACTION. Motion by Councilmember Pyfer, seconded by Councilmember Borg to deny Ord. 02-77, Pebblebrook at Logan River Golf Course Rezone.

Councilmember Borg said one of the intents of the Council in the City-wide rezone was to encourage affordable housing construction. The other intent was to increase the ratio of owner-occupied to renter-occupied housing. She said the Council recognized our community as a whole needed affordable rental housing but also recognized outlying communities were not bearing their share. She did not support MFH zoning for the Spicer property. Her closing comment was, "It (the Pebblebrook property) is not undevelopable. It is more developable than we thought."

Councilmember Allred remembered that at the time of the 1996 rezone, Recreation (REC) zoning was recommended for this land, which the Council changed to CN. He said he could not go back on his decision. "There is still opportunity to develop that property in some fashion," he maintained.

VOTE ON THE MOTION TO DENY THE REZONE: Motion carried 3-1: Borg, Allred, Pyfer voted yes; S. Thompson voted no; Chair did not vote.

Alan D. Allred, voted yes

Karen S. Borg, voted yes

Tom Kerr, Chair, did not vote

Tami W. Pyfer, voted yes

Stephen C. Thompson, voted no

PUBLIC HEARING: Determination of Nonconformity Status Fees - 02-75.

Community Development Director Jay Nielson reviewed a resolution which, if adopted, would authorize a \$40 application fee to determine nonconformity status of properties. Staff estimated the actual cost to process an application and administer notices to the public at \$195. Attorney Housley pointed out that the public notices were not to determine whether neighbors thought the continued use was a good idea but to obtain any information they might have about the nonconforming status.

Councilmember Pyfer asked about the number of requests processed annually. Mr. Nielson estimated 50 applications per year could be expected.

Chairman Kerr opened the meeting to public comment.

Nyle Stoddard supported the nonconformity status fee as a valuable service to buyers or sellers of property. He said he would willingly pay the proposed \$40, or more, for the service.

Chairman Kerr closed the public hearing.

ACTION. Motion by Councilmember Borg, seconded by Councilmember Pyfer to adopt Res. 02-75, Fees for the Determination of Nonconforming Status, with the correction of typographical errors. Motion carried unanimously.

Alan D. Allred, voted yes

Karen S. Borg, voted yes

Tom Kerr, voted yes

Tami W. Pyfer, voted yes

Stephen C. Thompson, voted yes

PUBLIC HEARING. Administrative Enforcement - Land Development Code Amendment - Ord. 02-76.

Planner Michelle Mechem reviewed the changes to the proposed Administrative Enforcement Code suggested by the Council. A change had been made to state that a City employee could act as hearing examiner if that was his or her primary responsibility. There was also a change stating non-emergency violations could be abated after 30 days written notice. Ms. Mechem explained staff favored the ordinance because it decriminalized enforcement actions that could already be taken by the City. Staff hoped the ordinance would streamline enforcement of Code violations.

Attorney Housley presented background on the ordinance. He said a common theme raised at Neighborhood Council meetings over the years was the need for better enforcement, and ordinances of this type were authorized by State law. Work had begun on the draft document one year ago, patterned after Provo City's ordinance. Attorney Housley pointed out the enforcement was not limited to occupancy issues. It covered all City ordinances and State laws. He stressed that the proposed Code did not give the City any authority it did not already have.

Concerns had been raised by citizens about searches of private property. Attorney Housley responded that the only time the City would enter private property to abate a violation would be after a citation was issued, administrative and judicial remedies had been exhausted, and thirty days had passed. This Code, he said, would not take away a citizen's grandfathered property rights. He said there were checks and balances provided to help prevent abuse.

Chairman Kerr opened the meeting to a public hearing.

Nyle Stoddard opposed the ordinance from a philosophical standpoint. He said the authority to enforce codes already existed, and he disliked the approach. He said administrative policies were dangerous and could be misused. He felt violations would be aggressively pursued if the new law was passed.

Laraine Swenson supported the ordinance. She said when freedom to use property became a burden on neighbors, it was a bad thing. Laws, she said, had to apply equally and be reasonably enforced in order to be fair. Mrs. Swenson encouraged the Council to pass the ordinance.

Morley Cox opposed the ordinance for taking the decision-making process out of the courts. He questioned the qualifications for a hearing officer and felt there was a risk decisions would not be well-founded. If a first offense was decriminalized, he would not oppose it. He urged the Council to be extremely cautious about setting up an administrative system where there were no safeguards for qualifications of the person making the decisions.

John Tallmadge opposed the ordinance because it was so wide-ranging and dealt with all violations of the Logan Municipal Code and State law. He did not feel there was due process or that checks and balances existed. He was concerned that all City employees could become enforcement officers, with no training requirement. He reviewed the code and pointed out areas where he did not agree. He said he did not like the "attitude" of the ordinance and would like to know about costs involved.

Sid Smith opposed the new law. He said renters had more rights than property owners and talked about the difficulties experienced by landlords.

Nick Whitney spoke in opposition. His concern was that "nitpicky" issues would be raised in neighborhoods and cause problems. He asked that the violations and the fines be published.

Cody Stoddard said he cleaned apartments for his family. He said landlords did not know everything that went on in apartments, and it was unfair to receive citations for what you were unaware of. He felt there were other alternatives to compliance.

Becky Nielson said she supported anything that would enhance Logan neighborhoods. She spoke about her involvement years ago with a northwest neighborhood group to lobby the City for downzoning. She applauded the City for proposing a law that would help residents "get their neighborhoods back." Her concern was that violations of the zoning code were increasing, and enforcement was inadequate.

Bruce Crane said the ordinance would improve neighborhoods. He gave examples of problems with single family homes being turned into student rentals. Mr. Crane said code enforcement was "desperately needed."

Quentin Gardner's concern was that there were no checks and balances to the ordinance. He urged that laws already in place be enforced. "Don't create more entanglements for the public," he said.

Jay Aguilar, Hillcrest Neighborhood Council Chair, explained there was the feeling that the current enforcement system was inadequate. He supported the new ordinance as "the best way to protect the quality of life in Logan."

April Mortensen opposed the law. She was concerned about the qualifications and training of the hearing officer and did not think it was the place of government to "micromanage" lives. She urged the Council not to vote for the ordinance.

Eric Forsberg said he rented from John Tallmadge and lived in Bruce Crane's neighborhood. His opinion was that the ordinance was needed.

Lloyd Holmes supported the ordinance as long overdue. He talked about conditions in neighborhoods dealing with occupancy issues.

Chairman Kerr closed the public hearing.

Councilmember Thompson said he had serious problems with occupancy and abuse. He said the City had a system that would work, and he did not think an ordinance addressing all code violations was the answer.

Councilmember Pyfer was committed to fixing the occupancy problem and said if the ordinance only applied to occupancy she would vote for it. She asked if this change could be made, even if on a trial basis, for a one-year period.

Councilmember Borg supported the ordinance for decriminalizing the enforcement process.

Councilmember Thompson strongly opposed the ordinance and said he did not believe it would solve neighborhood problems. "What we have is working," he said.

Attorney Housley explained the law was not a panacea but was "just another tool" which could be rescinded if it did not work.

Councilmember Thompson questioned costs. Attorney Housley responded that the only new immediate cost would be for a hearing officer.

ACTION. Motion by Councilmember Pyfer to change the ordinance scope to address occupancy violations only. Motion died for lack of a second.

Motion by Councilmember Borg, seconded by Councilmember Allred to adopt Ord. 02-76, Administrative Enforcement Code. Motion carried 3-2: Allred, Borg, Kerr voted yes; Pyfer, S. Thompson voted no;

Alan D. Allred, voted yes

Karen S. Borg, voted yes

Tom Kerr, voted no

Tami W. Pyfer, voted yes

Stephen C. Thompson, voted no

Chairman Kerr recessed the meeting for a break at 10:00 p.m. and reconvened at 10:10 p.m.

PUBLIC HEARING: Fire Substation Siting - 02-70.

A resolution was before the Council requesting support of the site of a Fire Department substation at approximately 1250 East on 1100 North and authorizing the Mayor to enter into a long-term lease agreement with Utah State University for this location.

Chairman Kerr opened the meeting to a public hearing.

Mike Weibel supported the location and commented on the professionalism of the Fire Department staff.

Carey Dabb, from the neighborhood, supported the location and spoke about the desperate need for a substation in the northwest part of the city to save life and property.

Lynn Wright also favored the substation location. He said noise and danger of fire and ambulance equipment should not come into the decision. He spoke of an unfortunate accident that caused the death of his granddaughter.

J. J. Robinson said he was not opposed to a substation but suggested giving money to North Logan to improve their fire facility and emergency services. He thought the site selected would negatively affect property values. He said there were numerous USU locations, and they were dictating the location which best suited their needs.

Sid Smith said for many years his family had owned a business adjacent to the fire station. "You may not want it in your neighborhood, but it's a good thing to have," he said.

Walter Nickel, citizen and former Mayor of Logan, supported the substation site. He said eighteen years ago he recognized the need for a fire substation in northwest Logan. He said "need" was no longer the issue. Now where to locate the substation was the question. Mr. Nickel said the designated location was the right one and pleaded, "Let's build it up there, where we need it, right now."

Steve Sheffy, USU Trailer Court resident, said he was on the Fire Siting Committee. He mentioned that firefighters were excellent role models for the school children. He said with the population of the neighborhood, the station was needed, and he was in favor of the location.

Chairman Kerr closed the public hearing.

Councilmember Allred submitted a petition favoring the substation site given to him by John Arnold, a former paramedic and firefighter.

ACTION. Motion by Councilmember Allred, seconded by Councilmember Borg to adopt Res. 02-70, Siting of Fire Substation, as presented. Motion carried unanimously.

Alan D. Allred, voted yes

Karen S. Borg, voted yes

Tom Kerr, voted yes

Tami W. Pyfer, voted yes
Stephen C. Thompson, voted yes

PUBLIC HEARING: Consideration of 400 East Dugway Alternative Traffic Improvement Plans - Preferred Alternative No. 7 - Res. 02-78.

Chairman Kerr opened the public hearing with the announcement that the Council would not be voting on the issue tonight. He said the Council wished to hear input from the Adams School neighborhood prior to any decision. Public Works Director Kevin Hansen announced that meeting had been scheduled for December 3, 7:00 p.m. at Adams School.

Chairman Kerr said he had been told that building the new dugway would destroy homes. He asked if there was any way to protect homeowners. Mr. Hansen said the City's first step to obtain needed property would be to negotiate fair market value compensation. There was discussion about the City acquiring property under threat of condemnation, as well as condemnation through courts of law.

Homer Smith did not understand why the closure of the short dugway was proposed and questioned why east side traffic would be funneled to 400 East to proceed north. He did not think the plan made sense.

Laraine Swenson, Co-Chair of Wilson Neighborhood Council, said she supported a plan to alleviate the traffic situation but wanted more information. She spoke about the three, first-ranked CMPO projects in line for Federal funding which she understood were 100 East, 200 East and 400 East. She asked for more education on the three projects and questioned why 400 East, Phase I was proposed for construction initially. Mrs. Swenson asked that Kevin Hansen be given the chance to make a presentation on 200 East before a decision was made. "If this plan is the most reasonable and the dugway the most important and will give us the most traffic relief, I won't oppose it," she said.

Mrs. Swenson said her concern was the order and the impact of the CMPO projects. She did not understand why 400 East was moved ahead of the first-ranked project which was 100 East.

Chairman Kerr explained 100 East was approved and in process. 200 East was very expensive "and will not happen because of that." He said River Heights did not have the money for their portion of 200 East. "We're looking at 400 East. We're not bypassing other options to get to this one," he said.

Mrs. Swenson insisted that she wanted to hear a presentation on 200 East, and she also wanted to here the Council's response. The Council agreed to schedule a presentation.

Mr. Hansen replied, "I'll be glad to share anything we've developed, but I want to make it clear that when you (the Council) approved the CMPO Plan in June of 2000, you excluded 200 East in Logan . . . It is not a CMPO-funded plan in Logan."

There was discussion about 400 East being a multi-phased project.

Peter Brunson spoke in opposition to the alternative proposed to construct a new dugway.

Morley Cox made comparisons of this issue to the construction 17 years ago of the Mountain Road/Cliffside access. He asked that alternatives be studied with the possibility of keeping the long dugway open. He was concerned about fire and ambulance service to Cliffside if Phase 1 was built. Mr. Cox was also concerned about bringing any more traffic to the Island area if 400 East was improved. He outlined options he wished to discuss with Mr. Hansen.

Bill Collins was not presently a Logan resident but owned rentals at 100 North and Canyon Road. He was not in favor of losing his property, which he thought would be used for the proposed turn-about. He said he had seen these types of circles work in cities where drivers were familiar with them and suggested investigating the design further.

Jennifer Hyde, Wilson School PTA President, was very concerned for the safety of the 550 school children, as well as the noise level and air quality as the children played outside. She had heard that traffic near the school would increase as much as 200-300%.

Jeff Ostermiller said he was concerned about the loss of community character. He said neighbors had been told the justifications for building the new dugway were to facilitate traffic flow and eliminate safety concerns. He spoke about both these justifications and suggested improving the safety of the existing dugway had not been addressed because the charge had been to find the best designs for a new dugway. He urged the Council to postpone action until a more comprehensive traffic management solution was developed. Mr. Ostermiller said the greatest successes he had seen were where neighborhood committees arrived at solutions.

Earl Devasher said the dugway intersection was dangerous, and he wanted it changed and improved.

Curtis Broadbent, Island resident, thought the administration should be more responsive to citizen's input. He urged the council to find a compromise. He supported keeping the 600 East dugway and did not think the proposed alternative would help the Island area. He asked that the Council not turn their backs on the people and find a solution that would work for all.

Iiona Japonen opposed the new dugway and 400 East traffic management plans. She said simple remedies had been presented which had not been tried. She did not think the new dugway would fulfill the goal of diverting traffic off Main Street. She felt the project was an \$8 million gamble that might not work.

Gary Joy said he felt the 400 East plan had been "shoved down their throats." He presented a drawing of an alternate route and talked about how he thought it would work. He asked that the Council look at overall plans and see if there was a way to spread traffic impacts.

Sherrill Joy said she did not support the new dugway. She felt money would be better spent improving the existing roads.

Virginia Carlson Parker, 41 South 400 East, objected to plans that would destroy an established historic neighborhood. She also informed the Council that the plan impacted the water rights of shareholders. "The 500 East dugway is ill considered," she said, "Residents have suggested a better and more economic solution to the problem."

Sid Smith felt the present dugways were adequate, and new dugway was a "waste of money."

Gerald Wright Scoville said he moved to the Island from Seattle over a year ago. He thought change was probably necessary to improve the dugway but had not envisioned that the "giant dugway" would be the result.

John Carter said he loved the valley. He especially recognized problems induced by building the new dugway since the vehicle turnabout was proposed where his home was located. He asked the Council to consider a "no build" option, and let the traffic pattern establish itself.

Written information was submitted for the meeting record opposing the plan by: Russell Goodwin, Virginia C. Parker, Gary Joy, Jeff Ostermiller, Sandra and Charles Romesburg, William Collins, Coralie Beyers, Citizens for the Preservation of Logan Neighborhoods Steering Committee, Steve and Cheri Murdock, and Holly Murdock.

Chairman Kerr brought the discussion to a close. He said after the Council had heard a report regarding the Adams School meeting, another public hearing would be held.

WORKSHOP ITEMS.

Logan Business Fund loan for Caffè Ibis.

Geoff Butler of the Economic Development Department introduced a resolution requesting an addition of \$12,218 to existing loan for Caffè Ibis, owned by Randy Wirth and Sally Sears. The renegotiated balance was \$60,000. Funds were proposed for constructing a Warehouse Deli at 953 West 700 North.

Chairman Kerr placed the resolution approving the loan addition on the December 4 agenda for action.

Budget Adjustment F/Y 2002-03: Appropriating funds reserved for encumbrances at June 30, 2002 - 02-74.

Finance Director Don Fulton briefly reviewed a budget adjustment resolution that would appropriate funds reserved as encumbrances at year-end to various departments. Public hearing was set for December 4, 2002.

There being no further business to come before the Council, meeting adjourned at 12:05 a.m.

Lois Price, Recorder

Logan Redevelopment Agency Logan, Utah November 21, 2002

Minutes of the meeting of the Logan Municipal Council convened in regular session on Wednesday, November 21, 2002 at 12:05 a.m. in the Logan Municipal Council Chambers, 255 North Main, Logan, Utah, Chairman Alan D. Allred conducting.

RDA members present were: Alan D. Allred, Tom Kerr, Tami W. Pyfer, Stephen C. Thompson, Karen S. Borg, Mayor Douglas E. Thompson. Administration present: Geoff Butler, Economic Development Department, Finance Director Don Fulton, City Attorney Mark A. and Recorder Lois Price.

WORKSHOP ITEM.

NORTHWEST RDA 800 WEST SEWER/SIDEWALK PROJECT.

Geoff Butler introduced a resolution requesting approval of the use of \$84,216 Northwest RDA funds for the development of 800 West infrastructure to serve the Redevelopment Project Area. Chairman Allred accepted the resolution and placed it on the December 4, 2002 agenda for action.

There being no further business to come before the Redevelopment Agency, meeting adjourned at 12:10 a.m.

Lois Price, Secretary

Minutes of the meeting of the Logan Municipal Council convened in regular session on Wednesday, December 4, 2002 at 6:15 p.m. in the Logan Municipal Council Chambers, 255 North Main, Logan, Utah, Chairman Tom Kerr conducting.

Council members present: Tom Kerr, Tami W. Pyfer, Alan D. Allred, Stephen C. Thompson, and Karen S. Borg. Administration present: Mayor Douglas E. Thompson, City Attorney Mark A. Sorenson, and Recorder Lois Price.

Police Lt. Russ Roper offered the opening prayer and led the audience in the Pledge of Allegiance.

Minutes of the meeting of November 20, 2002 were approved with minor corrections. The agenda was approved following an announcement by the Mayor that the Community Development Award presentation would be postponed until a future meeting.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL. There were no comments from the audience.

MAYOR/STAFF REPORTS.

EMPLOYEE OF THE MONTH. Mayor Thompson, Lt. Russ Roper, Lt. Jeff Curtis and Administrative Services Director Laurie Tanner honored Jana Nyquist, Police Records Clerk, as November Employee of the Month. She received a plaque and \$75 check.

YOUTH CITY COUNCIL. Rosemary Lieske of the Youth Council reported on November activities. The Youth Council had participated in a mock trial and assisted in the Veteran's Day rededication of the Memorial Bridge at Logan High School.

COUNTY WIDE PLANNING BUDGET. Mark Tuescher, County Wide Planner distributed copies to the Council of the 2003 Work Program for the Cache Countywide Planning & Development Office. The information included corrected operating budget figures as requested by the Council. Mr. Tuescher said among the major tasks ahead for the new year were rewriting the Cache County Land Use Ordinance, working on a Transfer Development Rights Project, and beginning the second phase of the development of the Cache Countywide Access Management Policy. He said his office was also available to provide training in the area of land use planning for elected and appointed officials.

COUNCIL BUSINESS: Chairman Kerr announced the next regular meetings of the Council would be held December 18, 2002 at 6:15 p.m. Meetings in January were scheduled for the 8th and 15th.

2003 Council chair and committee assignments were briefly discussed. Chairman Kerr said he would add these items to the December 18 agenda for discussion.

ACTION ITEMS.

CAFFE' IBIS: Resolution authorizing addition of \$12,554 to existing Logan Business Fund Loan - 02-79.

Economic Development Director Nevin Limburg reviewed the proposal to increase Caffe' Ibis owners Randy Wirth and Sally Sears existing loan to \$60,000. They planned to construct a "Warehouse Deli" at 953 West 700 North. The request had been reviewed and approved by the Economic Development Committee. Mr. Limburg explained the resolution approving the loan increase would be corrected to show the addition of \$12,554 to the current loan balance of \$47,456. Councilmember Borg mentioned that the deciding factor for the Economic Development Committee was the importance of diversifying businesses on 1000 West.

ACTION. Motion by Councilmember Allred, seconded by Councilmember Borg to adopt Res. 02-79, Caffe' Ibis Business Fund Loan, with corrections to loan amounts as explained. Motion carried unanimously.

Alan D. Allred, voted yes

Karen S. Borg, voted yes

Tom Kerr, voted yes

Tami W. Pyfer, voted yes

Stephen C. Thompson, voted yes

Mr. Limburg reminded RDA Chair Alan Allred that the Redevelopment Agency meeting scheduled for the evening following adjournment had been postponed.

PUBLIC HEARING: BUDGET ADJUSTMENT F/Y 2002-03: Resolution appropriating funds reserved for encumbrances at June 30, 2002 - 02-74.

Budget Analyst Kristy Brenchley explained the budget resolution before the Council for adoption brought forward encumbrances in various City departments at June 30, 2002. Chairman Kerr opened the meeting to a public hearing. There was no comment, and the hearing was closed.

ACTION. Motion by Councilmember Allred, seconded by Councilmember Pyfer to adopt Resolution 02-74, Budget Adjustment, as presented. Motion carried unanimously.

Alan D. Allred, voted yes

Karen S. Borg, voted yes

Tom Kerr, voted yes

Tami W. Pyfer, voted yes

Stephen C. Thompson, voted yes

PUBLIC HEARING: Ordinance authorizing boundary adjustment between the City of Logan and the City of North Logan - 02-81.

Public Works Director Kevin Hansen explained that holding a public hearing and adopting a boundary adjustment ordinance was the final step required by State law in adjusting municipal boundaries. The adjustment would provide the City with the opportunity to straighten 200 West at approximately 1800 North, and would allow a North Logan apartment complex to be constructed in one jurisdiction.

Chairman Kerr opened the meeting to public comment. There was none, and the public hearing was closed.

ACTION. Motion by Councilmember Pyfer, seconded by Councilmember Borg to adopt Ord. 02-81, Logan/North Logan Boundary Adjustment, as presented. Motion carried unanimously.

Alan D. Allred, voted yes

Karen S. Borg, voted yes

Tom Kerr, voted yes

Tami W. Pyfer, voted yes

Stephen C. Thompson, voted yes

Information on 100 East, 200 East and 400 East Traffic Improvement Decisions.

Public Works Director Kevin Hansen gave an overview of transportation planning for the city. He began by reviewing demographics with projections that showed Logan's population doubling nearly every twenty years. He then outlined arterial and collector roadway plans. Cache Metropolitan Planning Organization (CMPO) funded projects over the next several years included: Main Street Access Management; 100 East (Logan, River Heights); 200 East (North Logan, Hyde Park Smithfield); 400 East (Logan, Providence); 400 West North (Logan, Hyde Park, Smithfield). There were also several collector roadway plans for CMPO unfunded projects in the future that were mentioned.

Mr. Hansen talked about significant street plans for Logan and outlined a number of construction projects that would be undertaken in the future.

Mr. Hansen explained he could not recommend the 400 East dugway project without also recommending other routes to disperse traffic, such as 100 East and 200 East. He spoke at length and in depth about the 100 East project which he called "essential" and a "key corridor." He said 100 East would have a significant impact on traffic flow only if done in conjunction with the 400 East dugway project. Mr. Hansen recommended that work to secure the 200 East north-south corridor proceed at a "reasonable, timely pace," but work on 100 East needed to proceed "aggressively."

He added that the sentiment at the Adams School neighborhood meeting held the night before had been that the City do what it could to "protect the neighborhood." "Believe me or not," Mr. Hansen said, "That is what we are trying to do."

The Council questioned Mr. Hansen about the 100 and 200 East projects. Issues relating to timeline projections and the order of construction projects were discussed.

Mr. Hansen said the City controlled the scheduling other than the deadline for high priority Federal funds for the 400 East dugway. Discussion centered around Federal funding, and the possibility of allocating the funding to another project, such as 100 East. There was talk about the time element involved in committing the Federal funds to a project. Councilmember Pyfer wondered what the impact of committing the funds would be, if "less obtrusive alternatives" were determined later.

Councilmember Thompson did not support the dugway project. "Just because there is Federal money available doesn't mean we have to take it, especially if it destroys a neighborhood." There was further discussion about the use of the high priority Federal funds. Whether the funds could be used for dugway improvements only would have to be addressed with Federal highway representatives, Mr. Hansen said.

Vice Chair Thompson took the chair while Chairman Kerr was briefly out of the room. He took comments from two individuals.

Russ Goodwin thought the 200 East project should be back on the CMPO project list. He said it appeared to him from the discussion on timetable and funding, that the City had a great deal of control and discretion.

Morley Cox talked of funding a 100 East alternative for moving Island traffic more efficiently. Mr. Hansen said he would need time to consider the idea.

Chairman Kerr returned to the room.

There being no further business to come before the Council, meeting adjourned at 8:00 p.m.

Lois Price, City Recorder

Minutes of the meeting of the Logan Municipal Council convened in regular session on Wednesday, December 18, 2002 at 6:15 p.m. in the Logan Municipal Council Chambers, 255 North Main, Logan, Utah, Chairman Tom Kerr conducting.

Council members present: Tom Kerr, Tami W. Pyfer, Alan D. Allred, and Karen S. Borg. Stephen C. Thompson was excused. Administration present: Mayor Douglas E. Thompson, City Attorney Mark A. Sorenson, and Assistant Recorder Krysti Brenchley. Recorder Lois Price was excused.

Acting Fire Chief Dave Harston offered the opening prayer and led the audience in the Pledge of Allegiance.

Minutes of the meeting of December 4, 2002 were approved with minor corrections. The agenda was approved.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL.

MARVIN HANSEN. Marvin Hansen addressed the Council about the proposed Rose Hill residential housing project at about 1800 South 1600 West. He was an owner of the property that had been annexed over three years ago. The Council recently denied a request for rezoning the land from Agriculture (AG) to Single Family Traditional Planned Development (SFT-PD). Mr. Hansen's main concern was that the owners wished to develop their land in a way that current agricultural zoning did not allow.

Mayor Thompson said an analysis of the future use of the land would be provided to the Council by staff, including information on development rights. Karen Borg made it clear that there were no promises about future development made during the original annexation of this property.

MAYOR/STAFF REPORTS.

GOLF COURSE ADVISORY BOARD. John Kras, Chair of the Golf Course Advisory Board presented a short report. He said 59,000 rounds had been played during the season, an increase of 5,500 over last year. Revenue generated was \$130,000 after expenses, not including bond service. He also said a USU student was working on a golf course master plan. Sally Russell, a board member, was recognized as being in attendance.

PARKS AND RECREATION BOARD. Doug Kohler reported that the park in the northwest part of the city was in the design stages. He said Liz Wright, Community Youth Coordinator, would be coming to the Council with a report on After School Club activities. Mr. Kohler talked about Mt. Logan Park as well as soccer fields that were currently being under construction. Councilmember Borg questioned the completion date

of the southwest soccer field, which Russ Akina said was uncertain. There was discussion about protecting the parks from winter sports activities..

BOARD APPOINTMENTS. Mayor Thompson requested ratification of the following appointments: (1) Reappointment of Jim Laub to a two-year term on the Airport Advisory Board; (2) Jeff Gilbert, 473 West 100 South, to the Logan Transit District Board; and (3) Mark Fjeldsted, 1606 East Mountain Road, to the Library Board to fill the unexpired term of Patricia Gantt..

ACTION. Motion by Councilmember Allred, seconded by Councilmember Borg to ratify the Mayor's appointments of Jim Laub, Jeff Gilbert and Mark Fjeldsted to the various boards. Motion carried unanimously.

Alan D. Allred, voted yes

Karen S. Borg, voted yes

Tom Kerr, voted yes

Tami W. Pyfer, voted yes

Stephen C. Thompson, absent

FIRE DEPARTMENT ANNUAL REPORT. Acting Fire Chief Dave Harston reviewed highlights of the Fire Department's Annual Report. He expressed thanks to Councilmembers and the Mayor for their support.

Tami Pyfer was excused for an appointment and returned later in the meeting.

"RED BURN DAYS." Environmental Health Director Issa Hamud gave a presentation stressing the importance of abiding by the State's "Red Burn Days" designation by curtailing activities that would pollute the air when weather conditions warranted. Mayor Thompson spoke about public relations on the subject and encouraged all citizens to plan to protect the environment.

COUNCIL BUSINESS.

MEETING SCHEDULE. Chairman Kerr announced that because of the New Year's holiday, meetings in January would be held the 8th and 15th.

CACHE VALLEY CENTER FOR THE ARTS (CVCA) QUARTERLY REPORT. Lisette Miles, CVCA Executive Director, presented the July 1-September 30, 2002 quarterly report for the Ellen Eccles Theatre, Bullen Center and Thatcher-Young Mansion. She said attendance for the Utah Festival Opera season, the major renter of the Eccles Theatre, increased 30% this past year. She spoke about the new events included in CVCA's upcoming program. The financial information presented indicated that sponsorship funding was down. Ms. Miles told the Council that it would be difficult to meet the financial goals set this year.

2003 COUNCIL CHAIR AND COMMITTEE ASSIGNMENTS. Council assignments for the new year were discussed and approved as follows:

TAMI PYFER:

Council Vice Chair (January-June)
Logan Transit District Board
Youth Council Liaison
Water and Sewer Board
Economic Development Committee
Audit Committee
Fine Arts Committee
North Park Interlocal Cooperative (Mayor's Appointment)

TOM KERR:

Council Chair (July-December)
Logan Community Foundation (July-December)
Light and Power Advisory Board
Airport Authority Board

ALAN D. ALLRED:

Redevelopment Agency Chair
Economic Development Committee
Parks and Recreation Board
Audit Committee
Willow Park Advisory Board (Mayor's Appointment)

KAREN S. BORG:

Council Chair (January-June)
Logan Community Foundation (January-June)
Forestry Board
Cache Metropolitan Planning Organization (Mayor's Appointment)
Utah Local Governments Trust Board (Elected by Board)

STEPHEN C. THOMPSON:

Council Vice Chair (July-December)
RDA Vice Chair (July-December)
Historic Preservation Committee
Solid Waste Advisory Board
Library Board
Cache Valley Center for the Arts Board (Mayor's Appointment)
Golf Course Committee (Mayor's Appointment)

ACTION ITEMS. There were no action items scheduled for the evening.

WORKSHOP ITEMS:

STAN CHECKETTS ANNEXATION: Acceptance of petition for annexation of 43.62 acres adjacent to Highway 89-91 at approx. 1850 South 800West

Community Development Director Jay Nielson explained Stan Checketts and two other property owners had petitioned the City for annexation of the land, and acceptance of the petition would be requested at the January 8th meeting. He said the annexation was consistent with the proposed Annexation Policy Plan. Mr. Checketts wished to develop a "family fun center" in the long term. In the immediate time frame he desired to relocate his towers from two existing sites. Mr. Nielson explained that removing the towers from the 2500 North property would be helpful since the FAA had established height limits around the approach to the airport.

Mr. Nielson added that no land could be annexed until the Annexation Policy Plan was adopted as required by State Code. This would be a workshop agenda item in January.

Mr. Russell, a son of Maxine Russell, one of the property owners included in the annexation proposal questioned the Council about the process. He was concerned about the accuracy of the survey, and his mother had not signed the petition to be included in the annexation. Councilmember Borg explained the annexation process to Mr. Russell. The next step would be the acceptance of the annexation petition at the January 8 meeting.

Budget Adjustment F/Y 2002/03: Appropriation of \$2,336 Cops in Schools Grant; \$84,216 for 800 West Sewer/sidewalk project; \$147,000 COPS MORE02 Program; reallocation of \$14,711 for UCCJJ Grant.

Budget Analyst Kristy Brenchley reviewed the request for adjustments to the budget. Public hearing was set for the January 8 meeting.

Councilmember Pyfer returned and approved the Council board assignments.

There being no further business to come before the Council, meeting adjourned at 7:50 p.m.

Krysti Brenchley
Assistant City Recorder

Logan Redevelopment Agency Logan, Utah December 18, 2002

Minutes of the meeting of the Logan Redevelopment Agency convened in regular session on Wednesday, December 18, 2002 at 7:50 p.m. in the Logan Municipal Council Chambers, 255 North Main, Logan, Utah, Chairman Alan D. Allred conducting.

RDA members present were: Alan D. Allred, Tom Kerr, Tami W. Pyfer, Karen S. Borg, Mayor Douglas E. Thompson. Stephen C. Thompson was excused.
Administration present: Budget Analyst Krysti Brenchley.

WORKSHOP ITEM.

Northwest RDA 800 West Sewer/Sidewalk Project - F/Y 2002-03 budget adjustment resolution appropriating \$84,218 for improvements.

Budget Analyst Krysti Brenchley reviewed a resolution requesting an appropriation of \$84,216 to the Northwest RDA for the development of 800 West infrastructure to serve the Redevelopment Project Area. The funds would be appropriated from the Service Center Revolving Fund to be repaid by tax increment. Chairman Allred set a public hearing for January 8, 2003.

There being no further business to come before the Redevelopment Agency, meeting adjourned at 7:55 p.m.

Krysti Brenchley
Assistant City Recorder