

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, August 2, 2016 at 5:30 p.m. in the Logan City Municipal Council Chamber, 290 North 100 West, Logan, Utah. Chairman Herm Olsen conducting.

Councilmembers present at the beginning of the meeting: Chairman Herm Olsen, Vice Chairman Holly Daines, Councilmember Tom Jensen, Councilmember S. Eugene Needham and Councilmember Jeannie F. Simmonds. Administration present: Mayor H. Craig Petersen, Finance Director Richard Anderson, City Attorney Kymber Housley and City Recorder Teresa Harris.

Chairman Olsen welcomed those present. There were approximately 34 citizens in the audience at the beginning of the meeting.

OPENING CEREMONY:

Keith Shaw gave the opening thought/prayer and led the audience in the pledge of allegiance.

Meeting Minutes. Minutes of the Council meeting from July 19, 2016 were reviewed and approved as amended.

ACTION. Motion by Vice Chairman Daines seconded by Councilmember Simmonds to **approve the July 19, 2016 minutes as amended and approve tonight's agenda.** Motion carried unanimously.

Meeting Agenda. Chairman Olsen announced there are 10 public hearings scheduled for tonight's Council meeting.

Meeting Schedule. Chairman Olsen announced that regular Council meetings would be held the first and third Tuesdays of the month at 5:30 p.m. The next regular Council meeting is Tuesday, August 16, 2016.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL:

There were no comments or questions for the Mayor or Council.

MAYOR/STAFF REPORTS:

Updates on Projects/Issues – Mayor Petersen

Mayor Petersen updated the Council on the following:

1. Current Construction Projects
 - a. The Steep Dugway project is on schedule to be completed by August 20. The dugway will be opened earlier if possible.

- b. The 400 East construction between 1000 North – 1100 North is on schedule for completion by September 2.
 - c. Road and trail access to Trapper Park should be completed by August 13. There will also be a ribbon cutting ceremony for the new park.
2. The City received a Utah League of Cities and Towns/IHC Healthy Communities Grant in the amount of \$225,000 over a three year period. The money will be used to develop exercise programs to combat childhood obesity and diabetes.
3. The Tour of Utah is interested in coming back to Logan in 2017. No decision has been made at this time and Mayor Petersen asked for input from the Council.
4. The City is in the process of implementing the use of the “311” number to assist citizens in making non-emergency calls. The idea evolved from Councilman Jensen’s Neighborhood Improvement Committee.
5. Conservation Coordinator Emily Malik conducted an analysis of Logan’s recycling program as implemented in rural areas. Emily will present her findings at a future Council meeting.
6. Urban deer continue to be a serious problem in certain areas of the City. Mayor Petersen would like to further discuss this with the Council at a future meeting.
7. Permits issued for winter on-street parking are a problem for snow removal and police patrolling. Council input on an appropriate policy is welcome.
8. Mayor Petersen thanked Parks & Recreation Director Russ Akina and his staff for a great Pioneer Day celebration.

Councilmember Jensen stated that a citizen contacted him and commented on the recent decision to close the Logan Library due to the air conditioning not working. The citizen asked what is the City’s policy during this hotter than normal summer when it comes to someone’s power being turned off.

Finance Director Richard Anderson responded that the City does shut off people’s power due to various reasons. He said the important thing to understand is that shutting someone’s power off is the very last thing we do whether it’s during the winter, spring, summer or fall. The City does all they can to contact the person, meet with them and make payment arrangements. As long as the customer is willing to keep their commitments regarding payment, the City will work with them. Those people who we cannot contact or will not return phone calls, we have to do something and their power is shut off.

Chairman Olsen commented that if the Tour of Utah is interested in coming back to Logan he would be supportive and would hope for better weather this time.

Councilmember Simmonds said she also supports the Tour of Utah returning to Logan and feels this is very positive for the City overall.

Mayor Petersen said there were substantial in-kind contributions in terms of police, fire and public works for the Tour of Utah. The out of dollar cost to Logan City was virtually zero.

Councilmember Needham stated that he also supports the Tour of Utah coming back to Logan.

Chairman asked that Urban Deer Management and Winter On-Street Parking Permits be added to a future council agenda for discussion.

COUNCIL BUSINESS:

Chairman Olsen explained that by State law, the public hearing for Resolution 16-42 and Resolution 16-43 cannot be held before 6:00 p.m. He asked that the Council skip to Action Item C at this time.

Chairman Olsen announced that the public hearing for **Code Amendment – Consideration of a proposed ordinance amending Subsection (C)(2) of 10.52.285 of the Logan Municipal Code Regulating the Booting of Vehicles – Ordinance 16-23** has been continued to a future council meeting.

ACTION ITEMS:

PUBLIC HEARING - Future Land Use Plan (FLUP) Amendment and Zone Change – Consideration of a proposed FLUP Amendment, Zone Change for the Falls at Riverwoods Phase II. Bracken Atkinson/Evelyn H. Ellis, authorized agent/owner, requests a Future Land Use Plan (FLUP) amendment and zone change to Mixed Use (MU) and expansion of the current multi-family complex for an additional 92 units on 5.4 acres at approximately 650 South 100 East – Ordinance 16-20

At the July 19, 2016 Council meeting, Amber Pollan addressed the Council regarding the proposed amendment. The applicant is proposing to disconnect from River Heights City a 5.28 acre property into the City of Logan then Rezone it to Mixed Use and obtain a design review permit for 92 new dwelling units. The dwelling units are proposed as two 24-plexes (because of exercise rooms, one will be a 22-plex), five 6-unit townhomes and four 4-unit townhome buildings. The 24-plexes are located in the center of the property and the townhome buildings wrap the perimeter. Two accessory garage buildings are located near the East border and the remaining surface parking lots are dispersed around the residential dwellings. Sidewalks and landscaping will go throughout the site. A road dedication of an additional 24' is shown along the North boarder for a future 66' 500 South right-of-way.

The land has historically been used for agriculture and is accessed by 500 South. The parcel sits northeast of the existing Falls at Riverwoods Phase One apartment complex which contains 214 units configured in nine 24-plexs. Low-density single family homes currently exist to the North and East inside the City of River Heights.

Staff recommended that the Planning Commission recommend approval to the Logan Municipal Council for the rezone and conditionally approve a Design Review Permit for Project #16-027, The Falls at Riverwoods II, for the property located at 650 South 100 East.

On June 23, 2016, the Planning Commission recommended that the Municipal Council approve the Future Land Use Plan amendment and Rezone of approximately 5.4 acres to Mixed Use. The project area is currently outside of the Logan City boundary

Chairman Olsen opened the meeting to a public hearing.

There were no comments and Chairman Olsen closed the public hearing.

ACTION. Motion by Councilmember Simmonds seconded by Councilmember Jensen to **adopt Ordinance 16-20** as presented. Motion carried unanimously.

PUBLIC HEARING – Consideration of a proposed sale of City property located on the East side of 200 East between 200 and 300 South consisting of 6 residential lots within the 200 East Subdivision

City Attorney Kymber Housley addressed the proposed sale of City property. He explained the City of Logan is requesting proposals from a residential housing developer with significant experience in high quality residential construction to purchase the 200 East Subdivision and construct 6 new and unique single family residential dwelling units on these lots with the intent of stimulating future neighborhood revitalization efforts. Mr. Housley stated the Council is not required to take action on the proposed property sale.

Chairman Olsen opened the meeting to a public hearing.

There were no comments and Chairman Olsen closed the public hearing.

Chairman Olsen stated that he received a recommendation from a citizen asking that the City take into account the desire of the neighborhood to have good, quality homes built and the City not approve a project that would be lower quality homes and to preserve the integrity of the neighborhood.

Mayor Petersen said City staff supports that idea from the citizen and the intent is to upgrade the neighborhood. As property is sold there will be conditions and restrictions on what is built in this area. The City received one request for proposal (RFP) for this property. The respondent determined that the conditions the City imposed are too strict and feels that going forward is no longer a profitable venture so; the City will go back and look again. Another RFP will go out and he will make sure the Council is aware of the RFP's that are received. Tonight's public hearing allows us to surplus the property.

Mr. Housley said technically, we don't need to hold a public hearing because each lot is less than one acre and less than \$100,000. Because of the potential that we could sell this as a package it was decided to ere on the side of caution and hold a public hearing.

Councilmember Simmonds asked, because one person said it wasn't profitable are we going to change the rules.

Mayor Petersen responded we are going to re-look at the rules and what we are doing. The RFP was sent to 16 different developers and we only received one so that might suggest that the market didn't agree with us. Maybe it's not the restrictions we imposed; maybe it was the selling price which, we could also choose to modify.

Councilmember Simmonds said she also feels that we have the uncomfortable tendency to put out RFP's at the very height of the building season so perhaps reissuing the RFP in the fall would be better. She feels the RFP that was sent out was reasonable.

Vice Chairman Daines said again, we should not reduce the quality of the project.

Mr. Housley said he does not feel quality is the issue but rather the size requirement. There was a minimum requirement for the main level to be 1,500 SF, which is a fairly large sized home. We also required a minimum of two stories which would be a total of 3,000 SF. This is larger than the average sized home in Logan City and Cache County.

Councilmember Jensen also suggested that a discussion be held with potential developers and talk about various avenues and they can also help craft the wording for the RFP.

Chairman Olsen said this is an area that took years to acquire property and to make improvements on 200 East. The former property owners gave up their homes and he wants to make sure there is an appropriate substitute.

Mayor Petersen said there is a possibly that we can sell the lots individually.

PUBLIC HEARING – Consideration of a proposed sale of City property located at approximately 1701 South Highway 89/91 consisting of approximately 4.41 acres and more particularly described as parcel numbers 02-083-0020, 02-083-0011, and 02-083-0010

Chairman Olsen opened the meeting to a public hearing.

There were no comments and Chairman Olsen closed the public hearing.

Mayor Petersen stated this property is located between Hyclone and the Logan River Academy.

Mr. Housley explained this was property that was originally acquired for economic development purposes and was the former Buttars Tractor property. We are now in the position to put this property back into private hands. No action is required by the Council other than to hold a public hearing.

PUBLIC HEARING - Consideration of a proposed resolution adopting Revised Water Service Connection Fees – Resolution 16-41

At the July 19, 2016 Council meeting, Public Works Director Mark Nielsen addressed the Council regarding the proposed resolution. He said in preparing Resolution 16-27 for revised Water Service Connection Fees that was approved by the Council a few weeks ago, he inadvertently used an old resolution that did not reflect the current connection fees. The intent of Resolution 16-27 was to not change the fees but add three new line items to capture costs associated with water services into 1000 West, video of sewer mains to verify sewer connections, and fire hydrant flow testing. He missed a resolution in 2014 that raised the connection fees. Instead of not changing the fees, the resolution reduced the fees to 2012 levels.

The table below summarizes the history of the fees.

Fee Description	2012 Fee	2014 Fee	2016 Fee	Revised 2016 Fee
1” Developed Connection	\$450	\$450	\$450	\$450
2” Developed Connection	\$1,200	\$1,300	\$1,200	\$1,300
1” Undeveloped Connection	\$4,800	\$6,298	\$4,800	\$6,298
2” Undeveloped Connection	\$5,100	\$9,155	\$5,100	\$9,155
4” Undeveloped Connection	\$12,550	\$14,835	\$12,550	\$14,835
6” Undeveloped Connection	\$15,150	\$19,475	\$15,150	\$19,475
6” Fire Hydrant Installation	\$6,400	\$8,321	\$6,400	\$8,321

This new resolution restores the Water Service Connection Fees to their previous level. Every fee should be changed to be identical to the 2014 fee. In addition, the three new line items have remained.

Chairman Olsen opened the meeting to a public hearing.

There were no comments and Chairman Olsen closed the public hearing.

ACTION. Motion by Councilmember Jensen seconded by Vice Chairman Daines to **approve Resolution 16-41** as presented. Motion carried unanimously.

PUBLIC HEARING - Code Amendment – Consideration of a proposed ordinance amending Subsection (A) of 6.12.040 and adding Subsection (C) of 6.12.040 of the Logan Municipal Code Regulating Dog Registrations – Ordinance 16-24

At the July 19, 2016 Council meeting, Chief Jensen addressed the Council regarding the proposed ordinance amendment to add the following language:

- A. Any dog which has been duly or properly trained or is in training to assist the blind, deaf, or disabled and is acting in that capacity;
- B. Any dog which has been duly or properly trained and placed in custody of a police officer and is being used in police department work;
- C. Any dog which has been duly or properly trained as a service animal but has not been spayed or neutered is not exempt from registration fees.

Chairman Olsen opened the meeting to a public hearing.

There were no comments and Chairman Olsen closed the public hearing.

ACTION. Motion by Councilmember Simmonds seconded by Vice Chairman Daines to **adopt Ordinance 16-24** as presented. Motion carried unanimously.

PUBLIC HEARING - Budget Adjustment FY 2016-2017 appropriating: \$12,000 for the Emergency Management Performance Grant (EMPG). The funds will be used to cover necessary expenses for local emergency management programs; \$40,000 for 2016 Freedom Fire Independence Day Celebration at USU (RAPZ); \$50,000 Aquatic Center Slide Gel Coating (RAPZ); \$100,000 Canyon Connector Trail (RAPZ); \$30,000 Bridger Park Parking Lot (RAPZ); \$30,000 Park Avenue Connector Trail (RAPZ); \$50,000 Soccer Sports Complex Trail Paving (RAPZ); \$40,000 Trapper park Playground (RAPZ) \$84,863 2016 RAPZ Tax Municipal Population Allocation: \$600 grant received from EDCUtah Community Match Grant Program for reimbursement on travel and training for professional economic development; \$3,000 grant received from EDCUtah Community Match Grant Program for marketing purposes related to economic development - Resolution 16-39

At the July 19, 2016 Council meeting, Finance Director Richard Anderson addressed the Council regarding the proposed budget adjustments.

Chairman Olsen opened the meeting to a public hearing.

There were no comments and Chairman Olsen closed the public hearing.

Vice Chairman Daines asked regarding the \$100,000 for the Canyon Connector Trail and the \$30,000 for the Park Avenue Connector Trail. Is this funding for planning and design?

Parks & Recreation Director Russ Akina responded for the Canyon Connector Trail the \$100,000 will help with construction. For the Park Avenue Connector Trail, it will also help with construction. Construction on both projects will begin Spring 2017.

ACTION. Motion by Vice Chairman Daines seconded by Councilmember Jensen to **approve Resolution 16-39** as presented. Motion carried unanimously.

**(THE PUBLIC HEARING STARTED AT 6:02 p.m.) PUBLIC HEARING –
Consideration of a proposed resolution approving the Property Tax Rate for FY
2016-2017 – Resolution 16-42**

Chairman Olsen opened the meeting to a public hearing on a proposed resolution approving a tax rate of 0.002246 in excess of the certified tax rate for 2016.

Sheldon Miller, President of the Friends of the Logan Library addressed the Council. He said their purpose is to support the Library in their mission. He said it was his understanding that the property tax increase would be used in part to help fund the creation of the new library. He said Logan has never had a new Library and he feels we need one at this time. He feels the key to providing information is with the library. The current library has infrastructure problems that need to be addressed and he feels a new library is needed for Logan.

Bronwyn O'Hara addressed the Council. She asked if the City purchased the Coppermill building and was that the original place where the library was going to be.

Mayor Petersen responded yes, the City purchased the Coppermill building and it will not be used for a future library but will instead be used for commercial purposes. The City is in the process of finding a commercial developer who will bring retail into the Coppermill building location. It will not be the City's project but will be sold to an approved developer.

Councilmember Simmonds added that sometimes the City acquires property and issues a request for proposal (RFP) for developers or architects to come in, take the project, buy the building and do what we conceptualize might be a good use for the structure.

Ms. O'Hara asked if anyone on the City Council profited when the Coppermill building was sold.

Mayor Petersen responded none of the City Councilmember's had a financial interest in the Coppermill building.

Ms. O'Hara asked if the current library will be razed and will there be a new structure on that property.

Mayor Petersen responded not necessarily and it's unlikely that a new library would be built on the exact footprint of the current library because doing this would mean the library would have to shut down while a new library is built. A new library location has not yet been determined.

Ms. O'Hara said the current library location is close to bus routes, post office, downtown, etc and she asked if it will be located in the downtown area.

Mayor Petersen responded a new library will be located somewhere in the downtown area.

Councilmember Simmonds explained the City owns property from 200 North to 300 North which is called the "City Block", with the exception of the post office. The current library would most likely be razed and there are several other locations that are being considered within the downtown core which is where the library would like to be located. It would probably cost the City two-thirds as much to repair the current library as it would be to build a new library.

Vice Chairman Daines said everyone needs to realize that the proposed tax increase to benefit the library does not necessarily mean we are building a new library. The funding could be used to remodel the existing library and a decision has not been made at this time.

Councilmember Simmonds explained if the tax increase is approved, the money will be held in a separate account for the purpose of a new or remodeled library.

Mayor Petersen explained there are two property taxes. One is a general property tax and the other is a library property tax. What is being proposed is a library tax increase and every cent of that money will be used for the library.

Tom Horlacher addressed the Council and expressed his concern with the proposed tax increase. He feels the City is always trying to do the biggest and best improvements and in some cases he feels it's frivolous. He asked, whose City is it and do we want to spend more money on these things. He is concerned about the ever increasing taxes and said Logan City is by far the worst for high taxes. He would like the Council to consider carefully what they do.

Joseph Anderson, librarian in charge of the adult nonfiction and reference services division at the Logan Library, past president of the Cache Valley Library Association, and author of a paper on the history of Cache Valley libraries which has been cited previously by local elected officials addressed the Council and read the following:

Council members and Mayor Petersen, thank you for the opportunity to share my feelings about the proposed property tax increase to fund a new library building. It's probably not a surprise that I'm in favor of the increase. But let me tell you why.

From what I've heard (and you may already know), the current library building is around 80 years old. It has been renovated, added onto, and changed many times over the years. It was apparently first a dance hall. Then it became a Sears store for several decades. In the mid-1980s it was turned into the home of Logan City and the library. Sometime after that, an addition was constructed onto the north side of the building. In 2009, the City left to take up residence here in the converted City Hall.

My colleagues at the library do amazing work. With a strong commitment to information, education, literacy, intellectual freedom, and recreation, they work to improve the quality of life for us, our children, and our neighbors by providing access to great ideas, great art, and community interaction. Alongside large and relevant book collections which continue to be popular, you will find movies, music, newspapers, magazines, electronic books, powerful online databases, computers, tablets, and laptops, maps, flags, and more, all carefully curated by passionate, professional, and highly educated library workers who love to help. Add to that list of services story times, summer reading programs, and technology classes, and you'll agree with me that our library is a potent and crucial community resource. The tens of thousands of Logan Library users attest to this.

Unfortunately, however, we cannot say that the library building will serve Logan citizens well into the future. I have worked at the library for 8 years and in my time I have seen multiple roof leaks (including one that came down on the books I oversee and caused more than \$1,600.00 in damage) and multiple basement floods. One of the most recent and obvious problems with the building has been the air conditioning breaking down and not working for the better part of June and July this summer. As I understand it, there were multiple issues from the roof to the basement that caused the aging system to fail and require repair. And this isn't the first summer outage we've experienced. Other major issues include the need for carpet and window replacement, and inconvenient parking. Inadequate space for library programs or events is also a problem (an example: one of the popular events I'm involved with is Helicon West, a longstanding community featured reader & open-mic series. When well-known authors are scheduled or USU professors ask their students to attend, our largest meeting room overflows). We were thankful for the extra space in 2009, and made do as best we could, but the building layout and design is now confusing, obstructive, and difficult for the disabled and elderly to use. In my opinion, the large funds that would be needed to fix these many problems (I've heard estimates in the millions) would be better used constructing a new library in the heart of the city. Logan and its citizens have not funded a completely new library building since 1932! Pardon the pun, but it's overdue.

As a resident of Logan, I'm thankful for the tax-funded services the city provides to me and my family. First responders, garbage and recycling collection, streets and light crews, parks and rec, and the poet laureate make Logan a great place to live. Sensible taxes are rightly used to better the lives of all residents. It's time for a new library tax to fund a new building that will take us into the future and indicate our community's commitment to the intellectual life of all its citizens.

I urge you to pass the tax increase for a new library building. Thank you.

Karen Clark, Assistant at the Logan Library addressed the Council. Ms. Clark stated that she has worked at the library for the past 18 years. She said the patrons need a new library especially the elderly who frequently use the library. Also, young families who have grown up coming to the library throughout the years. She said most recently the library needs air conditioning in the summer and better heating in the winter. She urged the Council to approve the tax increase and to help the patrons.

Logan City resident Nelda Ault-Dislin addressed the Council. She spoke on behalf of a community group that frequently uses the library. She oversees the Cache Refugees and Immigrant Connection which is a small non-profit group and they use the library twice each week to help immigrants with job applications and other needs. She asked the Council to approve the tax increase for the library.

Logan resident Joe Tennant addressed the Council. He asked what other tax or fee increases are coming to Logan citizens in the future.

Mayor Petersen responded there will not be any further tax increases coming this calendar year. The new wastewater treatment plant will be a substantial rate increase but that could happen as late as 2018. Mayor Petersen feels we can operate the new landfill at the present level of costs although there could be some incidental fees that increase.

Finance Director Richard Anderson said the most substantial increase will be the wastewater treatment facility and we are at least 8 months or longer from a rate increase at this time.

Mayor Petersen said the last property tax increase was in 2010.

Vice Chairman Daines added that Logan City doesn't however control the County and they have increases, one of which is the school bond that voters recently approved.

Mayor Petersen explained Logan City's property tax represents about 15% of a residents total tax bill. The proposed property tax increase on a residents total tax bill is less than 1% increase in the total property tax.

Mr. Tennant further stated that he doesn't feel that our government does anything with just a stroke of the pen and most of the action items that have been approved tonight have been thoroughly discussed including the property tax increase. He is in favor of the library and agrees with Councilmember Daines in that there are a lot of other increases coming in the future. He isn't sure a new library is the right direction but the existing library doesn't seem to be working either. He ultimately supports the library tax increase.

Robert Shupe, Logan Library Director addressed the Council. He referred to the following library usage information.

During the month of June there were 86, 918 items checked out of the library in a one month time period.

There were 23,329 visitors that came through the library during the month of June.

Collection was 228,119 during the month of June and if items do not circulate they are taken out.

He stated that five years ago he traveled from Arizona to Logan to apply for the position as Library Director. During his interview he asked the question, what was the priority for

the new Library Director and immediately the answer was, help us build a new library. He supports the tax increase and feels that Logan is in need of a new library.

Noelle Call, Chairman of the Logan Library Board addressed the Council. She not only serves on the Library Board and she also volunteers at the library and she gets to see the many changes and needs of the library. There isn't enough space for the many things the library has to offer and she feels a new library will meet those needs and will add more space for the patrons.

Logan resident Cordell Henrie addressed the Council and asked does the current funding meet the needs of the library.

Mayor Petersen responded a rate increase was approved several years ago because we didn't have enough funds to meet the operational needs of the library. He feels that the library is underfunded but the proposed tax increase is not for operational expenses and would only be used for capital construction. A new library would cost approximately ten to twelve million dollars but a final cost has not yet been determined. The proposed increase will support a two million dollar loan and the proposed increase will repay the loan over eight years. The library fund has one million dollars in their capital project budget and there are other funds in the City that would bring us to about eight million dollars. The proposed tax increase is the base of the pyramid for funding and is absolutely critical to moving forward. The additional three million dollars needed would be obtained by going to external donations. He feels it's unlikely that in eight years the library tax would be rescinded.

There were no further comments and Chairman Olsen closed the public hearing.

Councilmember Simmonds commented that she has received several emails and most were supportive of a new library and of the tax increase. She said if we think carefully and if we think about this being the foundation of the pyramid for us to be able to build a new library without adding any additional taxes onto the citizens, she feels it's a worthwhile expense. She said that adding taxes at any time is not easy and is not done recklessly or without a lot of thought and questions. She feels the fundamental purpose for which this proposal was presented is a sound foundation for us to create the possibility for a new Logan Library in the future.

Councilmember Needham said he is in favor of a new library and in favor of a remodeled library. He said a new library would be about the same size as the current library and there are a lot of structural problems that go back for many years with the current library. In looking at the remodeling plans that were furnished 10 years ago by Design West and updating the costs into today costs, he personally feels that we could remodel the current library for five-six million dollars. He would vote that the Council go with the lesser amount. He feels it's nice to have new but a lot can be done in the way of remodeling with five-six million dollars.

Councilmember Jensen responded to Councilmember Needham and said we all agree that money needs to be spent, the question is how much. To remodel the library he's heard estimates of seven-ten million dollars. His firm was the architect for the current library 30

years ago and he feels the building has seen its purpose and it was a patched building at the time the City took it and was a patched building before that time. If we are going to spend seven or more million dollars and still have an old building then wouldn't it be better to invest in something that functions properly. He also feels the current library property is better served as a commercial use and to put that property back on the tax rolls to generate tax revenues for the City which would help pay for the library. We have several site locations that would be publicly owned so we don't need to buy the land. The current firm he is working for was just awarded the Weber County Library remodel and they wanted to continue to occupy the library during the twelve million dollar remodel. After four bids to try and work it out, they abandoned the idea of trying to stay in the building during the remodel and will shut down the library for a year or two while it's under construction. You can't remodel a building due to dust, noise, safety concerns, etc and remain open to the public. He feels a library is something people look for if they want to relocate a business or want to live in Logan. He has fallen in love with the library over again and feels that people that don't value libraries are missing something.

Chairman Olsen noted the concerns from resident Joe Tennant and Tom Horlacher regarding the proposed tax increase. He has also received a lot of public input on this issue in support of a new or remodeled library. A library can have a large impact on a community and is a signature statement for Logan City to have an end project of which we are proud. It can also propel our children and grandchildren into a learning age they deserve.

Mayor Petersen confirmed that all we are doing is creating a revenue stream for a new or remodeled library.

Vice Chairman Daines said a decision hasn't been made but she agrees that either way, money needs to be invested into the library.

Councilmember Needham recommended that further searching be done to see what we might save if we remodeled versus going new. He is not convinced that we should build a new library and more needs to be done to make that determination.

Vice Chairman Daines responded that the Council has looked at various potential sites for a new library and we are getting bids.

Vice Chairman Daines said with this proposed tax increase, some people are not aware that it's for a new library. She isn't sure there has been as much public input as to the specifics as where and how much for a new library. She sees this as a first step.

ACTION. Motion by Councilmember Simmonds seconded by Councilmember Jensen to **approve Resolution 16-42** as presented. Motion carried unanimously.

PUBLIC HEARING – Consideration of a proposed resolution adopting the Final Revenues and Expenditures Budget for FY 2016-2017 in the amount of \$149,276,364 – Resolution 16-43

Chairman Olsen opened the meeting to a public hearing.

There were no comments and Chairman Olsen closed the public hearing.

Councilmember Simmonds commented that the proposed budget is flat. Internal allocations and retirements have allowed for a small pay increase for City employees. She feels very confident this is a good budget.

Councilmember Jensen commented that he feels Logan City is very well managed. We have great department heads and we do a lot with the budget we have.

ACTION. Motion by Councilmember Simmonds seconded by Vice Chairman Daines to **approve Resolution 16-43** as presented. Motion carried unanimously.

PUBLIC HEARING - Code Amendment – Consideration of a proposed ordinance amending Chapter 10.60 of the Logan Municipal Code “Vehicle Weights and Class Limitations” adding Section 10.60.020, 100 North – Restricting Commercial Vehicles on 100 North from Main Street to 100 West – Ordinance 16-22

At the July 19, 2016 Council meeting, Public Works Director Mark Nielsen addressed the Council regarding the proposed code amendment. The area is Main Street 100 North and the issue is cars are driving across the bulb-out and there are concerns about the safety of pedestrians who are standing on the bulb-out waiting to cross the street. There has been a request to place bollards along the area of the bulb-out. In order to do this, UDOT has said that truck traffic will have to be restricted from Main Street going West on 100 North. UDOT will not mandate that the corner be changed unless bollards are placed on the bulb-out corner and if bollards are placed, there must be truck restriction. He will verify with UDOT on whether or not the bulb-out could be moved back if the bollards are not there. The standard for bollards is they cannot be fixed within a clear zone. The plan is to put a concrete bollard that will sit on the concrete and if something heavy hits it then it will cause some damage and if something really heavy hits the bollards they will push back. The bollards would be a visual deterrent for drivers so they don't drive over the bulb-out and will help keep pedestrians safe. A car or a regular pickup truck can easily make a turn on this corner with no problems. The restriction would be for a UPS type truck, bus or semi-truck where they cannot make a turn without going into the other lane of traffic.

Chairman Olsen opened the meeting to a public hearing.

Bryce Bosworth, owner of U&I Furniture addressed the Council. He loves his location on 100 North. He is in favor of improving the downtown and feels what Cache Valley Bank has done is great and he appreciates it very much but, when it starts affecting his business he has an issue. He is in commercial vehicles everyday and does not feel that the bulb-outs are functional. He's also had customers who have raised concerns about the bulb-outs. He doesn't want more restrictions on 100 North and he does not support the idea of bollards being placed on the corners. He said there are several trees in downtown Logan that have not been trimmed and have damaged his building and the sign above his

business. There are semi trucks that travel on 100 North and other trucks are commercial size.

City Attorney Housley clarified there are restrictions on Center Street with semi trucks because the neighborhood did not want truck noise.

Logan resident Tom Horlacher addressed the Council. He said the bulb-outs are confusing and feels that people will avoid this area because of the bulb-outs. He feels Logan is not business friendly and it would be better money spent to put the curbs back where they were and have fewer restrictions and fewer ordinances. He also feels that trees in the downtown block signs and they should be better taken care of and trimmed.

Logan resident Larry Brown addressed the Council. He said the City can install curbs, lights, and signs but he feels the 100 North intersection will still be less safe. He agrees that it's great to make beautification efforts but he also feels the bulb-outs are a safety issue and the corners should go back to the way they were. He also suggested that the City reconsider other bulb-outs being proposed in other locations.

Vint Larsen, owner of Al's Trophies on 100 North addressed the Council. He does not support the proposed restrictions on 100 North and asked why we continue to restrict traffic on 100 North. He said Cache Valley Bank is wonderful and he likes and appreciates everything they have done to make improvements but does not support the proposed restrictions and bulb-outs.

George Daines, representing Cache Valley Bank addressed the Council. He said the plan with the bollards was given to Logan City and UDOT four years ago. Since that time, leadership has changed with both organizations but the plan for the bollards has remained the same. He said cars are driving across the bulb-outs and there is a safety concern for pedestrians. The problem can be addressed by placing bollards on the corner. If the bollards don't go in then the safety concern has to be addressed and he isn't sure who would be responsible for the cost of removing the bulb-outs. He is reluctant to go back to the bank and tell them that the corners need to be redone but he is also mindful of the concerns and we cannot leave the corners the way they are now. The design that was approved by the City was to calm traffic and reduce the speed of traffic going down this side street. He feels this is going to be a City problem and not a Cache Valley Bank problem.

Chairman Olsen said the problems that Cache Valley Bank and the business owners have identified are legitimate concerns and the Council will have to decide what to do. He feels a decision regarding this ordinance should be postponed until more information can be obtained.

Mr. Daines suggested it should go back to the City design team for further review. He also suggested that the temporary red cones should remain in place on the bulb-outs until there is a solution.

Mr. Bosworth informed the Council that City crews are planning to resurface 100 North this week and he suggested that it wait until the bulb-out issue is resolved.

Logan City Street Manager Jed Al-Imari confirmed that the street is scheduled to be resurfaced this week from Main Street to 50 West along 100 North. He said this project has been scheduled for several months. He will contact Whitaker Construction and UDOT and see about the possibility of canceling/delaying the resurfacing project.

Mr. Housley suggested that the Main Street portion can still be completed and wait on going down 100 North.

There were no further comments and Chairman Olsen closed the public hearing.

Mr. Al-Imari said there are five options for 100 North which are to place bollards where the temporary cones are currently, move the bollards back from the traffic lane, remove the bulb-outs, restrict the turning lanes which, was not favored by City staff or by UDOT. The last option is to do nothing and he does not feel that is a very safe option. Mr. Al-Imari and Public Works Director Mark Nielsen met with most of the business owners along 100 North regarding the five options.

Mayor Petersen said the primary concern seems to be making a right hand turn from Main Street. Would there be any consideration of only having one bulb-out removed on the North and leaving the South bulb-out.

Mr. Al-Imari said the reason for the bulb-out is to shorten the distance for pedestrians to cross the street. He feels that if the decision is to remove the bulb-out that both should be removed and not just one.

Vice Chairman Daines recused herself from the discussion due to her association with Cache Valley Bank.

Councilmember Jensen said there are several priorities with this issue. We can't have pedestrians in an exposed area where someone can get hurt. We don't want people to avoid 100 North because of the restrictions or safety concerns. It doesn't work the way it is now and most likely the City should pay for the removal of the bulb-outs.

Mr. Daines stated that Cache Valley Bank put up video cameras for a three week time period to monitor the intersection. This information has been shared with UDOT and Public Works and it was determined that temporary bollards should be placed on the corners until another solution could be addressed.

Councilmember Simmonds stated the only proposed restriction on 100 North would be for a certain sized truck turning right from Main Street onto 100 North and going West.

Councilmember Jensen said he is not comfortable with nothing being done because there is a problem.

ACTION. Motion by Councilmember Jensen seconded by Councilmember Needham to **continue Ordinance 16-22 until further review of the options** as presented. Motion carried 4-1 (Daines abstained).

Mayor Petersen stated he will meet with Jed Al-Imari tomorrow morning regarding the options and the issue of delaying the street resurfacing project.

WORKSHOP ITEMS:

Deer Pen Rezone – Consideration of a proposed rezone of 33 acres (Deer Pen) from Public (PUB) to 23.42 acres of Recreation (REC), 8.63 acres of Neighborhood Residential (NR-4) and 1 acre of new public roads – Ordinance 16-25 – Mike DeSimone, Community Development Director

Community Development Director Mike DeSimone addressed the Council regarding the proposed Deer Pen Rezone. The proposal is to rezone approximately 32 acres from Public (PUB) to 23.42 acres of Recreation (REC) and 8.63 acres of Neighborhood Residential (NR-4). The NR-4 area will be developed with a 22 lot residential subdivision while the areas zoned as Recreation will become formally incorporated into the Logan Parks & Recreation system.

The proposed Deer Pen Subdivision is located adjacent to Aspen Drive and 1500 North. The proposal is to create a total of 22 residential lots, eight of which are accessed off of Aspen Drive, five of which are accessed off 1500 North, and the remaining nine will be accessed off of a new cul-de-sac, Sharptail Circle. The lots range from 13,700 square feet up to 26,692 square feet in size and are compatible with surrounding neighborhoods. The proposed lots meet the minimum sizes, densities, and dimensions for new development in the NR-4 zone. The lots fronting onto Aspen Drive will have some significant slopes to deal with when they are developed, while a high voltage power line is located between Lots 14 & 15. The remaining acreage may be incorporated into one or two additional parcels, or remain as residual acreage. The project is consistent with the intent and technical requirements of the Neighborhood Residential (NR-4) as these lots meet minimum frontage, size and dimensional requirements.

Staff recommended that the Planning Commission consider the following:

1. Recommend approval to the Council for a rezone of approximately 32 acres from Public (PUB) to 23.42 acres of Recreation (REC) and 8.63 acres of Neighborhood Residential (NR-4)
2. Conditionally approve a Subdivision Permit for Project #16-030, Deer Pen Subdivision, in the Neighborhood Residential (NR-4) zone located adjacent to 1500 North and Aspen Drive, creating 22 residential lots and potentially two (2) residual lots for future park space.

On July 14, 2016, the Planning Commission recommended that the Municipal Council approve the Rezone of approximately 32 acres from Public (PUB) to 23.42 acres of Recreation (REC) and 8.63 acres of Neighborhood Residential (NR-4). The boundaries of the proposed rezone follows the 22 lot preliminary plat also approved by the Planning Commission on July 14, 2016.

Mr. DeSimone said the subdivision has been conditionally approved pending approval of the rezone.

Vice Chairman Daines said the Planning Commission recommended that the Council consider some possible covenants on these properties. She received an email this afternoon stating that property had been purchased in the Deer Pen area and there were 51 pages of Covenants, Conditions and Restrictions (CC&R). If this new subdivision is surrounded by an area that is unrestricted then maybe it doesn't make sense. But, if there are CC&R's on the surrounding Deer Pen Subdivision, she would be interested to know what those are and maybe this is something we need to put in place.

Chairman Olsen added that the property owner who received the 51 pages of CC&R's felt this actually enhanced their property and market value because it allowed people who purchased those lots to understand what the parameters and limitations would be in the Deer Pen area.

Mr. DeSimone said staff's preference is not to have any CC&R's but to sell the property as a whole.

Vice Chairman Daines stated if the property is sold to a developer, they would have to manage the CC&R's.

Mr. Housley stated that Council has the ability to give recommendations to the Mayor of any restrictive covenants they would like to see. The Council is only making the zoning decision and cannot do conditional zoning. But, as the property owner we could voluntarily place restrictive covenants on the property before we sell. The challenge is that we aren't even sure how it's going to be developed. There is no opposition to making sure this is a nice development. Procedurally, he is not sure that the Council at this level of the rezone can add restrictions but the Council could make suggestions on what they would like to see and that can be added to the Request for Proposal.

Councilmember Simmonds asked where the decision rests as to whether this is sent out for bid to a developer or handled lot-by-lot within the City.

Mr. Housley responded this is an administrative function and obviously the Mayor will take input from the Council but disposition of property is a Mayor function.

Mayor Petersen stated that he would like input from the Council.

The proposed ordinance will be an action item and public hearing at the August 16, 2016 Council meeting.

Text Amendment – Consideration of a proposed request to amend the Land Development Code Chapters 17.46, 17.47 and 17.62 to define minor subdivisions and the review process for minor subdivisions – Ordinance 16-26 – Mike DeSimone

Community Development Director Mike DeSimone addressed the Council regarding the proposed text amendment. The proposal is to amend the Subdivision review process to provide an administrative review track for Minor Subdivisions involving three or fewer lots without any new road construction. The intent is to review these types of minor actions administratively rather than sending them through the Planning Commission

process. This proposal is similar to the Track 1 versus Track 2 Design Review Permit process and would help streamline the smaller, less controversial types of activities while reducing the overall costs associated with this type of project review. The one difference is that the public notice component was not eliminated, so the City will still notify surrounding property owners of the pending subdivision. Finally, this proposal does not modify or eliminate any of the existing subdivision or access standards.

Staff recommended that the Planning Commission recommended approval to the Municipal Council for the following amendments to the Land Development Code: Sections 17.46 (Permit Authority), 17.47 (Subdivisions), and 17.61 (Definitions).

On July 14, 2016¹, the Planning Commission recommended that the Municipal Council approve the amendments to the Land Development Code.

Councilmember Simmonds asked if notice go out before a decision is made.

Mr. DeSimone responded yes, noticing will go out before a decision is made.

Councilmember Simmonds also referred to Exhibit A regarding the Application Review Standards, Track 1 Director and Track 2.

Mr. DeSimone responded that no changes will be made to 17.50. It will clarify that currently we have 2 tracks in 17.50. The language in Track 1 says the Director or the designee shall be the Administrative Body for minor design review projects.

Councilmember Simmonds asked how this streamlines the change so it doesn't go to the Planning Commission for subdivisions.

Mr. DeSimone responded the process would be for three lots or fewer.

Mr. Housley said this is important because we don't want to give the illusion that there's discretion when there isn't. This is only applicable to someone who meets every requirement and there are no exceptions and they can go forward. If it goes to the Planning Commission, it gives the neighborhood the illusion that the Planning Commission could somehow deny it when, the reality is that if it meets every code requirement we put in place, they don't have any discretion but to approve it. Larger subdivisions will have more discretion.

Mr. DeSimone referred to the proposed language in 17.47.040 (A) (3) it states; the Director may refer minor subdivision applications to the Planning Commission (Track 2 at his or her discretion where the application does not clearly demonstrate compliance with the applicable standards and criteria of Title 17).

Councilmember Jensen disclosed that he is anticipating subdividing part of his personal property and asked if he should recuse himself from voting on this proposed ordinance.

Mr. Housley responded this is a legislative decision and almost every decision the Council makes affects them as a citizen of Logan. It only applies if the Council is making

a decision that would specifically impact them personally, where this impacts anyone who is going to subdivide. It's fine for Councilmember Jensen to declare this information and if he feels that he can't be fair and impartial as the Council deliberates then he can recuse himself but it's not mandated because it's a legislative decision that applies to everyone equally.

The proposed ordinance will be an action item and public hearing at the August 16, 2016 Council meeting.

South Gateway Rezone – Consideration of a proposed request to rezone 68 parcels from Gateway (GW) to Industrial Park (IP), Commercial (COM) and Recreation (REC) – Ordinance 16-27 – Mike DeSimone

South Gateway Future Land Use Plan (FLUP) – Consideration of a proposed request to amend the Future Land Use Plan (FLUP) Map to replace Gateway with Industrial, Commercial and Recreation and includes designating and zoning Trapper Park as Recreation on the FLUP and Zoning maps – Ordinance 16-28 – Mike DeSimone

South Gateway Code Amendment – Consideration of a proposed request to amend the Land Development Code Section 17.28 defining the South Gateway Overlay Zone – Ordinance 16-29 – Mike DeSimone

Community Development Director Mike DeSimone addressed the Council regarding the proposed South Gateway Rezone.

This proposal is to amend the Future Land Use Plan (FLUP) designations on 70 parcels of property from Gateway or Rural Reserve to either Industrial, Commercial, or Recreation, rezone the same parcels from Gateway to either Industrial, Commercial or Recreation, and amend the Land Development Code to create a South Gateway Overlay Zone to replace the Gateway Zone along Highway 89/91. The South Gateway Overlay Zone would originate at the Union Pacific Railroad right-of-way (east of Park/1700 South intersection) southwest along SR 89/91 to the 2200 South/SR 89/91 intersection, and would extend 300' from either side of the highway. The proposed FLUP and Zone changes also include Trapper Park which was recently annexed into Logan City. The proposed code amendment language in Section 17.28 defines the overlay zone's boundary, the general site design and development standards, and the range of permitted and/or prohibited uses.

Staff found that the proposed amendments will enable Logan City and landowners within the gateway corridors to explore a wider range of different land uses with more of a focus on site design, building form and building design rather than limiting the range of uses to a point where very little is permitted.

Staff recommended that the Planning Commission recommend approval to the Municipal Council for the following:

1. Amend the Future Land use Plan Map changing the identified parcels from Gateway (GW), Resource Conservation Area (RCA), and Rural Reserve (RRA) to Industrial (I), Commercial (C), and Recreation (REC).
2. Rezone the identified parcels from Gateway (GW) to Industrial (I), Commercial (C), and Recreation (REC); and
3. Amend the Land Development Code Section 17.28 creating the South Gateway Overlay Zone.

On July 14, 2016, the Planning Commission recommended that the Municipal Council approve the above.

Vice Chairman Daines said in reading through the information it stated that a chain link fence was restricted for 100 ft. of the setback. She would like to restrict to the entire 300 ft. setback. She feels there are other options for fencing and chain link is not attractive in a Gateway Zone.

Mr. DeSimone stated he will make the change Vice Chairman Daines proposed.

Councilmember Simmonds stated the current code requires parking in the rear of a structure. She asked why then would it be stated that parking and loading facilities shall maintain a setback of 100 ft.

Mr. DeSimone responded there are situations, depending on the nature of the property but the intent is to put parking on the side or rear of the structure.

7:45 p.m. Councilmember Jensen was excused from the meeting.

Councilmember Simmonds also suggested that the setback for outdoor storage be changed to a minimum setback of 100 ft. instead of 75 ft.

Mr. DeSimone stated this can be changed as well.

The proposed ordinances will be action items and public hearings at the August 16, 2016 Council meeting.

Budget Adjustment FY 2016-2017 appropriating: \$32,916 to reduce the CDBG budget to match the final award letter from HUD – Resolution 16-45 – Richard Anderson, Finance Director

Finance Director Richard Anderson addressed the Council regarding the proposed budget adjustment.

The proposed resolution will be an action item and public hearing at the August 16, 2016 Council meeting.

OTHER CONSIDERATIONS:

Chairman Olsen commented that he has received at least three comments from business owners who have stated they appreciate Logan City working with them on various issues.

ADJOURNED to meeting of the Logan Redevelopment Agency

Chairman Olsen welcomed those present. There were approximately 10 citizens in the audience at the beginning of the meeting.

ACTION ITEM:

PUBLIC HEARING – Consideration of a proposed resolution approving the Final Redevelopment Area Budget for FY 2016-2017 in the amount of \$4,446,305– Resolution 16-44 RDA

Chairman Olsen opened the meeting to a public hearing.

Kandice Longhurst addressed the Council regarding the proposed budget. She heard from a friend that the Merlin Olsen Park ice skating rink would be turned into a professional ice skating rink and she is concerned about this happening. She frequently uses the tennis courts and basketball area and would hate to see this taken away to make room for an ice skating rink and parking.

Vice Chairman Daines stated at one time there was a discussion about the basketball and tennis courts area being used for the purpose of an ice skating rink.

Mayor Petersen responded the area where the basketball court is located now is going to be redone this fall and pickleball courts will be located there. It will have the capacity in the wintertime to be used as an ice skating rink and will be for public use.

Ms. Longhurst said she received a letter from Parks & Recreation Director Russ Akina informing her there would be no tennis courts. It seems to her that there is a personal agenda to move forward with making this area into a professional ice skating rink and this concerns her.

Mayor Petersen said the notion that there will be a professional ice skating rink is not correct and it will be a public ice skating rink/pickleball area. He invited Ms. Longhurst to meet with himself and Russ Akina to talk about her concerns.

There were no further comments and Chairman Olsen closed the public hearing.

ACTION. Motion by Vice Chairman Daines seconded by Councilmember Simmonds to **approve Resolution 16-44 RDA** as presented. Motion carried unanimously.

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

Teresa Harris, City Recorder