

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, July 18, 2017 at 5:30 p.m. in the Logan City Municipal Council Chamber, 290 North 100 West, Logan, Utah. Chairman Holly H. Daines conducting.

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

Chairman Daines announced that a closed session was held prior to the regular council meeting to discuss possible property acquisition.

Chairman Daines welcomed those present. There were approximately 46 citizens in the audience at the beginning of the meeting.

OPENING CEREMONY:

Mayoral Candidate and Chairman Holly Daines gave the opening thought and led the audience in the pledge of allegiance.

Meeting Minutes. Minutes of the Council meeting from June 20, 2017 were reviewed and approved with minor changes.

ACTION. Motion by Councilmember Olsen seconded by Vice Chairman Jensen to **approve the June 20, 2017 minutes and approve tonight's agenda.** Motion carried unanimously.

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

Chairman Daines announced Ordinance 17-09, Code Amendment to Logan Municipal Code Section 5.20 regarding Mobile Food Vendors has been continued to the September 5, 2017 Council meeting. She also announced that developer, Trent Cragun has withdrawn the Garden Park Apartment project.

Meeting Schedule. Chairman Daines announced that regular Council meetings are held the first and third Tuesdays of the month at 5:30 p.m. The next regular Council meeting is Tuesday, August 1, 2017.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL:

Logan resident Bill Bower addressed the Council and expressed his concern of a recent incident that occurred near his home and he feels the police department should be more responsive when things are reported.

Garth Barker addressed the Council regarding the Mobile Food Vendor ordinance.

Chairman Daines responded that the Mobile Food Vendor ordinance has been continued to the September 5, 2017 Council meeting.

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

MAYOR/STAFF REPORTS:

Updates on Projects/Issues – Teresa Harris, City Recorder

Teresa Harris reported the following information regarding the upcoming Primary Election.

July 17 – Last day the County Clerk’s office will accept mail-in voter registration forms for the August Primary Election

July 21- By-mail ballots will be mailed in registered voters.

August 8 – Last day the County Clerk’s office can register voter’s in-office for the August Primary Election.

The Primary Election Day is August 15.

Ballots must be postmarked by August 14 or voters can bring their ballots to City Hall on August 15 until 8:00 p.m.

There will be one Voter Assistance Center on Election Day at City Hall open from 7:00 a.m. to 8:00 p.m. There will be no other polling locations.

Election results will be announced after 8:00 p.m. on August 15.

Library Director Announcement – Human Resource Director Greg Cox announced that Karen Clark has been selected as the new Logan Library Director. He read a press release written by Mayor Petersen.

Karen Clark has been appointed as the Logan City Library Director, effective immediately. Ms. Clark has been the assistant director for nine years and has a total of 20 years experience in the Logan Library. She also has a master’s degree in library science.

The City received 19 applications for the director position and three finalists were invited to interview with Library Board members, library staff, City officials, and to make a public presentation. Under state law, the Logan City Library Board is designated to select the library director in consultation with the mayor. The mayor and the Board concur that Ms. Clark is an excellent choice and she has their full support.

Mayor Petersen noted that “Karen not only has long experience, she also has a real passion for the Logan City Library. She stepped in as acting director on short notice and has exhibited strong leadership and excellent inter-personnel skills. Her public presentation on 21st Century libraries showed excellent vision that will be important as we move forward on a new library.

Logan Library Director Karen Clark addressed the Council and stated that she is proud and excited to be selected as the library director and is looking forward to this opportunity.

Logan Police Satisfaction Survey – Chief Gary Jensen

Chief Gary Jensen addressed the Council and reported on a recent survey that was conducted by USU Social Science Professor Jennifer Roark and her students. At the request of Chief Jensen, Professor Roark sent out a survey regarding the public’s satisfaction with police. Through social media and a door-to-door approach, the group conducted the survey to gather information from students and non-students. Chief Jensen said students surveyed and gave the police a better “report card” than non-students. He said what came out of the survey was direction for the police department to look at some of the areas that need to be improved and what they should continue doing. Overall, he felt the survey was well conducted and is pleased with the outcome. He thanked USU for their help with the survey.

Vice Chairman Jensen asked would it be more transparent if an independent party managed the initiation of the survey.

Chief Jensen said he feels that USU conducted a very good survey and other groups are welcome to initiate a survey as well. There were approximately 1,800 people that responded to the survey.

COUNCIL BUSINESS:

Planning Commission Update – Councilmember Simmonds

Councilmember Simmonds reported on the Planning Commission meeting held on July 13, 2017. Her role as defined by the other councilmember’s is she is to be the “eyes and ears” of the City Council with respect to the Planning Commission. The Commission reviewed a project on the West side of Logan and the developer is hoping this will be an MR-12 Rezone and will be coming to the Council soon. The Commission also discussed a rezone in the Hillcrest area and corridor rezones which they will further discuss.

Chairman Daines also reported that a joint meeting was held with the Council and Planning Commission to address several topics and fine tuning of the Land Development Code. Given the recent discussion regarding the Town Center Zone and the Garden Park Apartment project, this topic will be the first priority. A working group consisting of Chairman Daines, Councilmember Simmonds and Planning Commission member’s Russ Price and Tony Nielsen will meet with staff and come up with some suggested ideas and then an informal public workshop will be held where all those interested can attend and

provide input. After those two meetings, there will be formal language drafted which will go the Planning Commission and then to the City Council for implementation.

Councilmember Simmonds said one of the challenges we have as a City is zoning ordinances are law and people rely on these ordinance in order to move forward completing their projects. For the working group to have a careful and considered conversation about a particular zone, puts the Council in an awkward position because there is language on the books and if we want to change that language/law it has to go through a process. That is why the working group and the informal meeting will be held soon as to not impede the process.

Update: Adams Neighborhood Parking Issues – Councilmember Simmonds

Councilmember Simmonds reported that the Parking Committee met on July 15 and discussed/proposed the following:

Campus area restrictions to be created as follows:

1. The following areas are to remain as they are currently
 - a. Hillcrest (already signed)
 - b. The area of campus residential East of 600 East between 400 North and 1000 North (already signed)
 - c. The East side of 600 East from 400 to 1000 North (already signed)
2. The following areas are to be added with additional restrictions
 - a. From the West side of 600 East to and including the West side of 500 East and all connecting streets from 400 to 1000 North, excluding the block in front of Adams Park.
 - b. From the East side of 750 East to and including the West side of 500 East and all included streets from 1000 to and including the North side of 1200 North.

Restricted parking signage will read:

Residential Permit Parking Only

24/7

August 1 – May 31

Additionally, the committee would like to have both sides of 600 East between 1000 North and 1100 North red curbed.

The committee also discussed the parking issues at the Unitarian Church on 900 North 600 East. The committee is sensitive to the fact that there are individuals coming and going at the church and there is limited parking because of the Factory apartments. The committee proposed to give the Unitarian Church additional residential parking passes which they can distribute. The committee has also learned there have been some instances where people are selling their residential parking permits and they are finding the cars parked blocks away. Because of this, the permits will now include the person's address and if it's determined that people are abusing the permit system, the committee will revisit the issue again and include the help of Police Chief Jensen in that process.

Parking committee member Keith Schnare added the permits have already been printed for this year but next year the permit will have the wording of Guest Permits and not Residential Permit so the people who actually live in the home can park in their own driveway and people who visit will have a guest permit to park in front of the home.

Chief Jensen said there are two separate permits that residents will be given. One that hangs from the mirror and the second permit will be given as a guest permit and that is what's being done this year. Next year, the wording can be revisited. The residents address will also be printed on the permit along with the ordinance.

Chairman Daines asked for a head nod from the Council regarding the proposed recommendations from the Parking Committee. Neighborhood residents Nyman's and Frank Stewart have stated they support the proposed changes.

The Council agreed to support the proposed changes.

Renewable Energy Road Map – Chairman Daines

Chairman Daines said the Council recently heard a report from the RECAB regarding a Renewable Energy Road Map. The Council would like to integrate the recommendations from RECAB and include the Power Advisory Board. She proposed having a joint workshop with RECAB, the Power Advisory Board and Council and talk about various power related issues. She will email a proposed date for the workshop and the public is also invited to attend.

No further Council business items discussed at this time.

ACTION ITEMS:

PUBLIC HEARING - Consideration of a proposed resolution adopting the Community Development Block Grant (CDBG) Annual Action Plan (Program Year 2017) for the City of Logan – Resolution 17-33

At the June 20, 2017 Council meeting, CDBG Coordinator Aaron Smith addressed the Council regarding the proposed resolution.

Application Period

The Logan City CDBG Program held an application period from February 9, 2017, to March 9, 2017. During the application period, two application workshops were offered to provide potential applications with an opportunity to learn about application requirements. City Departments and nonprofits serving low/moderate income residents were invited to make application.

CDBG Program Year 2017 Funding Recommendation

Logan City's CDBG program is estimated to receive \$432,777 in CDBG funding for PY2017. In addition, \$175,145 in previous year funding must be reallocated from completed or cancelled project. The total CDBG funding allocated in this plan is

\$607,922. The CDBG Steering Committee met on March 16, 2017, and June 13, 2017 and made the following funding recommendation:

Activity	Funding Amount
100 W Golf Course Road Corners	\$35,000
1400 N 200 E Sidewalk	\$50,000
Canyon Road Trail	\$135,588
Park Access and Mobility Improvements in Low/Moderate Income Areas	\$250,000
English Language Center Roof	\$17,500
Bridgerland Literacy Labs and Groups	\$2,000
Homebuyer Education Program	\$10,000
Whittier Center Window Construction	\$17,000
Assistive Technology Demo and Loan	\$5,000
Program Administration	\$64,196
Program Planning	\$21,638
Total Funding	\$607,922

It is recommended that any PY2017 funds awarded by HUD in excess of the estimate or any funds recaptured from any other CDBG activity from any program year will be automatically reallocated to the Canyon Road Trail up a total project funding of \$250,000.

Public Review and Comment Period

A public review and comment period regarding the proposed PY2017 Annual Action Plan runs from June 16, 2017 to July 18, 2017.

Chairman Daines opened the meeting to a public hearing.

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

ACTION. Motion by Councilmember Olsen seconded by Vice Chairman Jensen to **approve Resolution 17-33** as presented. Motion carried unanimously.

PUBLIC HEARING - ZONE CHANGE – Consideration of a proposed zone change from Neighborhood Residential (NR-6) to Mixed Residential (MR-12) of 6.17 acres for the second phase of Meadow Valley Senior Living development located at 200 West 1600 South – Ordinance 17-15

At the June 20, 2017 Council meeting, Planner Russ Holley addressed the Council regarding the proposed Zone Change. The project site consists of one vacant 5.82 acre property located South of 1600 North and West of 200 West. The irregular shaped property is relatively flat with a canal running along the East side. It is proposed that 1600 North be widened along the North boundary to match the streetscape currently developed on either side. The Family Place (community service) was recently developed on the Southeast corner of the site.

In 2008, Logan City approved the Meadow Valley project that consisted of two phases and 75 total single family homes. The zoning at that time was Single Family Residential Planned Development which allowed clustering and reduced road requirements in exchange for additional open space. Phase One was constructed with 30 single family homes. Phase two was never recorded or constructed and has since fully expired.

The applicant is proposing to construct 52 attached single level dwelling units. The side-by-side attached structures consist of unit counts between three and six. The project is designed and planned to be a 55 and older retirement community with each condominium unit sold individually. The units have a front porch, double car garage and small private back patio area. The remainder of the property is planned as common open area and landscaping. The looping street pattern has to connect onto 1600 North and one emergency connection through the Family Place project onto 200 West.

Mr. Holley added that the storm water issue will be addressed by the City's Engineering Department and the developer agreed to place a deed restriction on the property that would tie the rezone to the project itself.

Staff recommended that the Planning Commission conditionally approve a Design Review Permit and recommended approval for a rezone from Neighborhood Residential (NR-6) to Mixed Residential (MR-12), Meadow Valley Phase 2 located at 200 West 1600 North.

On June 8, 2017, the Planning Commission recommended that the Logan Municipal Council approve the proposed rezone.

Vice Chairman Jensen asked about the number of units in the project.

Mr. Holley responded the reason the MR-12 zoning is being requested is because of the setbacks. The overall density at 52 units is less than 9 units per acre. The driveways are approximately 20 ft. deep and it leads to a two car garage. The setbacks allow for more flexibility.

Chairman Daines said as we go through the adjustments to the Land Development Code, is this an area that will be reviewed in regards to the setbacks.

Mr. Holley responded there was a code amendment that was scheduled to go before the Planning Commission last week that dealt with some of the items in the MR Zone, not necessarily the setbacks but lot size and building widths.

Vice Chairman Jensen said he went and looked at Phase One of the Meadow Valley project and is impressed with the design and location of the project.

Chairman Daines opened the meeting to a public hearing.

Logan resident and Council Candidate Keith Schnare addressed the Council and read a statement regarding the proposed zone change. He asked how will occupancy be enforced to only allow 55 and older residents and if they can't be enforced, there will be

another opportunity for Logan to turn into a blighted, densified area. He also said that MR-12 Zones are located near employment centers and allow residents to be within walking distance of various services and none of these are within walking distance of the Meadow Valley project. He asked about fire and EMS response time to this location and with retired, older residents living in the area, they have a greater need for fire and EMS services and there is not a fire station near this area. He said it really concerns him that there were no dissenting votes from the Planning Commission on this project. For the reasons stated, he asked the Council to leave the zoning as MR-6.

Chairman Daines clarified that Fair Housing laws allow stipulation that housing to be 55 and older in a particular development.

Craig Champlin, developer of the Meadow Valley project addressed the Council and said he disagrees with the comments made by Mr. Schnare. This is one of the most convenient areas for residents that he's ever built and people that live there now love it. He said there aren't very many properties in Logan City where a project such as this can be built in a central location. Regarding the Planning Commission request that it be changed, that decision was made on merits prior to discussing any part of the plan. They looked at the area and determined that the project makes sense. Of the other nine projects he's done, there hasn't been one that has changed from being a 55 and older residential area and he does not see that happening in the near future. The covenants and restrictions placed on the housing developments would be difficult for someone to change and most are owner occupied. It is true that the owner can rent the units but there are additional restrictions if they are rented and only two people are allowed to live in the unit and one of the residents has to be 55 or older.

Chairman Daines said she recently talked with a realtor and learned that sometimes HOA's provide a limit on the number of units in a particular development that are allowed to be rented.

Mr. Champlin responded from his experience, he knows of very few units that have been rented long term. The reason he is requesting the zone change is it allows him to do something that is economically feasible for him and is something that he will be able to sell. By increasing the density and doing attached units he is able to keep the costs down and the units are affordable for people. He offered to put a restriction on this property stating that he will build 55 and older housing only. He is also providing 32 additional parking spaces in the development which allows 4-5 parking stalls per unit. He asked the Council to approve the proposed zone change.

Rick Champlin addressed the Council and addressed the concern of fire and EMS response time. He was recently at this location when one of the residents suffered a stroke and the police, fire and EMS responded in less than five minutes.

Logan resident April Mortensen addressed the Council and said that under President Bill Clinton, he made laws for 55 and older residents so they would have certain privileges and often those are covered by covenants and only a certain percentage are allowed as rental units. She is very impressed with Mr. Champlin because he included the residents who live in the development and informed them about what he is doing.

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

Chairman Daines said the request is to go from MR-6 to MR-12, she asked is the density for this area actually MR-9 and is Mr. Champlin requesting the MR-12 because of the setback issue.

Mr. Holley responded at 52 units, the density is 8.9 units per acre. He added they are one level units.

Vice Chairman Jensen said he feels the northwest area of Logan needs more single family homes and this housing development is one of the best ways to make this happen.

Councilmember Olsen said the point was made that a 55 and older community does not support the Bridger Elementary School area in terms of use and stability but he will support the rezone.

Councilmember Simmonds said she is not opposed to the project but said if we rezoning a piece of property, we are rezoning for whoever owns it can build within the MR-12 project. She realizes that Mr. Champlin is going to build what he wants to build but she also knows there are issues with getting all of the units on the piece of property with the appropriate street widths, etc. If Mr. Champlin were to get tired of trying to make it work, he could sell the property at MR-12 and apartment buildings could be built.

Chairman Daines said that is correct but a deed restriction has been requested so that would not happen.

Mr. Carlston stated that Mr. Champlin has offered a deed restriction which runs with the land and is not owner specific.

Chairman Daines asked Mr. Champlin if he would be willing to stipulate to a deed restriction that indeed this is the project, the density and the 55 and older resident requirement would remain in this area.

Mr. Champlin said he is willing to put a deed restriction in place and although not required, he is doing this on his own.

Mr. Carlston stated that offering the rezone for the deed restriction resembles a “quid pro quo”. Mr. Champlin has offered to put a deed restriction in place but he does not feel the Council can require the deed restriction to be part of approving the rezone.

Mr. Champlin said he would prefer the Council make a decision tonight rather than wait another two weeks to approve. He gave his word regarding a deed restriction and will follow the code that is in place in regards to landscaping, parking and any other condition.

ACTION. Motion by Vice Chairman Jensen seconded by Councilmember Needham to **adopt Ordinance 17-15** as presented. Motion carried unanimously.

PUBLIC HEARING - Consideration of a proposed resolution regarding the Designation of a Historic Theatre District – Resolution 17-27

At the June 20, 2017 Council meeting, Mayor Petersen addressed the Council regarding the proposed resolution. He stated that visionary Cache County settlers invested in cultural infrastructure, counting performance spaces among the first structures they built and municipal, university and private interests have combined to renovate and preserve three historic facilities originally constructed in 1913, 1923 and 1936. These venues have fostered and housed significant countywide artistic activity, economic vitality and community engagement and cultural activities have been identified as a competitive advantage of Cache County, serving residents and attracting cultural tourism and summer citizens. He asked the Council to designate the block bounded by Center Street and 100 South and Main Street and 100 West as the Logan City Historic Theatre District and added there is no cost associated with this designation.

Councilmember Olsen commented that he feels the Dansante building should be included as part of the Historic Theatre District.

Chairman Daines responded that the Dansante building is not considered a historical building but can certainly be considered if the Council desires.

Chairman Daines opened the meeting to a public hearing.

Logan resident Bill Bower said he is favor of including the Dansante building.

Logan resident April Mortensen said she feels this is a wonderful proposal.

Wendy Hassan addressed the Council and she is not opposed to including the Dansante in the resolution.

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

ACTION. Motion by Councilmember Olsen seconded by Councilmember Vice Chairman Jensen to **approve Resolution 17-27 as amended with the addition of the Dansante building.** Motion carried unanimously.

PUBLIC HEARING - Consideration of a proposed resolution adopting Revised Sewer Collection Rates for Utah State University – Resolution 17-34

At the June 20, 2017 Council meeting, Public Works Director Mark Nielsen addressed the Council regarding the proposed revised Sewer Collection Rates.

RESIDENTIAL: All single family, duplex, and multi-family living units that are individually or jointly water metered.

COMMERCIAL and INDUSTRIAL: All non-residential water users including each business, professional office or other office and all other non-residential water users.

UTAH STATE UNIVERSITY: All Utah State University (USU) facilities connected to the Logan City sewage collection and treatment system.

CONTRACTUAL CITIES: Cities connected to the Logan City Sewage Treatment System for treatment of their domestic sewage.

USU RATE SCHEDULE

Table 3						
Utah State University Rate Schedule						
	Present Rate	July 1, 2017	July 1, 2018	July 1, 2019	July 1, 2020	July 1, 2021
Volume Charge (\$/1,000 gal.)^[1]						
Treatment	\$1.02	\$1.12	\$1.23	\$1.36	\$1.49	\$1.64
Collection	<u>\$0.40</u>	<u>\$0.48</u>	<u>\$0.69</u>	<u>\$0.69</u>	<u>\$0.76</u>	<u>\$0.76</u>
Total	\$1.42	\$1.60	\$1.92	\$2.05	\$2.25	\$2.40

[1] Volume is billed as 100% of the culinary water usage, as measured by the water meter.

1. Water measurements shall be used to determine consumption to compute sewer consumption rates unless a sewage meter is installed. Sewage shall be billed as 75 percent of the culinary water usage, as measured by the water meter, with the exception of Utah State University who is billed 100% of the culinary water usage in lieu of charging base rates.
2. If a facility has a sewage meter, sewage will be billed based on the amount of sewage recorded by the sewage meter, but no less than the applicable Commercial Fixed Monthly Charge.
3. Commercial irrigation-only water meters shall not be billed sewer consumption charges.
4. Upon application to and approval by the Public Works Director, and with adequate justification, commercial users who use a substantial amount of culinary water for irrigation purposes and who do not have a separate irrigation-only water meter may be granted the irrigation rate adjustment. The irrigation rate adjustment will be based on the winter usage (November through April) and will be computed each year. The monthly bill will be calculated by multiplying the applicable commercial rate by 100% of the winter usage. Users applying for this rate adjustment must have at least one acre of irrigated grounds to qualify for this rate adjustment.
5. Utah State University sewage bill shall be computed from water consumption recorded from all USU water sources.
6. If any person or entity desires to connect to a sewer main installed in an existing street, which costs of installation has been paid in full or in part by the City, then

such person or entity shall pay their share of the then current estimated cost of the installation of main line according to the amount of frontage owned or controlled directly or indirectly by the person or party requesting the hookup. The Public Works Director or his representative shall estimate and determine the then current cost to be paid, based on current bids of similar projects, in addition to the standard connection fee.

Mr. Nielsen has sent this to Utah State and they came back with the following proposed rate increase and are within 10% of the increases he proposed.

July 1, 2017 - \$0.50

July 1, 2018 - \$0.55

July 1, 2019 - \$0.62

July 1, 2020 - \$0.69

July 1, 2021 - \$0.72

Mr. Nielsen said there are several different ways to respond to USU and their biggest issue with what he proposed is the end year is at \$0.76. After July 1, 2021 they have met the same revenue so the rate will drop to \$0.69 and USU feels they are getting less at \$0.76. He suggested adding July 1, 2022 with a rate of \$0.69 which is what the cost of study shows and makes us even on revenue.

Mr. Nielsen proposed several changes to the resolution adding July 1, 2022 with a Treatment Rate of \$1.64, Collection Rate of \$0.69 for a total of \$2.33. He said USU supports this addition as well. He also proposed that in the wording of the last paragraph it be changed to the following: NOW THEREFORE, BE IT RESOLVED by the Logan Municipal Council, that the revised 5-year Rate Schedule for Utah State University attached hereto are hereby adopted **and shall be in effect on all billings on or after August 1.**

Finance Director Richard Anderson proposed an additional change in the rate schedule itself, that the July 1 dates all be changed to August 1. USU and all the contracting cities are billed for a full month of use and Logan City customers are billed throughout the month. There is some confusion as to what that meant and it was felt that the **date should be changed to August 1.** Therefore, the new rate will start August 1 for all the contract cities.

Chairman Daines opened the meeting to a public hearing.

Logan resident Bill Bower addressed the Council and feels the language needs to be precise in the resolution.

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

ACTION. Motion by Councilmember Olsen seconded by Vice Chairman Jensen to **approve Resolution 17-34 as amended.** Motion carried unanimously.

(Continued from June 20, 2017) PUBLIC HEARING - CODE AMENDMENT – Consideration of a proposed code amendment to the Logan Municipal Code Section 5.20 regarding Mobile Food Vendors – Ordinance 17-09

Chairman Daines announced that Ordinance 17-09 will be continued to the September 5, 2017 Council meeting.

WORKSHOP ITEMS:

Consideration of a proposed resolution Updating the Commercial Lighting Retrofit Incentive Program – Resolution 17-35 – Emily Malik, RECAB Coordinator

Emily Malik, RECAB Coordinator addressed the Council regarding the proposed resolution that the City of Logan supports demand side management programs and recognize that the cheapest kWh is a conserved kWh and has previously established a commercial lighting retrofit incentive program in October 2014 and recognizes that the energy market is ever changing as should be our incentive programs to reflect these changes.

The rules of the Revised Commercial Lighting Incentive Program Incentives are for Interior & Exterior Lighting, LED Lighting only (includes TLED) and \$.10/kWh annual energy savings. The rules are the following:

Rules:

1. Incentives apply to retrofit applications only.
2. Application period begins July 1, 2017. Applications will be taken on a first come, first served basis.
3. To be eligible for the incentives listed, the new lighting system must use less energy than the existing lighting system replaced as determined by Logan City Light and Power
4. Customer must complete all projects by June 30, 2018 or they will forfeit their application and any resulting incentive.
5. Customer may only apply for one rebate per fiscal year (July 1-June 30).
6. Incentives are capped 20% of total project cost (labor + materials) with a lifetime maximum of \$30,000 and are not available to reduce the simple payback below one year
7. Complete fixture removals are not eligible for an incentive
8. Customer must submit a letter of intent to City of Logan along with an incentive worksheet.
9. Customer must obtain a pre-inspection from an agent of Logan City Light & Power at the point they are ready to move forward on a project. Pre-inspection does not guarantee an incentive.
10. Customer must complete a post-inspection, provide itemized invoices for labor and materials, and a W-9 before incentive will be paid to customer
11. It is the responsibility of the Customer to calculate future energy savings at their facility
12. Actual incentives will be determined solely by Logan City representatives based on inspections and final invoices from contractors.

The proposed resolution will be an action item and public hearing at the August 1, 2017 Council meeting.

Budget Adjustment FY 2017-2018 appropriating: \$100 Mumford donation toward the completion of the Bridger Park Pickleball Court; (\$141,000) to reduce the Fire Department budget to reflect the change in transfer personnel to be provided by another agency rather than by Logan City to CCEMS; \$95,749 for a grant the Parks & Recreation Department received from the Utah Department of Transportation (UDOT) for this new fiscal year. The funds will be used for trail improvement and construction of the Logan Canyon Pathway; \$117,219 for a grant the Parks & Recreation Department received from the Utah Department of Transportation (UDOT) for this new fiscal year. The funds will be used for construction of the Canyon Connector Sidewalk; \$45,000 for 2017 Freedom Fire Independence Day Celebration at USU (RAPZ); \$50,000 Bridger Park Phase IV Construction (RAPZ); \$20,000 Bridger Park Pickleball Courts (RAPZ); \$75,000 Canyon Road 500 East to 600 East Trail Construction Phase 1 (RAPZ); \$190,000 Pedestrian Bridge at Stewart Nature Park (RAPZ); \$59,000 West Willow Angels Landing Playground Surface Replacement (RAPZ); \$89,256 2017 RAPZ Tax Municipal Population Allocation – Resolution 17-36 – Richard Anderson, Finance Director

Finance Director Richard Anderson explained the proposed budget adjustments.

The proposed resolution will be an action item and public hearing at the August 1, 2017 Council meeting.

Consideration of a proposed ordinance vacating a public utility easement located on Parcel 07-065-0004 at 890 North 650 East, Logan, Utah; Stettler Subdivision (The Factory Phase 3) – Ordinance 17-16 – Mark Nielsen, Public Works Director

Public Works Director Mark Nielsen addressed the Council regarding the proposed vacation. The existing public utility easement being vacated is located on a lot that has been approved by the Planning Commission Permit #17-017 Factory Phase 3 for construction of a new facility.

Councilmember Simmonds said the Factory Phase 3 has already gone through the Planning Commission and this proposed piece will be an extension of their parking garage. They will be parking one to one plus a few additional parking spaces but it does not help with the existing parking situation.

Councilmember Needham said his opinion is this area is already intense in regards to parking.

Chairman Daines clarified the only thing the Council is considering tonight is vacating the public utility easement.

The proposed ordinance will be an action item and public hearing at the August 1, 2017 Council meeting.

ZONE CHANGE – Consideration of a proposed zone change. Kartchner Inc./LaRee Johnson Family LLC, authorized agent/owner, requests a 34-lot rezone of one (1) acre to MR-20 and leave 11 acres of NR-6 with a deed restriction of not more than 32 lots located at 1200 East 1250 North (Logan Station) – Ordinance 17-17 – Russ Holley, Planner

Mr. Holley addressed the Council regarding the proposed zone change. The applicant is requesting a zoning adjustment to the current boundaries while retaining the existing two zoning designations of Neighborhood Residential (NR-6) and Mixed Residential Medium (MR-20). Currently the western 8 acres are zoned MR-20 and the eastern 12 acreage are zone NR-6. The total gross density of these zoning districts would render 232 dwelling units (160 units in MR-20 and 72 single family homes in NR-6). The applicant is proposing larger and fewer single family lots (32 single family homes) in exchange for one (1) additional acreage of MR-20 zoning, which would result in 180 multi-family dwelling units. This request would result in 9 acres of MR-20 zoning and 11 acres of NR-6 zoning.

Staff recommended that the Planning Commission conditionally approve a Subdivision Permit and recommend approval for the Logan Station Rezone, in the Neighborhood Residential (NR06) and Mixed Residential Medium (MR-20) zoning districts.

On June 22, 2017, the Planning Commission recommended that the Municipal Council approve the Logan Station Rezone that adjusts the boundaries of the NR-6 and MR-20 zoning districts. The proposal changes the MR-20 boundary from 8 acres to 9 acres.

The proposed ordinance will be an action item and public hearing at the August 1, 2017 Council meeting.

Consideration of a proposed resolution creating a complete list of Logan city Police Department fees and approve an increase in animal control fees to offset a fee increase by the Cache Humane Society, increase fees for automobile accident reports, increase fees for GRAMA services and create a new fee for audio/video redaction services - Resolution 17-37 – Chief Gary Jensen

Chief Gary Jensen addressed the Council regarding proposed fee changes and to create a single resolution document outlining all police department fees. He stated the Logan City Police Department provides animal control services to Logan City residents, and as part of these services, it is necessary at times to impound animals, board animals, and euthanize animals. The Cache Humane Society is the contract group for these services. The costs for the Cache Humane Society services have increased and the cost for services rendered by the Logan Police have increased over time, fee schedules are reviewed and compared and revised to meet actual costs and brought in line with like agencies throughout Utah.

Chief Jensen also stated the Logan Police Department employs in-car dash video cameras and individual body worn video cameras. Policing video may be a public record and the Logan Police Department is legally obligated to redact for specific criteria before release

of media. He proposed a fee for video medium as well as an hourly fee rate equal to the least capable employees wage structure.

He also proposed an increased fee of \$10 for a copy of an automobile accident report.

Councilmember Olsen suggested that if someone qualifies for a public defender there should possibly be a different fee for those who meet the criteria.

Chief Jensen said the fees proposed tonight are for GRAMA requests and not fees for requests from attorneys.

The proposed resolution will be an action item and public hearing at the August 1, 2017 Council meeting.

OTHER CONSIDERATIONS:

No further considerations were discussed.

ADJOURNED. There being no further business to come before the Council, the meeting of the Logan Municipal Council adjourned at 7:20 p.m.

Teresa Harris, City Recorder