

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, May 16, 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: Mayor H. Craig Petersen, Finance Director Richard Anderson, City Attorney Kymber Housley and City Recorder Teresa Harris.

Chairman Daines welcomed those present. There were approximately 22 citizens in the audience at the beginning of the meeting.

OPENING CEREMONY:

Shelley Petersen, 911 Communication Coordinator gave the opening thought/prayer and led the audience in the pledge of allegiance.

Meeting Minutes. Minutes of the Council meeting from May 2, 2017 were reviewed and approved with no changes.

ACTION. Motion by Councilmember Olsen seconded by Councilmember Simmonds to **approve the May 2, 2017 minutes and approve tonight's agenda.** Motion carried unanimously.

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

Chairman Daines announced that the public hearing in regards to the Garden Park Apartments will be continued until the June 6, 2017 Council meeting.

ACTION. Motion by Councilmember Simmonds seconded by Vice Chairman Jensen to **continue Ordinance 17-05, Garden Park Apartments Rezone to the June 6, 2017 Council meeting.** Motion carried unanimously.

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, June 6, 2017.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL:

Logan resident Janice Bird read a statement regarding the Garden Park Apartment Project and she feels that Logan's heart, soul and history are valuable and we should all value this gift that we have. She feels that Trent Cragun, Developer of the Garden Park Apartment Project is putting forth misconceptions and she does not want Logan to turn

into California. She said the neighborhood wants to be heard and although they are small they are important to the City.

Logan resident Teresa Theurer addressed the Council regarding residential parking. Her concern is there is no parking for guests of the seven families she rents apartments to in the area of 621 East 700 North and 710 North 600 East. She requested that residential parking be retained on 700 North from 600 East to 640 East on the North side of the road. She provided a map to the Council indicating where her rentals are located and the requested parking for this area.

Logan resident Gail Yost addressed the Council and said she is very concerned about the proposed Garden Park Apartment Project on 100 East. She feels the project needs to be placed in an area where it will be appreciated or downscaled so it will fit with the existing neighborhood. The Council should understand they represent neighborhoods and not developers. She also wants the Council to control growth and to keep Logan a place where we all want to live.

Steve Jensen, Utah State University Representative of Housing, Dining and Parking addressed the Council. He said it's not the role of USU to provide parking for private businesses. He asked that the Planning and Zoning Department make sure that parking is part of the planning when new development is built near the University and the burden should be on the developer.

Logan resident Bill Bower addressed the Council and announced that Smith's grocery store on 400 North is having a re-grand opening tomorrow. He said Smith's is a very good business and has excellent customer service.

Logan resident April Mortensen addressed the Council. She lives at 200 South 100 East and she said the neighborhood is not against development but would like to see changes made to the proposed Garden Park Apartment Project. She indicated there are traffic concerns on 100 East which was mentioned by Councilmember Herm Olsen when he ran for office two years ago. Ms. Mortensen commended Chairman Holly Daines for doing research on the Council and her work to acquire park space on Cliffside. She would also like the Council to consider the Garff Garden Park area located on 100 East and how the proposed project will impact this area and the residents would like to keep the green space. She feels that more density will destabilize the neighborhood. She also feels the Council should consider the broad base of opposition in regards to this project and it will have a negative impact and affect property values.

Adam's Neighborhood resident Ted Nyman addressed the Council and thanked them for taking the time to listen to the concerns of the Adam's Neighborhood in regards to parking. He asked the Council to consider extending the on-street parking restrictions in the area that has been proposed and he feels it will make a big difference. He also requested that the City take care of the intersection marking in the high density areas so cars aren't parking near intersections or stop signs. He also said enforcement is very important in these high density areas and is a great way to educate people on where they can and can't park.

Logan resident Brian Seamons addressed the Council. He owns apartments on 600 East and is a general contractor. In regards to the project on 100 East he asked can Mr. Cragun actually complete this project and will it be what is proposed. Mr. Cragun is asking a lot and he feels the City should require some kind of assurance that the project will be as presented.

Logan resident Derek Sudweek addressed the Council. He is a working professional and does not attend school at USU but he feels we should not punish the students who have vehicles but rather those who are building these projects and are not providing enough parking.

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

MAYOR/STAFF REPORTS:

Updates on Projects/Issues – Mayor Petersen

Mayor Petersen gave a report on the following:

1. The job announcement for a new Library Director was posted last week and the deadline is June 2, 2017.
2. The process of selecting a new Fire Chief continues. Two candidates will be brought in for interviews next week.
3. Community Gardens are now available and this year's they include raised beds and better soil.
4. Flooding continues to be a concern. Eight hundred feet of four foot "muscle wall" has been placed along the golf course. Sandbags have been provided to residents along the river and it is anticipated that high river flows during Memorial Day weekend may be a problem.
5. Electric Power Systems, is locating their business in Logan at the airport. Mayor Petersen thanked Economic Development Director Kirk Jensen for his effective efforts in recruiting this company to Logan.
6. An employee appreciation lunch will be held on Monday, June 12 beginning at 11:30 a.m. at the Golf Course Clubhouse. Council members are invited to attend.
7. The Annual Torch Run will be held on Friday, May 19 at 9:00 a.m. The event is sponsored by law enforcement to promote Special Olympic athletes. The route is Walmart to Walmart along Main Street. Council members are invited to participate.

8. Bike with the Mayor will also be held Friday, May 19 at 10:00 a.m. Council members are invited.

COUNCIL BUSINESS:

Candidate Filing – Teresa Harris, City Recorder

City Recorder Teresa Harris announced that candidate filing begins June 1 and will go until June 7. Those interested in running for Mayor or Council will need to file in person with the City Recorder.

Joint Meeting: Logan Municipal Council and Logan Planning Commission – Chairman Daines

Chairman Daines announced that a joint meeting with the Logan Municipal Council and the Logan Planning Commission is scheduled on Tuesday, May 23, 2017 at 5:30 p.m. in the Logan City Hall Conference Room, 290 North 100 West Logan, Utah. The public is invited to attend.

Update: Adams Neighborhood Parking Issues – Councilmember Jeannie Simmonds

Councilmember Jeannie Simmonds thanked everyone involved on the parking committee. The committee recommended that restrictions be made from midnight to 2:30 a.m. and parking permits be required as either a daytime student parking permit or other type of permit. In addition, the committee would like to ask Public Works to look at all intersections in the area and make sure they are red striped in front of fire hydrants and stop signs. There are no parking restrictions in June or July. The committee will move forward and propose an agreement/resolution. It will be presented to the Council at the June 6, 2017 Council meeting and a public hearing will also be held.

Chairman Daines announced that a meeting with Qualtrics has been scheduled on Friday, June 2 at 10:30 a.m. Councilmember Simmonds and Chairman Daines plan to attend.

No further Council business items discussed at this time.

ACTION ITEMS:

PUBLIC HEARING – Logan City Budget Transfers Fiscal Year 2018

Logan Finance Director Richard Anderson addressed the Council and explained the proposed Budget Transfers for Fiscal Year 2018.

FY 2018 Transfers

A transfer is the movement of cash or other resources from one fund to another. Logan City has utilized transfers from enterprise funds as a General Fund financing mechanism for many years. If budgeted and planned for correctly, transfers from enterprise funds can help to defray the cost of services such as public safety, public works, parks and

recreation and general governmental services, and consequently, keep property taxes low. But for transfers, Logan City would either have to raise property taxes significantly or cut services significantly. Where private sector utility companies are in business to provide a return on investment to its shareholders, Logan City's shareholders, its taxpayers and citizens, receive this return on investment as a transfer to the General Fund.

The transfer from the Environmental Health Fund to the 911 Fund is composed of the garbage can fees used to fund the 911 system and radio equipment. The transfer is simply the legal justification used to obtain the funding needed for the 911 system.

Administrative fees are not the same as transfers. While transfers are a movement of cash or resources without compensation, administrative fees are charges for centralized services provided by the general fund to the other funds of the City. Such services include but are not limited to utility billing, accounting, payroll, legal, human resources, shops and garage, and facility management. Administrative fees are allocated by the finance department in a reasonable and rational manner.

The following are the Fiscal Year 2018 transfers and administrative fees:

Fund	Proposed Expenditures		Transfer	% of Expenditures	Admin Fees	% of Expenditures
	FY 2018	Transfer To				
Water & Sewer	10,570,981	General Fund	739,479	7.0%	1,210,936	11.5%
Sewer Treatment	6,015,000	General Fund	325,875	5.4%	200,023	3.3%
Electric	35,398,000	General Fund	2,821,440	8.0%	1,315,266	3.7%
Environmental Health	12,436,000	General Fund	927,280	7.5%	1,272,963	10.2%
Environmental Health	12,436,000	911 Fund	775,000	6.2%	-	0.0%
Golf Course	1,154,614	General Fund	-	0.0%	29,114	2.5%
Storm Water Management	2,281,478	General Fund	-	0.0%	452,465	19.8%

Chairman Daines opened the meeting to a public hearing.

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

A public hearing for the proposed transfers will be held on June 20, 2017.

PUBLIC HEARING - Budget Adjustment FY 2016-2017 appropriating: \$50,000 for a grant the Parks & Recreation Department received from the State of Utah to be used to support the Logan River Trail Rendezvous Park project; \$4,200 donated funds towards the Police Department banquet; \$30 donated funds to the Bridger Park Pickleball Complex – Resolution 17-20

At the May 2, 2017 Council meeting, Finance Director Richard Anderson explained the proposed budget adjustments.

Chairman Daines opened the meeting to a public hearing.

Logan resident Bill Bower addressed the Council and said he is concerned about the \$4,200 donation and feels the public should know where and who the funds are coming from.

Mayor Petersen responded these are private donations.

City Attorney Kymber Housley said in this situation, such as the banquet, people can make anonymous donations.

Logan Police Chief Gary Jensen responded there were several donors that stepped forward and combined to make the \$4,200.

Mr. Housley also said that a GRAMA request can be made for the information.

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

ACTION. Motion by Councilmember Olsen seconded by Councilmember Simmonds to **approve Resolution 17-20** as presented. Motion carried unanimously.

(Continued from April 18, 2017) - PUBLIC HEARING - Garden Park Apartments Rezone – Consideration of a proposed rezone. Trent Cragun, authorized agent/owner requests a rezone from Recreation (REC) and Traditional Neighborhood Residential (NR-6) to Town Center (TC) for construction of a 129,330 SF 4-story, 123-unit apartment building on 2.7 acres from 115-169 South 100 East – Ordinance 17-05

Community Development Director Mike DeSimone addressed the Council and said staff is requesting that the Council continue the hearing and decision on Ordinance 17-05, to the June 6, 2017 Council meeting.

The Council heard the request at their April 18, 2017 meeting and continued it to today to allow for the applicant to meet with the neighborhood and work on a resubmittal to the Design Review Permit for the project. A meeting was held with the neighborhood on April 27, 2017. The applicant has been working on the resubmittal design documents for the Planning Commission but was not able to meet the deadline for the project to be noticed for the May 11, 2017 Planning Commission meeting. A resubmittal packet is expected by May 9, 2017 so the project will be reviewed at the May 25, 2017 Planning Commission meeting.

At the beginning of the meeting, the following action was taken to continue Ordinance 17-05.

ACTION. Motion by Councilmember Simmonds seconded by Vice Chairman Jensen to **continue Ordinance 17-05, Garden Park Apartments Rezone to the June 6, 2017 Council meeting** as presented. Motion carried unanimously.

WORKSHOP ITEMS:

Budget Adjustment FY 2016-2017 appropriating: \$11,100 funds from the State of Utah CLEF Grant. This grant will be used to build collection development and technology in the Logan Library – Resolution 17-24 – Richard Anderson, Finance Director

Finance Director Richard Anderson addressed the Council and explained the proposed budget adjustment.

The proposed resolution will be an action item and public hearing at the June 6, 2017 Council meeting.

CODE AMENDMENT – Consideration of a proposed ordinance amending Chapters 5.02 and 5.16 of the Logan Municipal Code regarding Business Licenses and Home Occupations – Ordinance 17-06 – Mike DeSimone, Community Development Director

Community Development Mike DeSimone addressed the Council regarding the proposed amendments. He said the State Legislature adopted new rules regarding how local municipalities may regulate home occupations (S.B. 81). He proposed criteria in 5.02.030 to determine whether a proposed home occupation type of activity will warrant licensing or not. The proposed language is the following:

Chapter 5.02
BUSINESS LICENSE GENERAL PROVISIONS

5.02.030: EXEMPTIONS:

A business license shall not be required for a business that is operated only occasionally and by an individual who is under 18 years of age. The Administrator will evaluate the size, frequency, duration, visibility, and seasonality of the proposed business to determine whether the proposed business is considered occasional.

SECTION 2:

Chapter 5.16
HOME OCCUPATIONS

5.16.040: LICENSE FEES:

A license fee will not be charged for a home occupation unless the combined offsite impact of the home based business and the primary residential use materially exceeds the offsite impact of the primary residential use alone. License fees for licenses issued pursuant to this chapter shall be the same as set forth in section 5.02.190 of this title. (Prior Code 7-4-4)

Mayor Petersen said in reference to Section 5.16.040, he feels the language is not clear and asked if the City is bound to that language or can we clarify in our own ordinance.

Mr. Housley said this language comes from State Code and suggested that we keep the same language. The City can be more restrictive but we cannot be in conflict with State law. Until we see the home occupation, it would be hard for the City to anticipate every possible impact that would be greater than a single family home would be in that area.

The proposed ordinance will be an action item and public hearing at the June 6, 2017 Council meeting.

Consideration of a proposed Amendment #1 to the Community Development Block Grant (CDBG) Program Year 2016 Annual Action Plan for the City of Logan – Resolution 17-18 – Aaron Smith, CDBG Coordinator

CDBG Coordinator Aaron Smith addressed the Council regarding the proposed Amendment. He explained that the CDBG Consolidated Plan for the City of Logan dictates that substantial changes to activities within an Annual Action Plan, including changes in the purpose, scope, location or beneficiaries of an activity, or changes which exceed 50% or \$25,000, whichever is less, of the CDBG funding amount allocated to the subrecipient in the approved Plan necessitate a Council amendment.

He further explained that high construction costs have stretched CDBG too thin in regards to the following two projects:

300 South Sidewalk – Original Estimate \$350,000 – Construction Bid \$575,000
400 North Medians – Original Estimate \$360,000 – Construction Bid \$650,000

Amendment Overview - Delay the 400 North Medians due to high cost (eligible for future CDBG funding). Reallocate funding to the 300 South Sidewalk project. Unallocated CDBG funds are \$165,965.

The PY2016 Amendment – Cancel the 400 North Median Project - \$320,130 and Cancel the 200 West 1600 North Sidewalk project (completed without CDBG funding) - \$73,000.

The remaining \$165,965 remains unallocated and is proposed to allocate these funds to projects in the next Annual Action Plan (July 2017).

The proposed resolution will be an action item and public hearing at the June 6, 2017 Council meeting.

Consideration of a proposed Amendment #1 to the Community Development Block Grant (CDBG) Program Year 2015 Annual Action Plan for the City of Logan – Resolution 17-19 – Aaron Smith

CDBG Coordinator Aaron Smith addressed the Council regarding the proposed Amendment.

The PY2015 Amendment – Increase CDBG funding for the 300 South Sidewalk project to \$494,474. Shovel ready project allows us to spend funds in a timely manner. Also, cancel the Boulevard Sidewalk Project (completed without CDBG funds) - \$40,000.

The proposed resolution will be an action item and public hearing at the June 6, 2017 Council meeting.

FY 2017-2018 BUDGET PRESENTATIONS:

Community Development – Mike DeSimone

Mr. DeSimone addressed the Council and presented his proposed budget. His budget is the same as last year and each year \$50,000 to \$100,000 is returned back to the General Fund and they start with a new budget.

Police – Chief Gary Jensen

Chief Jensen addressed the Council and presented his proposed budget. He highlighted rolling stock replacements which are one patrol car and two cars for the Investigations Division. He explained this is the third year the police department is participating in a program of owning unmarked police cars for detectives and administration. The total one year cost for eight vehicles is \$6,728.

He said the most important thing to discuss tonight is parking enforcement. If the intent is to provide 24 hour parking enforcement in the Hillcrest and Adams areas adjacent to Utah State University, he will need to increase the parking enforcement salary account by \$19,000 and benefits by \$1,500. Adding a single part-time employee would provide 30 hours of enforcement time per week to these areas during overnight hours. Likely, the enforcement activities of new parking enforcement employees would offset the increase through citation revenue.

Vice Chairman Jensen said booting can be done on public streets and he feels there is some validity in considering this enforcement option in residential areas.

The Council agreed that parking enforcement costs should be added to the budget.

Finance Director Rich Anderson said he will add parking enforcement to the police department budget.

Fire – Interim Fire Chief Craig Humphreys

Interim Fire Chief Craig Humphreys addressed the Council regarding the fire department's proposed budget. He reported on patient transfers the fire department provides to other medical facilities which are mostly to the Salt Lake City area. The fire department is seeing an increase in behavioral health transfers as well. The fire department has six ambulances so it's very difficult to keep ambulances in the City when they are being used for transfers to Salt Lake. He stated that reimbursements for transfers

have increased by a small amount for medical transfers. A proposal was made to the Cache County Emergency Management Services (CCEMS) and funds were approved to hire two additional employees to help with transfers and will use Cache County ambulances to help with the workload and wear and tear on the ambulances.

Overview of the General Budgetary Issues – Richard Anderson

Finance Director Richard Anderson said the final proposed budget will come before the Council for approval on June 20, 2017.

OTHER CONSIDERATIONS:

Councilmember Olsen announced the Herald Journal and the Salt Lake Tribune reported that Cache County has the dirtiest air in the nation. He requested that the next time the Council meets with the Cache County Council that a discussion regarding air quality be placed on the agenda.

Mr. Housley announced that a readoption in regards to the River Heights boundary adjustment will come before the Council on June 6, 2017.

No further considerations were discussed.

ADJOURN TO MEETING OF THE LOGAN REDEVELOPMENT AGENCY

Chairman Daines welcomed those present. There were approximately 12 citizens in the audience at the beginning of the RDA meeting.

FY 2017-2018 BUDGET PRESENTATION:

Economic Development – Kirk Jensen

Economic Development Director Kirk Jensen addressed the Council regarding his proposed budget.

Goals for Fiscal Year 2018 are the following:

- Commence construction of a new library/community center
- Construction of the hotel and multifamily projects
- RFP for the continued redevelopment of the East side of the City Block
- Hosting of the 2017 Tour of Utah International Cycling Event
- Facilitation of additional downtown façade grant projects
- Facilitation of various development projects
- Continued execution of the Logan on the Edge marketing strategy

Chairman Daines asked do the Affordable Housing Reserve Funds have an expiration date.

Mr. Housley responded that if we don't use the funds they will go back the Olene Walker Fund. These funds come from different project areas so we don't have an exact date of when the funds need to be used.

Councilmember Simmonds asked about the Professional and Technical Fund and the budgeted amount adopted in 2017 was \$100,000 but all that has been spent at this time is \$11,000.

Mr. Housley explained in the past we went to outside consultants to help form our project areas and we have been doing that in-house for the last 3-4 years. That funding was kept in the account because we were hiring outside consultants for various studies. It was kept at a higher amount due to the Quayle Meadows housing project but the study on this project was completed in-house.

Mr. Jensen added that this funding was also used for the branding project.

Mr. Housley said that under the new law, there is no requirement for blight studies to be completed.

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

Teresa Harris, City Recorder