

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, November 21, 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 and Councilmember S. Gene Needham. Administration present: Finance Director Richard Anderson, City Attorney Kymber Housley and City Recorder Teresa Harris. Excused: Mayor H. Craig Petersen and Councilmember Jeannie F. Simmonds.

Chairman Daines welcomed those present. There were approximately 23 citizens in the audience at the beginning of the meeting.

OPENING CEREMONY:

RECAP Coordinator Emily Malik gave the opening thought and Environmental Director Issa Hamud led the audience in the pledge of allegiance.

Meeting Minutes. Minutes of the Council meeting from November 7, 2017 were reviewed and approved with no changes.

Councilmember Olsen reminded Finance Director Richard Anderson that he would like financial information (revenues and expenditures) of the Logan Municipal Justice Court.

ACTION. Motion by Councilmember Olsen seconded by Vice Chairman Jensen to approve the November 7, 2017 minutes and approve tonight's agenda. Motion carried unanimously.

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

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, December 5, 2017.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL:

Logan resident Jeff Hoedt addressed the Council regarding winter parking. He has traveled throughout the City and said there are hundreds of cars on City streets. He reported to the Council that on November 13 he and others started spreading the word in his neighborhood about the winter parking rules.

Councilmember Olsen thanked Mr. Hoedt for being proactive in his neighborhood. He asked Logan Police Chief Gary Jensen about parking enforcement efforts that have taken place so far.

Logan Police Chief Gary Jensen responded that the police department has been giving out warnings in preparation for the snow season letting people know that winter parking is in effect.

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

MAYOR/STAFF REPORTS:

Updates on Projects/Issues

Environmental Director Issa Hamud addressed the Council regarding the new transfer station located at the Logan Landfill. He announced that a ribbon-cutting was held Monday morning at which time he was also handed a letter of approval from Scott Anderson, director of the Utah Division of Waste Management and Radiation Control, granting permission to haul waste to the new North Valley Landfill which, likely won't begin until December 1.

Mr. Hamud continued and said in regards to the new transfer station, garbage trucks will dump their loads at the Logan transfer station and get back to their routes. Then, a front-end loader will push the municipal waste against a wall and into a pit where it will be compacted and loaded into 53-foot semi-trucks and hauled to the North Valley Landfill. Those bringing items to the transfer station will stay on concrete and asphalt and will no longer need to go through mud to dump off their garbage. He said the 32,000 square-foot transfer station can handle 20 trucks per hour with an average capacity of 450 tons. The building can handle up to 900 tons if needed.

He also announced that a request for proposal has gone out for the construction of the new Wastewater Treatment Plant and proposals are due back by December 19.

Chairman Daines stated this is an 80-year solution to Cache Valley's garbage needs and she thanked Mr. Hamud for 22 years of work on completing the transfer station and new landfill location.

Tour of Utah Follow-Up Report – Kirk Jensen, Economic Development Director and Gary Saxton, Downtown Manager

Economic Development Director Kirk Jensen gave an update on the 2017 Tour of Utah which occurred in July. He said the event went very well and he thanked all those that helped in making this event a success. He reported on the expenses that Logan City incurred for the Tour of Utah. He said the Logan City Police Department had the greatest impact with all of the sworn officers and support staff involved. He reported on the costs for the following City departments.

Police	\$12,038
Streets	\$ 2,394
Environmental	\$ 222
TOTAL	\$14,854

Mr. Jensen said the \$14,854 was the City's contribution toward the Tour. All other event expenses and revenues that come from sponsorships are handled through the Downtown Alliance.

Vice Chairman Jensen asked if there was an economic impact on the City as it related to hotels and restaurants.

Mr. Jensen responded yes, when the Tour was here they reserved several hotel rooms and ate at various restaurants.

Downtown Manager Gary Saxton also thanked all City departments who helped with the Tour event. He said spectators of the Tour also spent money on hotels and restaurants. He said the Tour of Utah would like to come back to Logan in 2018 but the Tour de France shifted its event starting date which also required that the Tour of Utah shift their starting date. The new date conflicts with the USU Small Satellite Conference that is held in Logan each year and we simply don't have the hotel rooms to accommodate both events in 2018 but they would like to come back to Logan possibly in 2019.

Mr. Saxton presented the City Council with a framed art piece from the Tour of Utah.

Councilmember Olsen commented that he attended the start and finish of this year's Tour of Utah and said it was a very exciting event to watch and he enjoyed it very much.

Chief Jensen commented there were a few complaints from business owners and others regarding the Tour of Utah, mostly were parking and towing related.

Mr. Saxton added that the Downtown Alliance pays for the towing costs and this year 11 vehicles were towed.

COUNCIL BUSINESS:

Planning Commission Update – Chairman Daines

Chairman Daines announced that because Councilmember Simmonds is absent from tonight's Council meeting there will not be a Planning Commission Update.

December 19 Council Meeting – Chairman Daines

Chairman Daines announced that the December 19 Council meeting has been cancelled.

WORKSHOP - Consideration of a proposed resolution Setting a Renewable Energy Goal – Resolution 17-56 – Matthew Perry, RECAP Member

RECAP Member Matthew Perry addressed the Council and said the Renewable Energy and Conservation and Advisory Board (RECAP) was created in 2007 in response to Logan City's decision to not invest in a coal powered Power Plant. The Logan City Municipal Council tasked RECAP to advise them about sustainable energy options for Logan's future needs while keeping in mind these guiding principles:

1. Energy resources should make balanced use of alternate and renewable resources as well as fossil fuels in a market-driven, cost effective and environmentally responsible way.
2. Energy options would protect and/or improve air quality in Cache County.

2030 Goal – RECAB recommended that by the year 2030, 50% or more of the Logan City Light & Power Department’s portfolio be supplied by renewable energy resources such as hydroelectric, solar photovoltaics, wind generators, and geothermal power generators. Presently, Logan City’s portfolio contains approximately 25% renewable energy (based on a 5-year average). RECAB recommended that Logan City Municipal Council pass a resolution establishing a 50% (or greater) renewable energy goal.

Also included in the proposed resolution is the following:

- Voting against participation in a large coal-fired power plant and creating the Renewable Energy & Conservation Advisory Board to advise on sustainable energy options for Logan’s future needs and to develop a “Renewable Energy Road Map,” the most current draft of the working document attached hereto as Exhibit A;
- Establishing community based programs that promote energy conservation and the installation of renewable energy generation;
- Maintaining existing and developing new renewable energy infrastructure;
- Sourcing Renewable Energy reduces air emissions that contribute to air pollution, a significant health risk in the state of Utah and worldwide.
- Renewable energy is affordable and stable, offering the City the lowest levelized cost of energy available providing ratepayer benefits and lowering financial risks.
- Renewable energy can support local job creation including manufacturing, construction, maintenance, and financial services also by attracting businesses with similar goals.
- Logan City Power board and RECAB with support from UAMPS or other contractor to develop a detailed strategic implementation plan including new renewable energy projects, energy efficiency, improved air quality initiatives and demand side management for approval by the Council.

Councilmember Olsen stated that one of the things he wished were available more readily in Logan is wind power.

Chairman Daines commented that at first she was concerned about the resolution because she felt that we should know exactly how we are going to reach the goal. But, in talking with Councilmember’s Olsen and Simmonds, they explained this is a goal and something to work towards. She feels that renewable energy is great but we also should keep the rate payer’s in mind in terms of costs and we can’t dramatically increase our energy costs to have renewables.

The proposed resolution will be an action item and public hearing at the December 5, 2017 Council meeting.

WORKSHOP - Consideration of a proposed resolution approving Renewal of a Recycling Market Development Zone (RMDZ) – Resolution 17-57 – Emily Malik

RECAB Coordinator Emily Malik addressed the Council regarding the proposed resolution and said included in the Council packet is a copy of the City of Logan’s Recyclable Market Development Zone (RMDZ) re-application. This application was originally written several years ago to be in harmony with our community's *Five Year Solid Waste Management Master Plan* and all subsequent programs that have been developed. The last draft was approved by the Logan City Municipal Council and submitted to the State of Utah in 2013. The statute requires that we review and resubmit our application once every five (5) years. Not only was our application due for renewal, we also had additional businesses interested in taking advantage of the RMDZ tax credit so we have opted to renew our application now.

Logan’s Recyclable Market Development Zone allows new or existing businesses located within this zone who qualify to be eligible for certain state income tax credits. State income recycling tax credits are based on recycling equipment purchased, and operational expenses such as rent, wages paid, supplies, tools, test inventory, and utilities purchased. In short, qualifying businesses must be involved in composting, the collection of recyclable materials, or the manufacture of a product using post-consumer or secondary waste material.

For the 2017 application, the RMDZ was expanded to include the Airport, Town Center, Commercial, and Mixed Use. This change increases the number of businesses who are eligible for the tax credit by at minimum of 400%. Conversations with Mike Desimone and Kirk Jensen confirm that this will have little impact on the City, but could potentially have a beneficial impact for private businesses located within these two zones.

In order to renew the Recycling Market Development Zone application, the State of Utah Economic Development requires the following before January 1, 2018:

- (1) Written documentation of approval in the form of a resolution from the local jurisdiction’s legislative body
- (2) Local qualifying contributions and incentives which include the benefits as outlined in the application document.

Any questions can be directed to Emily Malik at 435-716-9792 or emily.malik@loganutah.org.

The proposed resolution will be an action item and public hearing at the December 5, 2017 Council meeting.

No further Council business items were discussed.

ACTION ITEMS:

PUBLIC HEARING - Budget Adjustment FY 2017-2018 appropriating: \$1,700 donated funds for City Santa; \$2,500 donated funds for the Employee Fund;

(\$90,000) to decrease anticipated revenue and associated ambulance expenses for expenses that will be directly paid for by CCEMS (the annual budget will be reduced by \$180,000); \$180,245 to reimburse fire accounts for wildland fire deployments; \$5,671 funds received for an insurance recovery toward the purchase of a new Public Works rolling stock; \$197,175 Public Works rolling stock reserves toward the purchase of a tandem dump truck; \$37,500 Environmental fund reserves to increase administrative fees to allow for the hiring of an additional fleet mechanic in Public Works Shops and Garage at an annual wage and benefits of \$75,000 – Resolution 54

At the November 7, 2017 Council meeting, Finance Director Richard Anderson addressed the Council regarding the proposed budget adjustments.

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 17-54 as presented. Motion carried unanimously.

PUBLIC HEARING - TEXT AMENDMENT – Consideration of a proposed amendment to the Land Development Code Chapter 17-24 Airport Overlay Zone to clarify permitted uses – Ordinance 17-26

At the November 7, 2017 Council meeting, Community Development Director Mike DeSimone addressed the Council regarding the proposed text amendment.

Chairman Daines opened the meeting to a public hearing.

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

ACTION. Motion by Vice Chairman Jensen seconded by Councilmember Needham to adopt Ordinance 17-26 as presented. Motion carried unanimously.

PUBLIC HEARING - TEXT AMENDMENT – Consideration of proposed amendments to the Land Development Section 17.13 & 17.15 (Mixed Residential Development Standards) – Ordinance 17-27

At the November 7, 2017 Council meeting, Planner Russ Holley addressed the Council regarding the proposed text amendment. This is an amendment to the MR9 zone that allows for 9 units per acre. They have focused on variation requirements for the zone. It allows single family homes, but also allows other structures. The 4,000-square foot lot size and 40-foot width requirements only apply to a single family residential unit. Townhomes cannot be sold individually, and do not require a conditional use Permit. The Planning Commission recommended approval of the proposed amendments.

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 adopt Ordinance 17-27 as presented. Motion carried unanimously.

Consideration of a proposed ordinance amending Sections of the Logan Municipal Code regarding the Duties of and the Standard of Review to be applied by the Employee Appeals Board – Ordinance 17-28

At the November 7, 2017 Council meeting, City Attorney Kymber Housley addressed the Council regarding the proposed ordinance. This involves the Employee Appeals Board and has been prompted by a recent court case from Taylorsville, Utah that requires a standard of review by the Appeals Board. This will bring the city ordinance into compliance with that court case. It will not cover employees in civil service, who have their own system in place.

ACTION. Motion by Councilmember Olsen seconded by Vice Chairman Jensen to adopt Ordinance 17-28 as amended adding the word “Employee” to the Section Title. Motion carried unanimously.

WORKSHOP ITEMS:

Disposal of Property – Consideration of a proposed resolution to dispose of City-owned property at Second Dam – Resolution 17-55 – Russ Akina, Parks & Recreation Director

Parks & Recreation Director Russ AKina addressed the Council regarding the proposed resolution to dispose of City-owned property at Second Dam. He stated that in 2010 the Parks & Recreation Department was approached by the Stokes Nature Center about the desire to acquire two residential structures at Second Dam. The U.S. Forest Service manages the site and the Federal Energy Regulatory Commission (FERC) oversees the hydroelectric operations that are involved with the Light & Power Department. In September 2017, the Stokes Nature Center again contacted the Parks & Recreation Department expressing their desire to purchase not only the two structures at Second Dam but also the two storage garages in this same location.

Mr. Akina said a study for disposal of property from the City of Logan to the Allen & Alice Stokes Nature Center is required before notice of a public hearing and the study must be made available to the Logan Municipal Council and interested parties.

Assistant City Attorney Craig Carlston addressed the Council regarding the process of the disposal of City owned property. He reviewed the Utah Code, Logan City Ordinance 2.46.050 and FERC 1984 Order issuing the license to Logan City and FERC Terms and Conditions. He stated that a public hearing is required and 14 days advanced notice in the newspaper and the Utah Public Notice Website. The notice is scheduled to be published beginning November 22. If the Council agrees to proceed then a public hearing will be held on January 2, 2018 where the Council will consider a resolution authorizing the disposal of property. Upon passage of the resolution the parties will execute the

assignment of the City's interests in the license to Stokes Nature Center and the City to convey the structures to the Stokes Nature Center.

The Executive Director of the Stokes Nature Center addressed the Council and said she is very excited to acquire this property and said there is a need for additional facilities which has been an ongoing struggle for the Stokes Nature Center. Logan Canyon is their home and they would like to remain in this area and prepare for future growth. They will restore the buildings to their historic value and will work closely with the Forest Service on the aesthetics of the building.

Forest Service, District Ranger Jennefer Parker addressed the Council. She said from the standpoint of the Forest Service, the Stokes Nature Center has been identified as their official education partner and she feels the proposed property is a win-win for everyone involved.

Councilmember Olsen said he loves the Stokes Nature Center and feels they provide a great service. He is concerned that 30 years from now if the Stokes Nature Center no longer exists that the Council might want to consider adding to the agreement a reversionary interest of some type so that in the event that the Stokes Nature Center ceases to exist, Logan City would have the right to perpetuate an education partnership with the Forest Service.

City Attorney Kymber Housley responded this was discussed and the biggest concern was that this property would end up back under the ownership of Logan City. The City's first option was to actually tear the buildings down because they have been a liability for us and serve no useful purpose to the City. He also doesn't feel that the Parks & Recreation Department can take on an education program at the Stokes Nature Center with everything else they do. One of the conditions he considered adding to the agreement is that the City not have a residual responsibility or liability once we make the property transfer. Of course, this is a policy decision but as various departments have talked about these buildings, they do not see any need to keep the properties.

Light & Power Director Mark Montgomery added the reason FERC oversees this is part of this is a project area to produce power. One of the options being considered is an amendment to our FERC license and state that this property with the homes on it are no longer necessary for the project area. If these properties were removed from the project area it would be Forest Service ground.

The proposed resolution will be an action item and public hearing at the January 2, 2018 Council meeting.

Annexation – Consideration of an annexation petition filed by Thomas & Megan Maples for annexation of property located immediately North of 2200 South and East of 1200 West, consisting or approximately 2.17 acres – Mike DeSimone, Community Development Director

Community Development Director Mike DeSimone addressed the Council regarding the proposed annexation of property located immediately North of 2200 South and East of

1200 West, consisting of approximately 2.17 acres. This will come before the Council again with the request of a formal Annexation Petition on December 5, 2017.

Downzone – Consideration of a proposed request by the City of Logan/Jed Willets-Mountainland Developers, LLC for a rezone of Logan Gateway and Royal Point Lot #6 from Mixed Residential High (MR-20) to Mixed Residential Medium (MR-12) to be consistent with the Bridger Neighborhood Located at 1650 North 400 West (5.3 acres) and 1354 North 200 West (1.8 acres) - Ordinance 17-29 – Russ Holley

Planner Russ Holley addressed the Council regarding the proposed request to rezone two areas in the Bridger Neighborhood to MR-12 to create a uniform multi-family zoning pattern in the neighborhood. Both areas have had unique circumstances that required up-zoning to MR-20 to either finish an existing partially built project or to remedy an illegal prior subdivision. The downzone will bring uniform zoning and development patterns to the Bridger Neighborhood. That, coupled with newer single-family zoning, will help bring additional, much needed, lower-density and larger housing options, likely resulting in less transient living situations. Staff is unaware of any partially-constructed or illegally-subdivided areas that would require future upzoning.

Staff recommended that the Planning Commission recommend approval to the Municipal Council for a rezone from MR-20 to MR-12, Bridger Neighborhood Downzone, for the properties located at 1650 North 400 West & 1354 North 200 West.

On November 9, 2017, the Planning Commission recommended that the Municipal Council approve the Bridget Neighborhood Downzone project that amends the Official Logan City Zoning Map.

The proposed ordinance will be an action item and public hearing at the December 5, 2017 Council meeting.

Rezone – Consideration of a proposed request to rezone approximately 2.78 acres of property located at 1137-1217 West 200 South & 175 North 1200 West from Commercial Services (CS) to Mixed Residential Low (MR-12) – Ordinance 17-30 – Russ Holley

Planner Russ Holley addressed the Council regarding the proposed rezone. The proponent, Steve Taylor is requesting to rezone approximately 2.78 acres of property from CS to MR-12. The areas consists of six lots within the Westfield Phase Two commercial subdivision approved and recorded in June 2015. The purpose for the rezone and the intention of the applicant is to build 4-plex residential structures on each property with the smallest lot being 0.36 acres, the MR-12 zoning densities would allow for this. Westfield consists of 30 total lots ranging from 2.30 acres to 0.34 acres and contains several recently built commercial buildings including Codale Wholesale Electric, Aarons Elite Auto Repair, the Herald Journal and several other commercial/industrial buildings. The subdivision was developed in a traditional square/rectangle block pattern with street connectivity onto 1000 West and 200 South.

Mr. Holley continued and said that although a general goal of Logan City and Planning Staff is to encourage quality infill projects that reduce pressure on sprawling suburban areas, natural resources and result in efficient, compact, well-designed and high-quality neighborhoods, this specific proposal doesn't meeting this criteria. It is directly adjacent to the Green Waste and City Landfill facilities and squeezed in-between existing, heavy commercial use, which is not acceptable living conditions. This subdivision was designed and laid-out for commercial development, not residential, and by simply replacing commercial buildings with four-plex buildings creates tension and makes well-designed, high-quality residential neighborhoods impossible to achieve.

Staff recommended that the Planning Commission recommend denial to the Logan Municipal Council for a rezone of approximately 2.78 acres of property located at 1137-1217 West 200 South & 175 North 1200 West.

On November 9, 2017, the Planning Commission recommended that the Municipal Council deny the Westfield Rezone project that amends the official Logan City Zoning Map.

Councilmember Olsen said the long-term use of the landfill property is still uncertain and he talked with Commission Butterfield who said that although this property is not ideal at this time, as we develop plans in the future to make the landfill a park or something else it will be more desirable for residential homes.

Mr. Holley responded there was a discussion about the future of the landfill and the applicant talked about plans of expanding the number of lots so it would be a bigger, comprehensive residential development but, it's still located in-between commercial services and the Green Waste facility.

The proposed ordinance will be an action item and public hearing at the December 5, 2017 Council meeting.

OTHER CONSIDERATIONS:

No further considerations were addressed by the Council.

ADJOURN TO MEETING OF THE LOGAN REDEVELOPMENT AGENCY

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

ACTION ITEM:

PUBLIC HEARING - Consideration of a proposed resolution approving Agency Assistance in the Bear River Association of Governments' Business Expansion & Retention Program – Resolution 17-51 RDA

At the November 7, 2017 Council meeting, Economic Development Director Kirk Jensen addressed the Council regarding the proposed resolution which will appropriate \$5,000

from the RDA to BRAG for the Business Expansion and Retention Program. The primary purpose is to fund their business outreach specialist. Mr. Jensen provided a brief overview of the duties of the business outreach specialist. This specialist will be a liaison to provide interface with the City and is a feedback mechanism for the City. There is value to this, especially for the price of \$5,000.

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 17-51 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 6:50 p.m.

Teresa Harris, City Recorder