

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, September 18, 2018 at 5:30 p.m. in the Logan City Municipal Council Chamber, 290 North 100 West, Logan, Utah. Chairman Thomas C. Jensen conducting.

Councilmember's present at the beginning of the meeting: Chairman Thomas C. Jensen and Councilmember Amy Z. Anderson. Participating Electronically: Councilmember Jess W. Bradfield. Administration present: Mayor Holly H. Daines, Finance Director Richard Anderson, City Attorney Kymber Housley and City Recorder Teresa Harris. Excused: Councilmember Herm Olsen and Vice Chair Jeannie F. Simmonds.

Chairman Jensen welcomed those present. There were approximately 22 in attendance at the beginning of the meeting.

### **OPENING CEREMONY:**

Jacob Franks, Manager of Even Stevens Restaurant gave the opening thought, and led the audience in the pledge of allegiance.

**Meeting Minutes.** Minutes of the Council meeting from September 4, 2018 were reviewed and approved.

**ACTION. Motion by Councilmember Anderson seconded by Councilmember Bradfield to approve the September 4, 2018 minutes as amended and approve tonight's agenda. Motion carried by roll call vote.**

**Anderson: Aye**

**Bradfield: Aye**

**Jensen: Aye**

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

**Meeting Schedule.** Chairman Jensen 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, October 2, 2018.

### **QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL:**

Logan resident Keith Schnare addressed the Council. He has observed while driving around town and from comments made by from the Parking Appeals Board that most of the parking lots in the downtown are close to full which, is good but we may be running out of space. The University students are back which has kept the Parking Appeals Board busy. There are a number of repeat offenders who work or own businesses in downtown Logan and believe they have the right to park near or at their business location for more than the allotted time limit. He suggested that Logan Downtown Alliance Manager Gary

Saxton could take time to advise the business owners about their parking rights and the proper locations for employees to park so they don't get parking tickets.

Logan resident Gay Burge lives at 463 Crescent Drive. Her concern is paying for storm water when we haven't received any rain. It was her understanding that storm water should not go into the sewer system but should instead go into the wetlands.

Mayor Daines responded that the City is in the process of writing a grant for \$10 million dollars to help with storm water and getting it out to the wetlands.

Logan resident Frank Stewart addressed the Council and expressed his appreciation to Logan City for parking and occupancy enforcement efforts. He sees clean, open streets in the Adams Neighborhood and appreciates that good, positive things are happening.

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

### **MAYOR/STAFF REPORTS AND COUNCIL BUSINESS:**

**PUBLIC HEARING** – Consideration of a proposed resolution approving a portion of Center Street as the **CENTER STREET ASSESSMENT AREA** in the City of Logan, Cache County, Utah, for the purpose of replacing and installing curb, gutter, sidewalk, landscaping and appurtenant improvements and to pay some or all of the costs of the improvements by an assessment provided in Chapter 11, Title 42, UCA, 1953, as amended, on the property within said **ASSESSMENT AREA** for the benefit of the property being assessed – **Resolution 18-44**

At the July 17, 2018 Council meeting, Mayor Daines presented the proposed Center Street Assessment Area information. The general description of the **ASSESSMENT AREA** includes all properties located on the frontage of Center Street between Main Street and 100 West. The improvements proposed will include the following:

- Install new curb, gutter, and wider sidewalk along both sides of Center Street;
- Install storm drainage as needed to manage storm water runoff;
- Improve existing corners to meet ADA requirements;
- Install landscaping and street furnishings;
- Relocate decorative lighting;
- Install a mid-block crossing;
- Re-grade and asphalt the street;
- Install water utility upgrades;
- Upgrade traffic signal on 100 West.

The City of Logan proposes to levy an assessment on benefitted property within the **ASSESSMENT AREA** to pay some or all the costs of the improvements according to the

estimated benefits to the property from the improvements. The total estimated costs for the improvements have been estimated by a project engineer and are based on recent prices of construction in Logan. The specific items that are included in the proposed ASSESSMENT AREA are included in the cost estimate provided in Attachment D. The estimated total costs for the project improvements are \$1,466,060.00 and \$350,000.00 of it will be paid by an assessment to be levied against the properties abounding, abutting upon or adjacent to the roadway area which will be benefitted by said improvements. Assessment shall be levied based on linear feet of frontage immediately adjacent to Center Street. The estimated cost of \$288.19 per foot of frontage of the real property adjacent to said improvements is the basis of assessment for each parcel and is according to the estimated benefits to the property from the improvements. If the actual construction costs for the improvements are less than the estimate, then the estimated cost per foot of frontage will be reduced accordingly. The total estimated costs of the proposed improvements to be paid by the City of Logan are \$1,116,060.00.

The City of Logan will provide financing for this project. The assessment may be paid by the abutting property owners in full at the completion of the improvements (with no interest charge) or in ten (10) equal annual installments. If the abutting property owner elects to pay over the 10-year period, the installments will include an interest rate of 3.05% per annum. There will be no penalty for early payment. If after ten (10) years a balance remains to be paid, an interest rate of 10% per annum will be charged on the unpaid balance until the assessment is paid in full. The assessment will be collected by inclusion on a property tax notice issued in accordance with UCA 59-2-1317 and in compliance with UCA 11-42-401.

Mayor Daines addressed the Council and said no protests regard the assessment area were submitted so the next step is to hold a public hearing this evening.

Chairman Jensen opened the meeting to a public hearing.

Logan resident Gail Yost addressed the Council and asked once the Assessment Area is approved how long will the project take until completion. She is concerned about the impact to some of the smaller businesses in this area.

Mayor Daines responded the project manager will work with the business owners and the construction period will take 1-2 months.

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

**ACTION. Motion by Councilmember Anderson seconded by Councilmember Bradfield to approve Resolution 18-44 as presented. Motion carried by roll call vote.**

**Anderson: Aye**

**Bradfield: Aye**

**Jensen: Aye**

City Attorney Kymber Housley stated now that the Assessment Area has been approved, the Council needs to establish a Board of Equalization that allows the public to come in and meet with the Board if they have specific concerns about the assessment on their

property. He said the Council can serve on the Board of Equalization, City Treasurer or Project Manager. He recommended that the Council consider the appointment of Mayor Daines, City Treasurer Tyson Griffin, and Assistant City Engineer Tom Dickinson to serve on the Board of Equalization. At the October 2, 2018 Council meeting the Council will approve the appointments and the Board of Equalization meetings will be scheduled October 8, 9, and 10, 2018. The meetings will be noticed and sent to the property owners. Chairman Jensen and Council Member's Anderson and Bradfield gave a head nod to approve the recommendation of those who could serve on the Board of Equalization.

**PUBLIC HEARING – Consideration of a proposed property sale of City property to the Logan City School District located at approximately 950 North 1500 East (east side of the Hillcrest Elementary School block) consisting of approximately 1.5 acres.**

Mayor Daines said Logan City has been approached by the Logan City School District to purchase property at 950 North 1500 East for the purpose of rebuilding Hillcrest Elementary. The School District has always planned to rebuild the Hillcrest School on the same block where the current school is located. Logan City owns 100 sf of property along 1500 East and the School District would like to purchase this property from Logan City so they can move ahead with their plans.

Logan Superintendent Frank Scofield addressed the Council and stated that Hillcrest Elementary was built in 1959 and was remodeled in 1980 but is still one of the older school buildings in the Logan School District. In 2011, the District commissioned a facilities study and the result of that study determined that Hillcrest Elementary should be one of the top priorities for upgrades and repairs. Hillcrest's overall grade was a C but in fire suppression and plumbing they received a D grade, heating and cooling they received a C grade. He showed a map of the current layout of the school and the proposed changes. The School District is looking at a 100-sf piece of land that goes the entire length of the East side of the property (1500 East). They need to keep the existing Hillcrest School in operation while they build the new school because they don't have another place to take 490 students. If they were to do a phased build, it would create safety issues for students and would add between \$1.9 and \$2.0 million dollars to the cost of the project. Moving the new school to the West side would limit the open/play area for the school children. The District has looked at options for mitigating the impact on the neighborhood and what is best for the school. Because of costs, or impacts on the instructional aspect they determined other options were not viable which, is why they would like to purchase the proposed property from Logan City.

Superintendent Schofield continued and said with the current school property there are 132 parking spaces which includes the angled on-street parking. In the proposed plan, the parking would increase to 155 and all parking spaces would be in a parking lot and there would not be any angled on-street parking. He stated that 1500 East is a high traffic route and the proposal is the on-street parking would be removed along this road. The main student drop-off would be located on the South end of the new school. The bus drop-off would be on the North end of the new school. All entrances and exits for traffic would be off the main road (1500 East). There are no entrances to the building facing 1500 East. There is the possibility that angled on-street parking will be placed on the West side of

the new school and that would put the total amount of parking at 200 stalls. He stated there will be a slight decrease in greenspace with the new school of approximately 0.8 acre. The school currently has 490 students and due to the projected growth in the Hillcrest area with new housing development, the plan is to build the new school to accommodate up to 650 students which requires a larger building and portions of the school will be two-stories. A larger school requires more parking for faculty, staff and parents who come to the school for various activities. The new field on the West side of the school can accommodate a baseball field, women's lacrosse and soccer field. If the City agrees to sell the property the District will complete the design of the school and will break ground in the Spring of 2019. On September 27, there will be a community meeting in the Hillcrest area with the neighborhood to answer additional questions about the new school.

Chairman Jensen asked are there any restrictions on the public using the green space if it's not being used by the school.

Superintendent Scofield responded that outside of school hours, the outdoor facilities are open for public use. The new Hillcrest School will be built first then while Ellis Elementary is being remodeled they will bus students from Ellis to the old Hillcrest Elementary School. The remodel of the Ellis School will take about one year and most of the students will be bused. When Ellis Elementary has been remodeled, the old Hillcrest School will be torn down.

Chairman Jensen opened the meeting to a public hearing.

Logan resident Rod Jensen addressed the Council. Mr. Jensen lives on 1500 East and he counted 16 vehicles that went by his home in one minute. He asked why can't temporary/portable classrooms be brought in for the students to use while the new school is being built where the current school is located.

Superintendent Schofield responded there is a cost for temporary/portable classrooms of approximately \$50,000 each so, for the entire school it would cost approximately \$2 million dollars for portable classrooms and there would be an additional costs for electricity and restrooms.

Logan resident John Hart addressed the Council. Mr. Hart lives on 1500 East and said one of the reasons he purchased his home was because of the open space right across the street. He has mixed feelings about the project especially since it will be a two-story building and feels it will be too large for the area. He said the new school will affect his quality of life and there will be more traffic.

Logan resident LuAnn Harris addressed the Council and she is also concerned about the large school building and additional traffic the new school will bring. She would like the City to build a park instead of selling the property.

Mayor Daines explained that all of the property to the West of the current school building will be green space.

Logan resident Keith Schnare addressed the Council and said the School District should build schools where most of the current and new students live which is on the West side of Logan rather than bus students to Hillcrest.

Chairman Jensen said he lives in a transition neighborhood and there have been very few children in the past but his neighborhood is changing and younger families are moving in. He feels we can't plan for a static neighborhood because it will transition at some point.

Superintendent Schofield said when they determine where to build a new school they work with the Logan City Planning Department and look where new development is occurring. There are new housing developments in the area of Hillcrest with the potential to bring in 100 or more students to Hillcrest. The goal is for the school to accommodate 600-650 students and they can adjust boundaries and bus students to different schools if needed. The District believes in the power of neighborhood schools and schools function better when students go to school and participate in social activities with the same group of peers.

Logan resident Rod Jensen said in his opinion a cost of \$2 million dollars for portable classrooms and building the new school where it currently is worth it rather than lose the green space on 1500 East.

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

Mayor Daines explained when the City sells property and acreage of this size, they are required to hold a public hearing. These are some of the tough decisions that have to be made and sometimes you have to make a decision that you know will impact individuals but also need to consider the overall, greater good in terms of the taxpayers and the cost. She thanked everyone for their comments and said that she will make a decision by the end of the week regarding the property sale.

City Attorney Kymber Housley explained the property purchase is an administrative decision so the Council does not vote on the sale of property to the School District.

**Proclamation: Domestic Violence Awareness Month – Michelle Mickelson, CAPSA**

Michelle Mickelson from CAPSA read a proclamation designating October as Domestic Violence Awareness Month.

CAPSA Board Member Scott Stettler addressed the Council and said during his time on the Board he has seen lives changed because of CAPSA. He said this is a great organization that makes a difference in our community.

No further items were presented.

## **ACTION ITEMS:**

### **PUBLIC HEARING - Consideration of a proposed resolution approving the CDBG PY2017 Consolidated Annual Performance and Evaluation Report (CAPER) – Resolution 18-38**

At the September 4, 2018 Council meeting, Planner and CDBG Coordinator Aaron Smith addressed the Council regarding the proposed resolution.

#### **Infrastructure Project Approved PY2017**

- 100 West Golf Course Road  
PY2017 Expenses: \$9,930  
Constructed 2 of the 4 corners  
Estimated completion Fall 2018  
1,610 beneficiaries
  
- 1400 North 200 East Sidewalk - \$0  
PY2017 Expenses: \$0  
No construction during PY2017  
Estimated completion Spring 2019
  
- Park Access and Mobility – Merlin Olsen  
PY2017 Expenses: \$51,091  
Sidewalks around park completed  
Internal paths will begin construction Fall 2018  
4,790 beneficiaries
  
- Canyon Road Trail  
PY2017 Expenses: \$0  
Project Design  
Construction to begin Spring 2019

#### **Infrastructure Projects Completed during PY2017**

- PY2015 300 South Sidewalk  
PY2017 Expenses: \$494,474  
2,490 beneficiaries
  
- PY2016 400 East Center Sidewalk  
PY2017 Expenses: \$31,788.24  
2,875 beneficiaries

#### **Community Needs Projects Approved PY2017**

- English Language Center Roof  
\$17,500  
571 beneficiaries

- Bridgerland Literacy Labs  
\$1,994  
22 beneficiaries
- BRAG Homebuyer Education  
\$10,000  
110 beneficiaries
- Whittier Center Window Phase 2  
\$0 – Construction delayed. Window installation to begin mid-September  
434 beneficiaries
- UTAP Assistive Technology Demo and Loan  
\$5,000  
119 beneficiaries

**PY2017 Projects – Expenses**

- Program Administration: \$62,796.17
- 100 West Golf Course Road: \$9,930.24
- Park Access and Mobility: \$51,091.73
- English Language Center: \$17,500
- Bridgerland Literacy: \$1,994.91
- BRAG: \$10,000
- UATP: \$5,000
- TOTAL: \$158,313.05**

**PY2017 Projects – Remaining Funds**

- 100 West Golf Course Road: \$25,069.76
- 1400 North 200 East Sidewalk: \$50,000
- Park Access and Mobility Improvements: \$198,908.27
- Canyon Road Trail: \$178,519.86
- Bridgerland Literacy Labs: \$5.09
- Whittier Center Windows: \$17,000
- Program Planning: \$21,638
- Program Administration: \$1,399.83
- TOTAL \$492,540.81**

**Other Program Year Expenses during PY2017**

- PY2015 - 1800 South (1380 West to 1330 West) Sidewalk: \$4,192 (final drawdown, no work performed during PY2017)
- PY2015 – 300 South (100 West to 300 West) Sidewalk: \$494,474
- PY2015 – Planning (Historic District Update): \$2,478
- PY2016 – 400 East Center Sidewalk: \$31,788.24
- PY2016 – Woodruff Plan: \$1,280
- PY2016 – Access and Mobility Plan: \$3,525
- TOTAL \$537,737.24**



Chairman Jensen opened the meeting to a public hearing.

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

**ACTION. Motion by Councilmember Anderson seconded by Councilmember Bradfield to approve Resolution 18-38 as presented. Motion carried by roll call vote.**

**Anderson: Aye**

**Bradfield: Aye**

**Jensen: Aye**

**PUBLIC HEARING - Consideration of a proposed resolution updating the complete list of Logan City Police Department fees, to establish a fee amount for mandatory data chip placement on any dog that is impounded by Logan City Animal Control prior to release back to the owner, adoption fee of an animal and approve an increase in fees charged for the private hiring of Logan City Police Officers for traffic details, security or other assignments - Resolution 18-43**

At the September 4, 2018 Council meeting, Chief Gary Jensen addressed the Council and said now that the Police Department is in the animal services business they would like to implement a new fee for a mandatory data chip. The police department not only wants to be a no kill shelter but they also want to accomplish a 100% return to owner of the animal.

Lieutenant Brad Franke addressed the Council regarding the proposed resolution. He said 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 and board animals. Prior to the release of an impounded animal, the Police Department will require the animal to receive a data chip to be placed prior to release to the owner. The Police Department proposed a \$20 per chip fee. They already have the capability to scan a chip that an animal might have. Other animal shelters offer chipping and he has not looked specifically if other municipalities are doing chipping. Data chipping is not considered a veterinary or medical procedure and is rather considered an identification procedure. The chipping can be done by anyone who has received the specific training. The Police Department is working with the Bridgerland Technical College and their Animal Science Program to assist with chipping. The College will train the Police Department's Animal Control Officers to do the chipping. Initially, the chipping will be offered to dogs and eventually cats.

Chief Jensen said the Police Department seeks to increase the fee to hire Logan City Police Officers for private traffic services, security or other specific assignments. Currently the fee is \$50 per hour and he proposed increasing the fee to \$70 per hour. Chief Jensen requested that the resolution be amended to include an adoption fee of \$175.00 which, also includes licensing, spay/neutering and a data chip for the animal. This proposed adoption fee is the same fee the Cache Humane Society charges.

Chairman Jensen opened the meeting to a public hearing.

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

**ACTION. Motion by Councilmember Bradfield seconded by Councilmember Anderson to approve Resolution 18-43 as amended. Motion carried by roll call vote.**  
**Anderson: Aye**  
**Bradfield: Aye**  
**Jensen: Aye**

**PUBLIC HEARING - Budget Adjustment FY 2018-2019 appropriating: \$2,229 for Library Collection Development – Resolution 18-42**

At the September 4, 2018 Council meeting, Finance Director Richard Anderson addressed the Council and explained the proposed budget adjustment.

Chairman Jensen opened the meeting to a public hearing.

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

**ACTION. Motion by Councilmember Anderson seconded by Councilmember Bradfield to approve Resolution 18-42 as presented. Motion carried by roll call vote.**  
**Anderson: Aye**  
**Bradfield: Aye**  
**Jensen: Aye**

**WORKSHOP ITEMS:**

**Cache Achieve Pilot Program – Terryl Warner, Victim Services Director Cache County Attorney’s Office**

Terryl Warner, Victim Services Director with the Cache County Attorney’s Office addressed the Council regarding the Cache Achieve Pilot Program. The purpose of the pilot program is to give low-level offenders an opportunity to undergo a certificate of job training at Bridgerland Technical College as an alternative to serving jail time. The program is rigorous and participants must achieve a B average in their classes and maintain a 90% attendance rate. Participants have to cover the costs of the training program themselves, although some students may qualify for government grants or scholarships. The program requires participants to undergo counseling and work with the Department of Workforce Services’ Work Success Program, which prepares people to seek and compete for jobs. Offenders who have participated in Cache Achieve have entered plea agreements with prosecutors and instead of jail time, they have committed to job training and other requirements. If they complete the program, criminal charges can be dismissed or reduced. People who do not meet the requirements can be sentenced to jail. Funding from the State Legislature pays for the prosecuting attorneys’ administrative costs. Prosecutors need to oversee participants because they can negotiate plea agreements, help participants get their charge reduced when they succeed, or seek their return to jail if they do not meet the requirements of the program. She feels this is a great program and provides an opportunity so people can improve their lives.

**Budget Adjustment FY 2018-2019 appropriating - \$12,910 for the Deer Pen Property Subdivision Design; \$12,000 a grant the Police Department was awarded from the Internet Crimes Against Children Task Force of Utah; \$2,600 a grant the Police Department received from the State of Utah to purchase and maintain Drug Force Task Force equipment; \$81,626 State Task Force grant the Police Department received to reduce, prevent and investigate drug use – Resolution 18-45 – Richard Anderson, Finance Director**

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

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

**Consideration of a proposed resolution adopting Amendment 1 to the Community Development Block Grant (CDBG) Program Year 2018 (PY2018) Annual Action Plan for the City of Logan – Resolution 18-41 – Aaron Smith, Planner/CDBG**

Planner and CDBG Coordinator Aaron Smith addressed the Council regarding the proposed resolution.

**PY2018 Amendment 1**

- Cancel Bridger Bike Park
- Create Bridger Park Pathways project - \$25,000
- Cancel 200 East 800 North Sidewalk and Corners
- Reallocate \$85,000 to 300 West 600 South Sidewalk and Corners. Total funding \$130,000
- Reallocate \$15,000 to 200 West 1300 North Sidewalk and Corners
- Designate the 200 West 1300 North Sidewalk and Corners project as a receive project for funding reallocations from competed projects, cancelled projects, or recaptured funds up to \$70,000.

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

**OTHER CONSIDERATIONS:**

No further considerations were addressed by the Council.

**ADJOURNED.** There being no further business to come before the Council, the meeting of the Logan Municipal Council adjourned at 7:00 p.m.

Teresa Harris, City Recorder