

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, April 16, 2019 at 5:30 p.m. in the Logan City Municipal Council Chamber, 290 North 100 West, Logan, Utah. Chair Jeannie F. Simmonds conducting.

Councilmember's present at the beginning of the meeting: Chair Jeannie F. Simmonds, Vice Chair Amy Z. Anderson, Councilmember Jess Bradfield, and Councilmember Thomas C. Jensen. Administration present: Mayor Holly H. Daines, City Treasurer Tyson Griffin, City Attorney Kymber Housley and Deputy City Recorder/Legal Assistant Sylvia Tibbitts. Excused: Councilmember Herm Olsen, Finance Director Richard Anderson, City Recorder Teresa Harris.

Chair Simmonds welcomed those present. There were approximately 13 in attendance at the beginning of the meeting.

OPENING CEREMONY:

Pastor Ron Flessner offered a thought, prayer and led the audience in the pledge of allegiance.

Meeting Minutes. Minutes of the Council meeting from April 2, 2019 were reviewed and approved with minor changes.

ACTION. Motion by Vice Chair Anderson seconded by Councilmember Bradfield to approve the April 2, 2019 minutes and approve tonight's agenda. Motion carried unanimously.

Meeting Agenda. Chair Simmonds announced there is one public hearing scheduled for tonight's Council meeting.

Meeting Schedule. Chair Simmonds 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, May 7, 2019.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL:

Citizen Jesse Bardsley addressed the Council regarding walkability in downtown Logan and urban planning, including a book he is reading entitled "Walkable City Rules" by Jeff Speck. He felt downtown Logan has very good potential and encouraged the Council to consider narrowing the lanes on Main Street and lowering the speed limit to 25 miles per hour in order to create better and safer walkability there. He spoke of making changes with "human scale vs. car scale" in mind.

Citizen Gail Yost with the Neighborhood Council questioned the City's policy on picking up cats. She desired to make sure feral cats in the community are treated fairly. Mayor Daines replied the City is in a trial period with the Cache Humane Society and is working

on the Trap, Neuter, Release program presently. She will email the information she has to Ms. Yost.

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

MAYOR/STAFF REPORTS:

Proclamation: National Day of Prayer – Pastor Ron Flessner

Pastor Ron Flessner addressed the Council and announced that the 68th observance of the National Day of Prayer will be held on Thursday, May 2, 2019 with the theme, “Pray for America: Love One Another.”

He gave a brief history on the formation of the National Day of Prayer. He encouraged the Council and City announce and encourage prayers be offered on that day.

Great Shakeout, April 18 – Fire Chief Brad Hannig

Chief Hannig explained the basic guidelines of the program and how to practice for an earthquake. He encouraged all to practice the Great Shakeout at 10:00 am on April 18th.

Board Appointments (Water/Wastewater and Stormwater Advisory Board) – Mayor Daines

Mayor Daines asked for ratification to appoint Scott Panter, Darin Evans and Loren R. Anderson to serve on the Water/Wastewater and Stormwater Advisory Board which, are two year terms.

ACTION. Motion by Councilmember Jensen seconded by Vice Chair Anderson to approve ratification of Scott Panter, Darin Evans and Loren R. Anderson as presented. Motion carried unanimously.

Discussion: Mixed-Use Zones – Mike DeSimone, Community Development Director

Community Development Director, Mike Desimone spoke of the ratio of commercial to housing in Mixed-Use Zones. There is a high demand for multi family housing, however, there is not a lot of Mixed-Use zoning in the City.

Chair Simmonds felt the theory behind Mixed-Use Zones was to create a livable community environment where people could get services in a walkable, self-contained area. She questioned the wisdom in simply making a high-density area. Mr. DeSimone noted there is a commercial requirement in this type of zoning. The residential requirement is vertical as opposed to horizontal. The level of intensity is not different than what was already planned there. He further stated that Logan City is not big enough to create a community with enough rooftops to support a neighborhood serving type of commercial establishment. What will happen is a commercial activity that is supported by outside rooftops.

Mr. DeSimone added that the City can inquire as to the property owner's intent as it pertains to ratio of rooftops versus commercial as part of the mixed-use application.

Attorney Housley advised the City can require data showing a ratio and an explanation as to how the owner came to that conclusion. Chair Simmonds said there needs to be a discussion whether developing the property in any way is the right answer, or whether to do it a different way is a better answer.

Councilmember Bradfield acknowledged the matter was voted on a few months ago. At that time, perhaps they should have asked the questions being asked now, but they didn't. There are some new members on the Council now, and his thought was this needs to be fixed for the future despite potential consequences now. There needs to be a component that sets a percentage of what should be commercial and residential.

Councilmember Jensen felt a required percentage makes no sense since it would be driven by the markets. He agreed there is a need to create dialogue to move toward a walkable, livable neighborhood with mixed use.

Chair Simmonds asked if there is a way that the matter can be discussed with attributes the City hopes to accomplish without requiring certain percentages, and have it be strong enough that the Planning Commission can weigh whether or not they feel it works. Councilmember Bradfield was concerned that there seems to be no transparency from developers and there could be such a high variance.

Attorney Housley advised it might be good to apply a percentage, but allow a developer the opportunity to incorporate something like an alternative parking plan, landscaping plan or something similar to show why the effectiveness of it would be admissible for part or all of the percentage component.

Attorney Housley and Mr. DeSimone will work on some language to address the Council's concerns. Something will be produced within a month for the Council to review.

No further items were presented.

COUNCIL BUSINESS:

Planning Commission Update – Chair Simmonds

Chair Simmonds reported that the Planning Commission met on April 11, 2019, and a moderate income housing plan will be forthcoming. She reported that Logan City is becoming poorer as a city with more need for rental housing. She hoped the information that will be provided can be an impetus for the City to do better.

There will be a new Bed & Breakfast on the corner of 200 North and 200 East.

The Planning Commission approved design plans for Culvers Restaurant. It will be located at 200 East and 1400 North.

Council Budget Workshop Dates - Chair Simmonds

Chair Simmonds announced that Council Budget Workshops are scheduled for Tuesday, May 14 beginning at 5:30 p.m. and Tuesday, May 21 immediately following the Regular Council meeting at approximately 7:00 p.m. The public is invited to attend.

NuScale Report – Chair Simmonds and Vice Chair Anderson

Chair Simmonds and Vice Chair Anderson traveled to Corvallis, Oregon to tour the NuScale Power facility. It is a small nuclear reactor program that Logan Light & Power has been looking at. Vice Chair Anderson reported that Logan has been involved in the nuclear power industry since 2015, and has been looking at the NuScale technology for about 4 years. NuScale has 12 small individual reactors that can be shut down individually with the other reactors still being on-line giving a constant source of energy. They are looking for investors at this time. Future power needs such as this would help with some power base for Logan's power portfolio, and augment renewable sources.

Chair Simmonds advised that the City should be cautious about the cost of this power. NuScale is gathering a cost estimate. The benefits of the people who purchase into this plan are the safety that has been installed in this smaller format. Additionally, it is scheduled to go at the Idaho National Lab site which is distant from any population. One challenge is that it requires a great amount of water, which is a problem with this location, but that is being worked on. There are presently two small scale test facilities being built and tested.

No further items were presented.

ACTION ITEMS:

UDOT Option for 3200 South

Public Works Director Paul Lindhardt reviewed the three alternatives UDOT previously presented for the 3200 South improvements. He reported that Nibley City favored alternative 2 with a soft second choice of alternative 1, and Cache County technical advisory committee recommended alternative 2. Councilmember Jensen noted that alternative 2 was less expensive. He asked Mr. Lindhardt if that was a driving factor in the selection of that alternative. Mr. Lindhardt replied that it was a factor, however safety, property, and the CMPO long range transportation plan were also deciding factors.

Councilmember Jensen expressed that alternative 2 did not address the access road problems located near the Ted's Service Station. Daren Fristrup from UDOT advised that access at this intersection will be relocated to 3200 South. There would be one access to his property from Highway 89, however, it would not be a through way.

Chair Simmonds asked Mr. Fristrup what he felt the advantages were to alternative 2. He replied that this alternative could be done quickly, it is less expensive to build, and it would resolve safety issues in this area quickly as it would include traffic signals. Also,

it provides a good connection to 2000 West going to the North better than the other two alternatives.

Mayor Daines advised that she and staff have decided in favor of alternative 2. The Council also gave their support for alternative 2.

PUBLIC HEARING - CODE AMENDMENT/ZONE CHANGE – Consideration of a proposed code amendment. Logan City requests to amend the Land Development Code, Chapter 17.21 to amend the existing South Gateway standards to better align the South Gateway with the Cache Valley South Corridor Development Plan (“South Corridor Plan”) by identifying specific commercial nodes, instituting a greater building setback from the highway, limiting the range of uses adjacent to the highway by directing commercial activity towards the commercial nodes, and collaborating with neighboring jurisdictions to implement the South Corridor Plan uniformly. This action also is considered a zone change as follows: increase the extent of the overall boundaries from the railroad tracks to 3200 South; increase the setback from Hwy 89/91 to 100’ and 150’; create three (3) commercial nodes at 1000 West, 2600 West and 3200 West, with associated setbacks from Hwy 89/91 at 50’ and 75’; and modify the format of the Chapter – Ordinance 19-08

At the April 2, 2019 Council meeting, Planner Aaron Smith addressed the Council and said this is a proposal to amend the existing South Gateway Overlay standards to better align the South Gateway with the Cache Valley South Corridor Development Plan (“South Corridor Plan”) by expanding the South Gateway Overlay from 2200 South to 3200 South, increasing the building setback line from the highway, limiting the range of uses permitted adjacent to the highway, and by designating three (3) specific commercial nodes where the setbacks are reduced and development is encouraged. This amendment is a result of Logan City’s efforts to collaborate with neighboring jurisdictions in implementing the South Corridor Plan uniformly. This action also is considered a rezone or zoning amendment as it is proposing to expand the overlay zone beyond its current boundaries. It doesn’t change the actual zoning underneath it; rather, it applies additional zoning or land use regulations on top of the existing zoning.

He said the SR 89/91 South Gateway is the most heavily traveled gateway into Logan City and is currently home to a variety of uses, many of which are highway related commercial uses. The South Corridor Plan was adopted in 2013 and is a long-term coordinated plan to move new development away from the highway, consolidate commercial uses into commercial nodes around the major intersections, promote high quality site and building design, manage/limit highway access, and facilitate the flow of through traffic while protecting the significant views and natural areas within the corridor. Logan, Nibley, Wellsville, and Cache County have all agreed to implement various elements of the South Corridor Plan.

On March 14, 2019, the Planning Commission recommended the Municipal Council approve the Land Development Code Amendment to Chapter 17.21 amending the South Gateway Overlay.

Community Development Director Mike DeSimone reviewed the changes to the overlay for the South Gateway

Councilmember Jensen asked Mr. DeSimone if the City could have conversation with Nibley City on the Overlay and Commercial Nodes as it seems Nibley has expressed some concerns. Mr. DeSimone reported Logan is in a position to do what is best for Logan. They have had past conversations with Nibley. Councilmember Jensen advocated for a meeting of the minds to understand the value of what Logan is doing with the Gateway.

Chair Simmonds opened the meeting to a public hearing.

Citizen Gail Yost asked if this project would be a cost born by Logan City or UDOT. Chair Simmonds reported this is an overlay to the property zoning that is in the corridor. Developers would likely bear any costs associated therein.

Cache County Councilmember Paul Borup expressed his support for the overlay. It keeps a rural character along the highway.

There were 2 comments and Chair Simmonds closed the public hearing.

Mayor Daines offered to approach Nibley City to see if their city council is willing to meet in a publicly noticed joint meeting on this matter. The Council members agreed to this approach.

ACTION. Motion by Councilmember Bradfield seconded by Vice Chair Anderson to adopt Ordinance 19-08 as presented. Motion carried unanimously.

(Continued from April 2, 2019) - Consideration of proposed resolution to approve an increase in fees at the Logan City Cemetery – Resolution 19-18

Parks and Recreation Director Russ Akina proposed the following fees for the Logan City Cemetery:

| <u>Item</u> | <u>Current Fee</u> | <u>Proposed Fee</u> | <u>Proposed U.S. Military Veteran Fee</u> |
|-----------------------------------|--------------------|---------------------|---|
| Burial Space | \$606.00 | \$750.00 | \$650.00 |
| Infant/Half Space | \$302.00 | \$200.00 | N/A |
| Cremation Space | \$606.00 | \$750.00 | \$650.00 |
| Open/Close Weekday | \$501.00 | \$625.00 | \$525.00 |
| Open/Close Saturday | \$1,014.00 | \$1,400.00 | \$1,300.00 |
| Infant Open/Close Weekday | \$222.00 | \$300.00 | N/A |
| Infant Open/Close Saturday | \$342.00 | \$350.00 | N/A |
| Cremation Open/Close Weekday | \$222.00 | \$350.00 | \$300.00 |
| Cremation Open/Close Saturday | \$342.00 | \$400.00 | \$350.00 |
| Additional Charge After 4:00 p.m. | \$240.00 | \$350.00 | \$350.00 |
| Deed Transfer | \$ 60.00 | \$ 60.00 | \$ 60.00 |
| Upright Headstone Install Fee | \$0 | \$100.00 | \$100.00 |
| Flat Headstone Installation Fee | \$0 | \$ 25.00 | \$ 25.00 |

Parks & Recreation Director Russ Akina addressed the issue of burial costs from weekday grave opening to weekend day grave opening. This is to encourage people to open graves during the weekdays when crews are at work during Monday through Friday. It costs more for the City to open graves on Saturdays. One of the biggest additional costs for this is labor. There were 77 recorded burials on Saturdays during the past year.

Vice Chair Anderson asked for clarification as to what drives up the fees for weekend burials. Mr. Akina replied that one of the biggest components to the fees is labor costs. Another complication to that is that there are a set number of laborers. Employees are presently running up more comp time than they can use. Once they exceed the cap for comp time, they will need to be paid overtime. Additionally, if the burial site is in the inner portions of the cemetery, gravestones in the vicinity often need to be removed in order to accommodate the burial. The company that is contracted to do this often charges extra to perform this service on Saturdays. Those fees cannot be controlled by the City.

Councilmember Bradfield suggested cutting out the slowest day of the week for burials. Russ would like to evaluate the impact to the customers and study that before he makes any decisions.

Councilmember Jensen favored evening out the cost on weekends more and seeing if something could be done.

Mrk Akina would like to study these things and come back to the Council with more information at the next Council meeting, if necessary as changes to this Ordinance would precipitate changes in his department's upcoming proposed budget for next fiscal year.

ACTION. Motion by Councilmember Jensen seconded by Councilmember Bradfield to continue Resolution 19-18 to the first Municipal Council meeting in May. Motion carried unanimously.

Consideration of a proposed resolution appointing temporary Justice Court Judges for the Logan Municipal Justice Court – Resolution 19-19

Attorney Housley addressed the Council and reported that with the retirement of Judge David Marx as of May 1, 2019, the City of Logan finds it necessary to appoint temporary judges to serve in the Logan Justice Court until a permanent judge can be appointed. Attorney Housley proposed the Council appoint the following to serve as temporary Justice Court Judges for the Logan Municipal Justice Court for as long as they meet the necessary requirements to serve as a temporary Justice Court Judge in the City of Logan: David Marx, Paul Larsen, Trevor Layne Cook, and Mathew Funk.

ACTION. Motion by Vice Chair Anderson seconded by Councilmember Jensen to approve Resolution 19-19 as presented. Motion carried with Councilmember Bradfield abstaining.

WORKSHOP ITEMS:

Mayor Daines provided a brief history of the congestion and the additional traffic lanes created from 200 to 400 North on Main Street. Some businesses along those two blocks have expressed their concerns about speed, safety, and accidents. Another unanticipated problem is that the Cache Valley Transit District has had to remove the bus stop in front of the Logan Library to accommodate the 3rd traffic lane.

Mayor Daines expressed her appreciation to Daren Smith and Todd Finlinson with UDOT and turned the time over to Mr. Smith. He gave a five year history as to how the trial of the 3rd lanes came to be. This has been reanalyzed with the results being that if the 3rd lanes were removed, there would be approximately a 10% decrease in efficiency in moving traffic and there would be 10% more emissions. Statistical information showed the number of accidents increased by 36 more since the 3rd lane was installed five years ago. His suggestion was to restripe the lanes, eliminating the 3rd travel lanes while allowing traffic to merge into the other two lanes from the 3rd lane area between 300 and 400 North going North, and between 200 and 300 North going South, and also creating right turn lanes near the intersections. He displayed the new striping plan.

Mayor Daines noted this is the right time for this discussion as Main Street will be resurfaced this Summer, and restriping will need to be done.

Chair Simmonds advised that this will be a public hearing at the next Council Meeting.

Chair Simmonds left the meeting. Vice Chair Anderson assumed the Chair.

Consideration of a proposed resolution to approve the CDBG 2019-2023 Consolidated Plan and PY2019 Annual Action Plan – Resolution 19-22 – Debbie Zilles, CDBG Coordinator

CDBG Coordinator Debbie Zilles addressed the Council. It is anticipated that the City anticipates it will receive \$454,000 in funds from HUD for CDBG use. The Steering committee met and made recommendations for distribution of the funds.

Ms. Zilles displayed and explained the proposed projects and the Funding Goals as Approved in the 2019 – 2024 Consolidated Plan that the anticipated funds would cover.

Councilmember Jensen asked if there have been any accidents at the pedestrian crosswalk at the top of the dugway. Mayor Daines replied that she was not aware of any.

Councilmember Jensen noted that there is somewhat of a blind spot for vehicles coming up the hill to see pedestrians in the crosswalk there. He wondered if there was a way to fund some pedestrian crossing lights there. Mayor Daines replied there is not funding for that with this proposal, however, the City can look into other ways to be able to install pedestrian crossing lights there.

There will be a public hearing regarding this matter at the next Municipal Council Meeting.

REZONE – Consideration of a proposed rezone. Logan City requests to zone 3 acres of residual railroad spur property, located at 600 West 400 North, from Commercial (COM) to Mixed-Use (MU) subsequent to the dedication of the new section of 400 North between 600 West and 800 West (Ellis Neighborhood) – Ordinance 19-09 – Aaron Smith, Planner

Mike DeSimone addressed the Council regarding the proposed rezone. The proponent is requesting to rezone two (2) parcels that total approximately 3.40 acres of property from COM to MU. The residual properties, resulting from the 400 North street dedication, are part of the original 8.01-acre railroad spur property acquired by the City of Logan in 2012. The other remaining areas of the 8.01-acre property to the North will likely be combined with the mobile home park as 400 North continues to develop. Because of the current misalignment between the 600 West and 800 West blocks, 400 North will require a curved alignment for connection. This 3.40-acre property has limited accessibility because of the railroad tracks along the eastern border and the awkward and narrowing shape.

Mr. Smith said the City is currently in the process of selling this 3.40-acre property to the owners of the approximately 19.84-acre adjacent Meat Packing property. This would create an approximate 23-acre comprehensive project site with better accessibility and redevelopment potential. With the recent rezone of the Meat Packing property to MU, it is anticipated that a mixed project will be proposed in the near future. If the sale of this 3.40-acre property is finalized and rezoned to MU, it would be anticipated that this property would also be included in that Mixed-Use project.

Given the proximity to the existing single-family residential areas to the East and North and the light manufacturing and commercial service areas to the West and South, a Multi-Family, Mixed-Use Commercial project would act as a buffer or transition between these two incompatible land use areas. Given the access difficulties the tracks pose on this awkwardly shaped property, it makes sense to consolidate this property with a larger adjacent property. A large comprehensive project on this site can be designed in a better manner than that of smaller “piece-meal” projects, and typically result in better overall traffic circulation, usable open spaces and strategic commercial/residential interfacing. This location, immediately adjacent to Logan City’s gridded core, offers better mobility and transportation choices for future residents and employees. This location also efficiently utilizes infrastructure and surrounding utilities as compared to the outskirt areas of Logan that excessively burden the transportation and infrastructure networks with inferior logistics, higher vehicle miles riven and longer pipes and lines required for connection.

On March 14, 2019, the Planning Commission recommended that the Municipal council approve the 600 West Railroad Spur Rezone project that amend the Official Zoning Map.

Attorney Housley reported that in the negotiations, when the owners got the rezone, they came to the City and were told they would need to dedicate a right of way. However, because of the regional nature of that road, the City needed more than the right of way than what the demand of the project would create. The City will require them to give it 60 feet for the right of way, however, the City is looking now at an 80 foot right of way

to meet the needs of the City. It was during those negotiations that the surrounding property owner suggested they purchase the entire property from the City. Functionally, it makes no sense for the City to keep the property.

Attorney Housley noted there will be a dedicated right of way required with any sale of this property.

There will also be a traffic study performed at the time the City decides to extend 400 North through this area.

Councilmember Bradfield inquired as to what Mixed Use means. Attorney Housley advised that the commercial aspect would need to be along 200 North and residential would need to be behind that. Mike noted the City will try to tie commercial with the residential component together as a requirement to create proportionality in the project. That will happen during the design process.

The proposed ordinance will be an action item and public hearing at the May 7, 2019 Council meeting.

Budget Adjustment FY 2018-2019 appropriating: \$4,000 donated funds for the Logan Police Department Annual Banquet; \$286,400 funds for the Main Street Lighting Project - Resolution 19-20 – Richard Anderson, Finance Director

City Treasurer Tyson Griffin addressed the Council regarding the proposed budget adjustments.

The proposed resolution will be an action item and public hearing at the May 7, 2019 Council meeting.

OTHER CONSIDERATIONS:

Councilmember Bradfield expressed his thoughts on the responsibilities of representing Logan City residents. He thanked those who have given him the opportunity to sit on the Council.

ADJOURN TO MEETING OF THE LOGAN REDEVELOPMENT AGENCY

Vice Chair Anderson welcomed those present. There were approximately 5 in attendance at the beginning of the Logan Redevelopment Agency meeting.

WORKSHOP ITEM:

Budget Adjustment FY 2018-2019 appropriating: \$286,400 for the Main Street Lighting Project - Resolution 19-21 RDA – Economic Development Director, Kirk Jensen.

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

The lighting project will actually cost \$340,100, but may go up to nearly \$350,000 as some lamps will need have 3 lights rather than 2 lights on the poles. This money will come from the fund reserve. The South Main portion would be \$179,000, and the Downtown RDA portion would cost from \$160,000 to \$165,000. This project has been a goal for some time to stretch the streetscape, making it a worthy project with continuity both visually and for pedestrians.

The proposed resolution will be an action item and public hearing at the May 7, 2019 Council meeting.

ADJOURNED. There being no further business to come before the Council, the meeting of the Logan Municipal Council adjourned at 8:05 p.m.

Sylvia Tibbitts, Deputy City Recorder