

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, March 19, 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 Herm Olsen, Councilmember Jess Bradfield and Councilmember Thomas C. Jensen. Administration present: Mayor Holly H. Daines, Finance Director Richard Anderson, City Attorney Kymber Housley and City Recorder Teresa Harris.

Chair Simmonds welcomed those present. There were approximately 54 in attendance at the beginning of the meeting.

OPENING CEREMONY:

Logan Fire Chief Brad Hannig offered a thought, prayer, and led the audience in the pledge of allegiance.

Meeting Minutes. Minutes of the Council meeting from March 5, 2019 were reviewed and approved with minor changes.

ACTION. Motion by Councilmember Jensen seconded by Vice Chair Anderson to approve the March 5, 2019 minutes as amended and approve tonight's agenda. Motion carried unanimously.

Meeting Agenda. Chair Simmonds announced there are three public hearings 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, April 2, 2019.

Chair Simmonds announced that a discussion about the Cache Valley Cruise-In will be on the April 2, 2019 Council agenda.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL:

Logan resident Keith Schnare addressed the Council and thanked the Mayor for her recent State of the City address and he agrees the City departments are working well. He reported that the Parking Appeals Board is meeting regularly and things are going well. He also said that the Logan City CERT Program has become inactive. The 300 CERT volunteers have not practiced for several years and are dwindling in numbers, most of the volunteers are located in the Hillcrest and Wilson neighborhoods. He said there is a lack of full time direction from the fire department which, sponsors the CERT Program. He also stated that the City Emergency Operation Center (EOC) and Incident Command (IC) has not met once this past year. He was appointed as the Chair of the CERT team 10

years ago and since he has been unable to reactivate the CERT Program he said at this time he regretfully submits his resignation as the CERT Chair.

Mr. Schnare added that two neighborhoods are being overrun by rentals in the downtown and this is having a negative effect on the sustainability of a well-functioning neighborhood.

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

MAYOR/STAFF REPORTS:

Mayor Daines reported that prior to City Council meeting she attended a “Scoop the Poop” cleanup event. So far there has been a lot of support and she express her appreciation to all those who attended. She said that Parks & Recreation crews and volunteers are meeting at the seven selected off-leash dog pilot park locations and the pilot program will begin with clean parks and trails. She reminded dog owners to clean up after their dogs.

Update on UDOT options for 3200 South – Jeff Gilbert, CMPO and UDOT Representative

Mayor Daines introduced Jeff Gilbert-CMPO and Todd Finlinson-UDOT who gave a presentation on options for 3200 South.

Jeff Gilbert with the Cache Metropolitan Planning Organization addressed the Council.

Mr. Gilbert explained that this study was conducted to evaluate several alignment modifications to the existing intersection of 3200 South and Highway 89-91 with the goal to improve the safety of the intersection as well as meet the future transportation needs.

Existing Conditions:

The area of 3200 South from Nibley to Highway 89-91 is a major transportation corridor connecting vehicle travel from the city of Nibley, and the surrounding area, to Highway 89-91 which is the major transportation artery in and out of Cache Valley.

- The existing intersection of Highway 89-91 and 3200 South is skewed at an undesirable angle of 50 degrees. There are also several other local roads that intersect Highway 89-91 in close proximity to 3200 South. These factors have contributed to numerous accidents in the area.
- The existing 3200 South intersection has met traffic signal warrant criteria.

Proposed Alternatives:

Considering the necessary requirements to address the deficient conditions at the 3200 South intersection as well as the desired corridor improvements connecting 3200 South and 2000 West three alternatives were developed. Each alternative addresses the intersection skew, and incorporates a signalized intersection as well as northbound and southbound acceleration lanes and right turn deceleration lanes on to and off of Highway 89-91. Each alternative also addresses closures/modifications to the various minor intersections in the vicinity of 3200 South and Highway 89-91.

Design Features:

- Signalized Intersection at US-91
- Acceleration/Deceleration lanes on US-91
- Modified access to US-91 from 2000 West & 3000 South
- Correct intersection skew

Alternative 1:

Alternative 1 would maintain the existing 3200 South & Highway 89-91 intersection location while addressing the intersection skew by realigning the intersection and installing a traffic signal. This alternative alignment will also avoid potential environmental issues at Ted's Service station on the north side of 3200 S. This alternative also provides a bypass connecting 3200 South to 2000 West and West of Highway 89-91. A right in/out was created at the intersection of 3000 South and Highway 89-91 and the northbound and southbound access from 2000 West to Highway 89-91 will be closed and a hammer head turn around will allow for proper emergency access to the surrounding homes. This alternative will impact existing greenhouse facilities located south of 3200 South and require substantial right-of-way impacts on the west side of Highway 89-91 including a home at the 3200 South and 2000 West tie in.

- Conceptual Estimate:\$1,080,000 – Immediate Costs
- Conceptual Estimate: \$5,716,000 – Western arterial
- Conceptual Estimate: \$1,133,000 – UDOT costs
- Realign 3200 South & US-91 intersection adjusting intersection skew to 80 degrees.
- Hammer Head turn around on 2000 West closing northbound access to US-91.
- Hammer Head turn around and homeowner driveway realignment on 2000 West closing southbound access to US-91.
- Develop right in/out and 3000 South & US-91 realigning intersection and adjusting intersection skew to 80 degrees.

Alternative 2: PREFERRED ALTERNATIVE

Alternative 2 will allow free flow travel from 3200 South to a newly designed signalized intersection adjacent to the existing 3000 South and Highway 89-91 intersection. This alternative would terminate existing 3200 South with a roundabout and eliminate the existing 3200 South and Highway 89-91 intersection. The northbound and southbound access from 2000 West to Highway 89-91 will be closed and a hammer head turn around will allow for proper emergency access to the surrounding homes. This alternative will require a large right-of-way impacts on the east side of Highway 89-91 however there are minimal impacts on the west side of Highway 89-91. This is the preferred alternative.

- Conceptual Estimate: \$2,703,000 – Immediate Costs
- Conceptual Estimate: \$1,876,000 – Western Arterial
- Conceptual Estimate: \$1,258,000 – UDOT costs
- Relocate the 3200 South and US-91 Intersection.
- Adjust intersection skew to 80 degrees.
- Roundabout on existing 3200 South closing access to US-91
- Hammer Head turn around on 2000 West closing northbound access to US-91
- Hammer Head turn around and homeowner driveway realignment on 2000 West closing southbound access to US-91.

Alternative 3:

Alternative 3 will allow for free flow travel from 3200 South and tie into 2960 South where a newly designed signalized intersection will be installed. This alternative also creates a bypass connecting to 2000 West. This alternative would terminate existing 3200 South with a roundabout and eliminate the existing 3200 South and Highway 89-91 intersection. The northbound and southbound access from 2000 West to Highway 89-91 will be closed and a hammer head turn around will allow for proper emergency access to the surrounding homes. This alternative will require substantial right-of-way impacts east of Highway 89-91 and north of 3200 South including impacts to undeveloped commercial parcels adjacent to Nibley Parkway.

- Conceptual Estimate: \$ 6,532,000 – Immediate Costs
- Conceptual Estimate: \$2,582,000 – Western Arterial
- Conceptual Estimate: \$1,306,000 – UDOT Costs
- Tie 3200 South into 2960 South.
- Roundabout on existing 3200 South closing access to US-91
- Hammer Head turn around on 2000 West closing northbound access to US-91
- Hammer Head turn around and homeowner driveway realignment on 2000 West closing southbound access to US-91.
- Right in/out access from 3000 South to US-91

Mr. Gilbert said with any of these alternatives, Nibley City would like to have an extension of Heritage Drive which would connect to any of the alternatives. He said the CMPO has \$1.4 million dollars and UDOT will take the lead for the construction and project management. Any local funding would be allocated to UDOT. He said that UDOT is confident they could allocate \$3 million dollars to any of these alternatives selected and improvements can go towards any improvements even off the UDOT right-of-way. There is funding available in the next construction season.

Mr. Finlinson added that the project design will take one year and the right-of-way takes longer to acquire.

Mr. Gilbert said there is a sense of urgency for the Council to decide which alternative they prefer and suggested they make a decision by the end of April. He suggested a joint

City/County Council meeting to discuss 3200 South. He asked the Council to think about the alternatives and he is hoping that Nibley, Cache County and Logan will come to the same conclusion in regards to which alternative they prefer.

Mayor Daines said that Logan City Public Works Director Paul Lindhardt serves on the Technical Committee for 3200 South and their preference is Alternative 2. She suggested the Council contact Mr. Lindhardt for additional information or any questions they might have.

Chair Simmonds said the Council will take time to think about the alternatives presented and will discuss again at the April 16, 2019 Council meeting.

Board appointments (Logan River Golf Course Advisory Board) – Mayor Daines

Mayor Daines asked for ratification to appoint Gary Carlston and Rick Johnson to serve on the Logan River Golf Course Advisory Board which, are three year terms.

ACTION. Motion by Councilmember Jensen seconded by Councilmember Olsen to approve ratification of Gary Carlston and Rick Johnson as presented. Motion carried unanimously.

No further items were presented.

COUNCIL BUSINESS:

Cache County Executive Craig Buttars addressed the Council and introduced Lloyd Berentzen-Bear River Health Department and Richmond City Mayor Jeff Young. Executive Buttars said he, Mr. Berentzen and Mayor Young all serve on the Solid Waste Advisory Board and on a subcommittee for the Plastic Waste Reduction Program.

Executive Buttars said he and others recognize that plastic is a waste management issue and in Cache County it's largely due to the disposal of plastic waste. The Solid Waste Advisory Board also recognize the problems associated with both pre and post-consumer plastic use in commercial and industrial manufacturing businesses. The Board feels this is a much broader issue than what is currently being addressed which is to ban single use plastic bags. Therefore, they are proposing a program that would include a public information campaign, address the plastics problem and address solutions that involve the public. They feel this will accomplish more in the long run and will also receive greater support from the public. The Board also recognized that manufacturers need to have better options to dispose of various plastic materials.

Chair Simmonds reminded those in attendance that Cache County is responsible for waste management.

Executive Buttars said the Cache County Council acts as the Advisory Board/Board of Trustees for Service Area One which, is the Logan Solid Waste Advisory Board and they contract with Logan City for waste management services. The landfill is owned by Logan City.

Executive Buttars said if Cache County were to consider a single use plastic bag ban, they could not adopt an ordinance affecting any cities in the County. They could only adopt an ordinance affecting the unincorporated areas of the County and there are very few that have retail businesses.

Chair Simmonds explained that because this is a waste management issue and we are talking about it in respect to the landfill, it's important that the County is involved in the discussion and solution.

Mr. Berentzen addressed the Council and said this is a team effort and he suggested taking a step back and to look at this issue differently and consider other things along the way. He said there are other uses of plastic that should be considered such as plastic lumber. He asked the Council to consider teaming up and create talking points that will help the public better understand what we are trying to accomplish rather than our ordinance power. He said, we can use existing media avenues, bring retailers together throughout the County and take ownership in regards to plastics. He suggested having the retailers cooperate with a plan they can commit to and do something countywide rather than just Logan City implementing a program.

Richmond Mayor Jeff Young addressed the Council and said the unique dynamic that makes Cache Valley are the independent cities and these cities all coordinate together for different things. He said one of the concerns in the beginning with the single use plastic bag ban is that it does not involve other cities. Having Logan City ban something that other cities are not banning will be hard for people to understand and hard to implement. He feels if all cities are working together it will create a better plan for everyone in Cache Valley. He supports the idea of giving the other cities a year to look at how they can participate.

Executive Buttars said he, Mr. Berentzen and Mayor Young are speaking as representatives of the Solid Waste Advisory Board and this Board will review the Plastic Waste Reduction Program.

Planning Commission Update – Chair Simmonds

Chair Simmonds reported that she did not attend the last Planning Commission meeting and the March 28, 2019 Planning Commission meeting was canceled.

No further items were presented.

ACTION ITEMS:

(Continued from February 5, 2019) – Consideration of a proposed ordinance enacting Title 8 Chapter 36 of the Logan Municipal Code Prohibiting the Distribution of Disposable Plastic Bags – Ordinance 18-21

Councilmember Olsen addressed the Council. He said the Logan Environmental Department is proposing a Plastic Waste Reduction Program that would go well beyond the issue of single use plastic bags. The notion is that merchants would be given the

opportunity to adopt a Plastic Waste Reduction Program utilizing recycled materials that would address various plastic items. The Environmental Department has been in contact with a company that would come and take these plastic items and recycle them. If the merchant chooses to be part of a recycle plan, it would include charging 10 cents for a single use bag and the bags could be recycled as they came in and the merchant can avoid a surcharge on the Environmental Waste Management Program for plastics. If the merchant chooses not to participate in the program they would pay the surcharge. This is what the Solid Waste Advisory Board has been considering. He agrees with everything stated by Executive Buttars and said the issue of plastics is much greater than single use plastic bags. The tonnage of plastics that goes to the landfill is massive and whatever we can do to minimize this amount will add years to our landfill. He said the only issue that he does not completely agree with is that Logan hold off on adopting a ban on single use bags until a longer-term plastic reduction program can be implemented. He said the City held a public hearing on the plastic bag ban and he has never seen more interest and a larger attendance at a public hearing. He said the Council promised the community they would vote on the ban tonight. To show that the Council is interested in also implementing the Plastic Waste Reduction Program, he suggested the Council amend the proposed ban and delay implementation until March 1, 2020. Doing this will allow time to educate the public. He also proposed that if the County adopts a countywide Plastic Waste Reduction Program, that he will propose a resolution to rescind the ban in lieu of the countywide program.

Vice Chair Anderson asked if the Council were to adopt the proposed ordinance which, is to ban single use plastic bags would that jeopardize the working coordination and support from the County for a Plastic Waste Reduction Program.

Councilmember Olsen said he would hope that the County would not view the adoption of the ban as a negative but rather as a positive incentive with a time frame to work within. He said, this issue is not new and he proposed something similar four years ago and nothing happened. The fact that the County Council and the Solid Waste Advisory Board are now willing to do something is positive progress. Adopting the ban will give a year to work out the details and will also keep the County interested and on the road of getting something done. He feels this is the time, this is the place, and it's time to move forward.

Councilmember Bradfield said he is concerned about the time frame of one year that Councilman Olsen proposed. He prefers to wait and work with the County and said the option is always there to implement a ban in the future if needed. He agreed there is a greater plastic problem than just the single use plastic bags.

Councilmember Jensen complimented Olsen on his efforts with the issue of plastic bags. He feels the use of single use plastic bags is just a small portion of a larger problem with all plastics. He supports the incentivization of the Plastic Waste Reduction Program proposed by the Environmental Department. He is also concerned about doing something without the support of the County. He does not like this being ordinance driven and would prefer implementing a program through education and cooperation. He does not support a ban but would support the Plastic Waste Reduction Program instead.

Councilmember Olsen said the March 1, 2020 implementation date was proposed by Richmond Mayor Jeff Young who stated that he would commit that the Cache Mayor's Association would address this issue within a year and would receive a recommendation from them about the Plastic Waste Reduction Program.

Chair Simmonds said at the public hearing there were comments for and against a plastic bag ban. There were also a lot of comments made stating that it's a bigger issue than just plastic bags and she would like the Council to address the larger issue. She feels we have an opportunity as a County to address the plastic issue in a productive way and involve all communities in Cache County. Doing this will set a standard for the State of Utah. If Logan adopts an ordinance to ban bags with a proposal to rescind if a program is implemented, she feels this is not an incentive for people to work together. She does not like the idea of enacting an ordinance and then rescind in a year when some might no longer be serving on the Council and obligate new council members to implement something they might not agree with. She is concerned about plastics in the environment but wants to do this as a County and include the entire Valley. She encouraged everyone to work together to have a collective and positive management plan and implement for the entire Valley, not just Logan City.

Councilmember Olsen stated that the Council promised the community a vote on the ban and that's what he wants to do. If there is not a majority who will vote to adopt the ordinance tonight then, he would consider a friendly amendment to continue a vote for six months and wait to see if there is progress in regards to the Plastic Waste Reduction Program.

Chair Simmonds said she spoke with the Utah League of Cities and Towns on the topic of working together on a statewide ban on single use plastics bags that would involve a charge for the use of a bag. The money could then be placed in a fund that would go towards education for kindergarten through fifth grade. She also suggested the program could be called "Trash Talk". She feels that education needs to start with the youth and said that the League was very interested in this suggestion.

ACTION: Friendly amendment was made by Councilmember Jensen to continue adoption of Ordinance 18-21 for six months to await a response back from the Solid Waste Advisory Board on progress made towards the Plastic Waste Reduction Program as presented. Councilmember Olsen accepted the friendly amendment.

ACTION. Motion by Councilmember Olsen seconded by Vice Chair Anderson to continue Ordinance 18-21 for six months to await a response back from the Solid Waste Advisory Board on progress made towards the Plastic Waste Reduction Program as presented. Motion carried (4-1 Olsen voted nay to continue).

PUBLIC HEARING - Budget Adjustment FY 2018-2019 appropriating: \$20,000 increase to the Logan River Golf Course budget for changes made to fees at the Golf Course; \$30,743 to reimburse the Fire Department budget for ambulance standby; \$3,618 Friends of the Logan Library contributions to Library tote bags, flag bags and writers' events; \$15,000 for increased banking and credit card fees for Utility Billing; \$284,928 funds thru an interfund loan from the Risk Management Fund to

the Special Improvement Fund for the Center Street Improvement Project. The loan will be at 3.05% interest (market rate at date of establishment of the Special Improvement Area); \$284,928 additional Capital Funds (\$1,049,337) for construction of the Center Street from Main to 100 West project (together with other fund appropriated as part of the FY 2019 budget will bring total funds appropriated to \$1,849,693 for the project) - Resolution 19-15

At the March 5, 2019 Council meeting, Finance Director Richard Anderson addressed the Council regarding the proposed budget adjustments.

Chair Simmonds opened the meeting to a public hearing.

There were no comments and Chair Simmonds closed the public hearing.

ACTION. Motion by Councilmember Jensen seconded by Vice Chair Anderson to approve Resolution 19-15 as presented. Motion carried unanimously.

PUBLIC HEARING - Consideration of a proposed resolution approving the use of Agency funds for publicly owned infrastructure and improvements in the Downtown Redevelopment Project Area (West Center Street) with said funding not to exceed \$725,000 – Resolution 19-13

At the March 5, 2019 Council meeting, Logan City Attorney Kymber Housley addressed the Council regarding the proposed resolution. He said that in order to use Project Area Funds for public infrastructure outside the Project Area the Council must make a finding. The proposed resolution states that the funds will benefit the Project Area and staff recommended that a strong downtown benefits the entire City and everyone benefits. He added that certain investments in the Downtown Redevelopment Project Area at the site known as West Center Street located between Main Street and 100 West, to include a new road and other streetscape improvements will contribute to the achievement of multiple economic development goals including: the retention an expansion of locally-owned businesses in the downtown, the providing of a needed gathering place for the community which will act as a catalyst for further growth and as a business stimulus in the area, and the growth of long-term property tax revenues. It is proposed that the Agency shall fund from available funds the cost of the road and other streetscape improvements, with said funding not to exceed \$725,000.

Chair Simmonds opened the meeting to a public hearing.

There were no comments and Chair Simmonds closed the public hearing.

ACTION. Motion by Councilmember Jensen seconded by Vice Chair Anderson to approve Resolution 19-13 as presented. Motion carried unanimously.

(Continued from March 5, 2019) - Consideration of a proposed ordinance repealing Title 6 of the Logan Municipal Code and enacting Title 6A of the Logan Municipal Code Regulating Animal Control – Ordinance 19-06

At the February 19, 2019 and the March 5, 2019 Council meetings, the proposed ordinance was presented.

City Attorney Kymber Housley addressed the Council and stated that a public hearing was held on March 5, 2019 and he made the changes that were proposed by the Council from this meeting. He said the ordinance is a little unusual because we are repealing the current animal ordinance in its entirety and adopting the proposed chapter in its entirety. He reviewed the updated language with the Council.

Mr. Housley explained that even though we are only changing small portions of the animal ordinance it made more sense to repeal the entire ordinance. Language for Trap, Neuter, Release (TNR) was included.

Mayor Daines referred to Section 6A.14.020 *Trapping Prohibited*. She said Animal Control Officers sometimes deliver a trap to people who have requested one and might have a problem with a racoon or a skunk.

Mr. Housley responded there are exceptions listed under 6A.16.040 that allow for Animal Control and residents to trap unprotected rodents.

Councilmember Olsen said from the comments he has heard from residents, the ordinance is not perceived to properly address cat issues, not mandating the impoundment and the efforts to seek ownership of cats. He said, this is a major point of concern by many people. He said the Council received an email from Robert Schmidt who recommended the creation of an Animal Management Task Force that would look at all of the animal concerns including sheltering. The Council recently heard about a donation offer to build a countywide animal shelter. He said for those people who are so deeply invested in animals particularly cats and dogs, the proposed ordinance still leaves many questions. He likes the idea of establishing an Animal Management Task Force, he feels it would help with transparency and would give a voice to those who are so passionate about animals and he would like to further pursue this idea.

Mr. Housley said language regarding cats and a TNR Program is included in the ordinance. No language has been removed in regards to the regulation of cats. Changes that have been made are to the wording of “shall” to “may”.

Mayor Daines commented that she met with the donors of the countywide animal shelter who are Diana Hansen Ribera and her father Dell Loy Hansen. They are negotiating directly with the County on a new shelter. She indicated to them that Logan City will certainly participate in a discussion about utilizing the shelter if it comes to pass. Mayor Daines said she also received an email about a TNR program that the Hansen’s have agreed to underwrite and we will review their proposed program and see if it will work for our Animal Control Officers. One of the reasons for the language in the ordinance of “may” rather than “shall” is that Animal Control Officers have really tried to promote chipping for both cats and dogs. The Animal Control officers go out and they check the animal for a chip and the first choice is that if the animal can be identified either with a tag or a chip then they don’t impound the animal and take it directly to the owner. If the language is “shall” then it takes away that flexibility. She said that currently, we do not

have a facility to house cats and she said that anyone is welcome to tour the City's dog facility.

Councilmember Olsen said his concern is that we don't have a facility and the capacity for a TNR Program.

Mayor Daines said she is reviewing the TNR Program and will report back to the Council once that has been done.

ACTION. Friendly amendment by Councilmember Olsen to continue Ordinance 19-06 to the May 7, 2019 Council meeting to allow time to review the proposed Trap, Neuter, Release (TNR) Program.

Councilmember Bradfield clarified that if he votes to continue the ordinance tonight he is not committing to vote or not vote on the continued date indicated.

ACTION. Motion by Councilmember Bradfield seconded by Councilmember Jensen to continue Ordinance 19-06 to May 7, 2019 pending further negotiation for a Countywide Animal Shelter and a Trap, Neuter Release (TNR) Program as presented. Motion carried unanimously.

Vice Chair Anderson asked Councilmember Olsen if he would like staff to pursue the idea of an Animal Management Task Force.

Councilmember Olsen responded the task force idea is something that can be addressed at the May 7 Council meeting when we once again review the Animal Ordinance.

Mr. Housley said unless the Council has changes before the May 7 Council meeting, the proposed ordinance will be presented as it is now.

Councilmember Jensen was excused from the meeting at 7:11 p.m.

WORKSHOP ITEMS:

Budget Adjustment FY 2018-2019 appropriating: \$51,000 for a grant Public Works was awarded from the State of Utah. The Nonpoint Source Grant will be used for floodplain restoration from Main Street to 100 East along the Logan River; \$5,335 to reimburse the Police Department overtime budget for State DUI reimbursements; \$5,670 to appropriate a grant the Police Department was awarded from the State of Utah. The Justice Assistance Grant (JAG) funds will be used to purchase police equipment – Resolution 19-17 – Richard Anderson, Finance Director

Logan City 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 April 2, 2019 Council meeting.

Consideration of proposed fee increases at the Logan City Cemetery – Russ Akina- Parks & Recreation Director

Logan Parks & Recreation Director Russ Akina addressed the Council regarding the proposed fee increases at the Logan City Cemetery. He said the Logan Cemetery charges various fees for things such as burial spaces, grave opening/closing and deed transfers. The Cemetery's operating budget is approved by the Council on a yearly basis which includes salaries, equipment and vehicles. Cemetery fees are developed to offset operating costs and to fund the care of the cemetery. To address these costs, there is a perpetual care fund that sets money aside for the future care of the cemetery. Currently, there are approximately 8,000 spaces left in the cemetery that are available for purchase to new owners. There are also spaces that have been purchased but are not yet occupied. There are currently 21,186 spaces occupied. On an annual basis there are between 210-230 burials and with 8,000 available spaces left for purchase that gives the cemetery about 34 years of remaining capacity for new burials. One factor to consider are the spaces that have been purchased but are not yet occupied could extend the number of burials at the cemetery. Currently 42% of the purchase of a space goes toward perpetual care and overtime the Council might need to look at how that percentage fits with the costs. The purpose of perpetual care is to have funds available beyond the years of time that burial spaces can be purchased and those funds are used for the care and maintenance of the cemetery.

Mr. Akina also referred to market and said when looking at proposed fee increases he reviewed the fees of 18 other cemeteries in the State of Utah. Staff does not base Logan's fees on this survey but they determined if the current fees are covering our costs. He did not include proposed fee increases in the information the Council received and asked the Council to review the information provided and he will come back to the Council on April 2, 2019 with proposed fee increases of approximately 20-38%. The fee increases are for the operating budget only and not for capital.

Chair Simmonds asked about the sale of the Deer Crest property and will the funds from the sale go to the cemetery.

Mr. Akina said the infrastructure in the Deer Crest area has not been completed and not all of the building lots have been sold.

Finance Director Richard Anderson said when the Deer Crest Property is sold it will go to the cemetery perpetual care fund.

Mayor Daines explained that the Council should consider if they want to stay with market prices or is the Council willing to approve a fairly large increase to accurately reflect the costs.

Councilmember Bradfield said he has committed in previous other discussions about fee increases that he would really have to think about approving a 30% fee increase for anything.

Mr. Akina said this large of a fee increase is difficult and he wants to give the Council time to think about it. He proposed one rate for resident and non-residents of Logan City.

Vice Chair Anderson asked if Sunday burials are allowed.

Mr. Akina responded there are no burial services on Sunday or on a holiday.

The proposed fee increases will be an action item and public hearing at the April 2, 2019 Council meeting.

REZONE – Consideration of a proposed rezone. Gary Blazzard/Craig Adams, authorized agent/owner, is requesting a rezone from Mixed Use (MU) to Commercial (COM) and Mixed Residential Medium (MR-20) of 7.8 acres located at approximately 701 South Main Street - Ordinance 19-07 – Russ Holley, Planner

Planner Russ Holley addressed the Council regarding the proposed rezone. He said the proponent is requesting a Design Review Permit to construct a new four-story glass and steel office building along the new 100 West corridor. The request includes a Conditional use Permit to allow a limited front-yard parking lot. The approximately 68,000 SF office building is proposed with surrounding surface parking lots with landscaping and sidewalks in perimeter areas. Three potential future development “pad sites” are being proposed along the Main Street frontage with one main driveway approach aligning with 700 South across the street. The rectangular office building has mirrored facades on the West and East sides creating a “double-front” appearance. The Logan River creates the northern border with a trail conceptually shown along the river’s southern bank. The nearly 7.8-acre site currently consists of five (5) properties including the Ellis Equipment business, a residential home and a single-story restaurant building. The generally flat site is triangular shaped and currently has very little vegetation and trees. The anticipated 100 West street expansion project would bisect the site and create a larger main project area of approximately 5.50 acres and a smaller remaining eastern area of approximately 1.5 acres.

The applicant is requesting a rezone from Mixed Use (MU) to Commercial (COM) for the main project site located between Main Street and 100 West. Final alignments for 100 West have yet to be completed, but after street alignments and dedication, the main project site should be approximately 5.5 acres. The remainder smaller property that will be created East of the future 100 West street is proposed to be rezone from MU to MR-20. This remainder smaller property should be approximately 1.5 acres in size after street alignments and dedications.

Mr. Holley explained that generally, the MU zones, require residential components and a much more compact urban development pattern. The COM zone allows for a more horizontal suburban pattern and does not require residential uses. The commercial uses allowed in the MU and COM zones are similar to one another and shouldn’t be the determining factor in this rezone request. The MR-20 zoning district would be 10 fewer units per acre if compared to MU residential development. The smaller 1.5 acre remaining area along the river is better suited and provides a unique opportunity for residential development.

Considering the existing land use of tractor sales and service with ample outdoor storage, a new project in accordance with the Land Development Code will provide the City with a visually better and more efficient use of this land. Additional employment opportunities and housing options within close proximity to core areas of Logan will decrease automobile transportation impacts, improve utility distribution services and provide additional vibrancy to a changing and re-development area of town. The trail connection to the South will provide amenities, natural beauty and recreational opportunities to offset the typical harsh urban environments buildings and parking lots create.

The max height of the main building, the equipment screen walls on top of the roof extending to 66' in height and the compatibility and consistency of the proposed front yard parking lot to the adjacent and adjoining business will warrant special consideration and findings from the Planning Commission.

Staff recommended that the Planning Commission recommend approval for a rezone from Mixed Use (MU) to Commercial (COM) and Mixed Residential Medium (MR-20); and conditionally approve a Design Review and Conditional Use Permit for the Logan Gateway Office Building.

On February 28, 2019, the Planning Commission recommended that the Logan Municipal Council approve the Logan Gateway Office Rezone project.

The proposed ordinance will be an action item and public hearing at the April 2, 2019 Council meeting.

OTHER CONSIDERATIONS:

Councilmember Bradfield said that since the plastic bag ban involves businesses he suggested that Economic Development Director Kirk Jensen be involved in the Plastic Waste Reduction Program and provide input from an economic standpoint.

Economic Development Director Kirk Jensen said he would be willing to participate if needed.

No further considerations were addressed by the Council.

ADJOURN TO MEETING OF THE LOGAN REDEVELOPMENT AGENCY

Chair Simmonds welcomed those present. There were approximately 6 in attendance at the beginning of the Logan Redevelopment Agency meeting.

ACTION ITEM:

PUBLIC HEARING - Consideration of a proposed resolution approving the use of Agency Funds for publicly owned infrastructure and improvements in the Downtown Redevelopment Project Area (West Center Street) with said funding not to exceed \$725,000 – Resolution 19-14 RDA

At the March 5, 2019 Council meeting, Logan City Attorney Kymber Housley addressed the Council regarding the proposed resolution. He said that in order to use Project Area Funds for public infrastructure outside the Project Area the Council must make a finding. The proposed resolution states that the funds will benefit the Project Area and staff recommended that a strong downtown benefits the entire City and everyone benefits. He added that certain investments in the Downtown Redevelopment Project Area at the site known as West Center Street located between Main Street and 100 West, to include a new road and other streetscape improvements will contribute to the achievement of multiple economic development goals including: the retention an expansion of locally-owned businesses in the downtown, the providing of a needed gathering place for the community which will act as a catalyst for further growth and as a business stimulus in the area, and the growth of long-term property tax revenues. It is proposed that the Agency shall fund from available funds the cost of the road and other streetscape improvements, with said funding not to exceed \$725,000.

Chair Simmonds opened the meeting to a public hearing.

There were no comments and Chair Simmonds closed the public hearing.

ACTION. Motion by Vice Chair Anderson seconded by Councilmember Bradfield to approve Resolution 19-14 RDA as presented. Motion carried unanimously.

WORKSHOP ITEM:

Consideration of a proposed resolution approving Agency Assistance to Logan Gateway Office, LLC for its Redevelopment Project in the South Main River Community Reinvestment Project Area – Resolution 19-16 RDA – Kirk Jensen, Economic Development Director

Economic Development Director Kirk Jensen addressed the Council regarding the proposed resolution. He said the Logan Gateway Office, LLC, is located at approximately 701 South Main Street in the South Main River Community Reinvestment Project Area CRPA and consisting of a 68,000 square foot, Class “A” office building, various retail buildings fronting Main Street and a multi-family residential project fronting 100 West Street, contributes significantly to the achievement of the City’s economic goals, including: the fiscal growth of the City through property and sales taxes; an additional economic return for the City in terms of the Project serving as a catalyst, encouraging additional development along the South Main corridor; the creation of new jobs; the improvement of the appearance of a key City commercial area.

The proposed incentive package is that the Logan Gateway Office, LLC will receive 100% of the available property tax increment generated by its Project annually during the life of the CRPA, not to exceed \$2,500,000 (“Cap”), conditioned upon its creating and maintaining a riverside trail that can connect to the City’s trail network and that is accessible to the public in perpetuity. Available tax increment is defined as the total tax increment generated by the Project during the life of the CRPA and received by the

Agency minus 10% that is required to be allocated for affordable housing and 5% which is used for administrative costs.

Should Logan Gateway Office, LLC elect not to develop and construct the multi-family residential component of the project, the “Cap” will be reduced to \$2,349,410. All construction plans are to be approved by the Logan City Planning Commission. Additionally, the Redevelopment Agency encourages Logan Gateway Office, LLC to utilize local contractors and vendors whenever possible.

The proposed resolution will be an action item and public hearing at the April 2, 2019 Council meeting.

ADJOURNED. There being no further business to come before the Council, the meeting of the Logan Municipal Council adjourned at 7:55 p.m.

Teresa Harris, City Recorder