

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, August 18, 2020 at 5:30 pm in the Logan Municipal Council Chambers located at 290 North 100 West, Logan, Utah following social distancing guidelines. The number of in-person attendees was limited based on social distancing of 6 feet which resulted in less than 50 people allowed in the Council Chambers. All guests were asked to sign in and it was required that all those in attendance wear a mask. Overflow space was available with appropriate social distancing and video access. Logan Municipal Council Meetings are televised live as a public service on Channel 17, City of Logan Facebook page: <https://www.facebook.com/cityoflogan> and KSL live at <https://live.ksl.com/>.

Councilmember's present at the beginning of the meeting: Chair Amy Z. Anderson, Vice Chair Tom Jensen, Councilmember Mark A. Anderson Councilmember Jess W. Bradfield and Councilmember Jeannie F. Simmonds. Administration present: Mayor Holly H. Daines, City Attorney Kymber Housley, Finance Director Richard Anderson and City Recorder Teresa Harris.

Chair A. Anderson welcomed those present. There were approximately 40 in attendance at the beginning of the meeting.

### **OPENING CEREMONY:**

Cache Valley Food Pantry Director Matt Whitaker gave the opening prayer and led the audience in the pledge of allegiance.

**Meeting Minutes.** Minutes of the Council meeting held on August 4, 2020 were reviewed and approved with no changes.

**Meeting Agenda.** Chair A. Anderson announced there are two public hearings scheduled for tonight's Council meeting.

**ACTION. Motion by Councilmember Simmonds seconded by Vice Chair Jensen to approve the August 4, 2020 minutes as presented and approve tonight's agenda.**  
**Motion carried unanimously.**

**Meeting Schedule.** Chair A. Anderson announced that regular Council meetings are held the first and third Tuesdays of the month at 5:30 pm. The next regular Council meeting is Tuesday, September 1, 2020 and will be a public meeting.

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

Chair A. Anderson explained that the Questions and Comments portion of the agenda is suspended at this time. She indicated that comments or questions can be emailed to: [teresa.harris@loganutah.org](mailto:teresa.harris@loganutah.org), who will distribute to the Mayor and Councilmembers. She stated that under Other Considerations on tonight's agenda the Council will be taking the

time at the end of the meeting the Council will address any comments or questions that come to them during the open comment and question period as well as address any emails that are received. This is being done in order to better connect with the appropriate person to answer those questions and so the Council can react and include all those that might be impacted or affected.

### **MAYOR/STAFF REPORTS:**

#### **Mayor's Request to Extend the Mask Mandate – Mayor Daines**

Mayor Daines addressed the Council and requested that Council give her permission to extend the mask mandate or to consider another option if they choose. She referred to Item 8. A. on tonight's agenda regarding consideration of a proposed resolution *Directing the Wearing of Face Coverings Due to COVID-19 within the City of Logan*. Mayor Daines said the mask mandate was originally done by the issuance of a State of Emergency which then gave her 30 days through an Executive Order to issue a mandate which, is what was done. Council can now discuss if they choose to continue a mandate of something else by resolution, ordinance, or some other way.

Mayor Daines requested the Council extend the mask mandate to the end of 2020 but if the mandate is not needed that long it could certainly be rescinded and she only wants to be proactive. She realizes the numbers are low right now and the point is to keep the numbers low with the University students returning from places all over the State and country and kids returning to K-12 schools. Students and teachers will be wearing masks every day and will try and continue in person learning. She feels the community should support their efforts. At this time, she deferred to the Council and to the public hearing.

Councilmembers Simmonds asked because of the State rules, the only way the Mayor can mandate any kind of a mask wearing is to have a State of Emergency is that correct?

Mayor Daines responded, that is correct. The State of Emergency allows for temporary, in this case a 30-day Executive Order for a mask mandate. There is also a system for checks and balances to go through the process.

Mayor Daines added that since she made the request to the Governor's office, cities and counties no longer need to make a request to the Governor's office and they can choose to implement a mandate on their own volition.

No further Mayor/Staff Reports were presented.

## **COUNCIL BUSINESS:**

### **Planning Commission Update – Councilmember Bradfield**

Councilmember Bradfield reported that the Planning Commission met and discussed the Foothill Residential Subdivision which is located in the Lundstrom neighborhood. The Planning Commission denied the proposed plan and the proponent might appeal.

### **Other Committee Updates – Council**

Councilmember M. Anderson reported that the Logan Downtown Alliance met and discussed the upcoming Logan Marathon.

Chair A. Anderson reported that just prior to this meeting all Logan City Councilmembers attended a police use of force training with Logan Police Chief Gary Jensen and other members of the police department. The purpose of the training was to help the Council have a better understanding of how the use of force videos are screened and monitored. She thanked Chief Jensen for including the Council in watching these videos and said the Council looks forward to learning more on how the police department is addressing issues in our community.

No further Council Business items were presented.

**ACTION ITEMS: Chair A. Anderson explained that those wishing to speak during the public hearing portion of the meeting must sign in and queue up with social distancing maintained. Chair A. Anderson explained that masks can be removed when speaking at the microphone.**

### **PUBLIC HEARING – Consideration of a proposed resolution requesting the Wearing of Face Coverings Due to COVID-19 Within the City of Logan – Resolution 20-37**

Chair A. Anderson stated that as Mayor Daines explained earlier in her remarks. After the 30-day mask mandate expires, the State of Emergency is something that needs to be reauthorized by the City Council. The City Council has received a lot of public comments via email and phone calls from individuals who registered their thoughts on the mask issue. The Council can choose to reauthorize the State of Emergency and extend the mask mandate as requested by Mayor Daines to December 31, 2020 or another date the Council could choose. The Council could adopt an ordinance which could identify penalties which, currently is a Class B Misdemeanor or perhaps an Infraction. At tonight's meeting, the Council has before them a proposed resolution that was brought forward from members of the City Council and City staff. The resolution directs the wearing of face coverings in the City of Logan and has an expiration date of October 15, 2020. The Council can also choose to do nothing, and the State of Emergency would end on August 31, 2020.

Councilmember M. Anderson commented that the Council may not have responded to all of the emails that were sent to them, but he read each of the emails he received. Councilmember Simmonds added that even if the email was not sent directly to the City Council it was forwarded to the Council by City Recorder Teresa Harris.

Chair A. Anderson read excerpts from some of the many emails that the Council received regarding the mask mandate. She stated that some indicated via email that they felt uncomfortable attending the meeting in person and chose to send an email instead.

Chair A. Anderson explained the process of the public hearing and said priority will be given to residents of Logan to speak first.

Chair A. Anderson opened the meeting to a public hearing.

Bryson Freeze, Logan – Bryson is against the mandate. He feels it should not have been a mandate in the first place without input and approval from the public or overwhelming proof and statistics. He believes Mayor Daines responded in fear and copied USU's standards rather than focusing on the public needs.

Jennifer Peeples, Logan – Jennifer is for the mandate. She said we have regulations and rules to keep the community safe and the mask mandate is not any different. She said we all need to do what we can to prevent COVID deaths in Logan.

Karen Kelly, Logan – Karen is against the mandate. She has two children with disabilities, and they rely on the facial queues of others of how to act socially which is very important for their progression. She is responsible for her family's health and wellness and does need officials to mandate or force her. She instead wants officials to support her and trust that people have educated themselves on these matters and will act responsibly.

Gail Yost, Logan – Gail is for the mandate. She indicated that she is a high-risk individual and has a daughter who has MS and cannot leave her home because of her compromised immune system. She does not want to stop her activities of going out and helping others just because someone else won't wear a mask. She said wearing a mask is a matter of public safety and wearing a mask works.

Cody McClellan, Logan – Cody is against the mandate. He said the main purpose of the State of Emergency on March 6, 2020 was to prevent the overrunning of hospitalizations and depletion of hospital resources. Based on the information we have, the Bear River Health Department reports that as of March 2020, there have only been two individuals that have been hospitalized and there have only been 7 COVID related fatalities as of March. Based on this information, he does not feel there is a State of Emergency.

Keegan Garrity, Logan – Keegan said the focus should be what is best for our City at this time. He said the biggest threat we have seen from COVID-19 occurred during the first

week in June when our health district was named as one of the fastest spreading areas for the virus. Our community responded, businesses allowed working remotely, stores provided free masks and hand sanitizer and restaurants came together to offer extended delivery options. Cases started trending downward so low that the last week in July, we were averaging less than 15 cases per day. Then, curiously in the name of proactivity an executive order was sought from the Governor of Utah to mandate mask wearing within Logan City. There was no legislative vote, no public forum and it begs the question, what precedent was set for declaring an emergency that justifies bypassing this standard process. He read through the proposed resolution and feels that the focus of education is a step in the right direction. He requested that rather than an arbitrary expiration date that the Council define an acceptable case count for and an unacceptable ceiling that would necessitate stronger measures.

Christian Chavez, Logan – Christian is for the mandate. He feels wearing a mask is very important for the community and asked that the Council continue the mask mandate.

Jason Henderson, Business Owner in Logan – Jason has a PhD in Chemistry and Nanotechnology and he has studied viruses. Jason is against the mandate. He said the science that is out there begs the question on whether wearing a mask really helps or not. He said in Cache Valley there appears to be more suicides in the last few months than deaths from COVID. He feels that the mask mandate is a tax to him as a business owner because he cannot sit as many people in his restaurant because of masks and social distancing. He feels the fear is more of a danger than the virus.

Renee Scanlen, Logan – Renee is against the mandate. She feels that it should be up to the individual on whether or not they want to wear a mask.

Stacey Despain, Logan – Stacey is against the mandate. She never thought that she would see a mandate in Cache Valley and what she is against is elected officials stepping around the people to make executive mandates that are not voted on by the people which occurred with the decision by Mayor Daines. She wants to make decisions regarding her own health and whether or not to wear a mask.

Lane Parker, Business Owner in Logan – Lane is against the mandate. He referred to a presentation by Bear River Health Department Director Dr. Ed Redd who talked about the need for achieving herd immunity. Dr. Redd stated that 55% of the population needed to be exposed to the virus to get beyond the need for current restrictions. In the meantime, he suggested wearing a mask and distancing. However, at the current rate of exposure, it will take a year if not two years, before this herd immunity takes place. He believes the general population of Logan and Cache County would like to see the restrictions lifted and it can be done by teaching correct principles and to let people govern themselves. He said businesses are suffering and people need to get back to normalcy.

Mike Oksness, Logan. Mike is against the mandate. He read various statistics of COVID in Utah. He said fear is real and tangible and is something that is being driven at the

current time. The mandate is doing what the Mayor would like it to and cloth masks are actually more harmful than a hospital mask.

Nyla Adams, Logan. Nyla is against the mandate. She does not care for the fear mongering in Logan City and in the country. She feels people should be able to choose whether or not they want to wear a mask.

Emily Curtis, Logan. Emily is against the mandate. She feels that wearing a mask should be up to the individual. She deals with mental health issues and she is currently seeking help for her issues. When she wears a mask, she feels extreme anxiety and it physically hurts her more to wear a mask than to not wear a mask. She feels there are things more harmful to people in Logan City such as driving on Main Street.

Scott Bingham, Logan. Scott is against the mandate. He said a study was recently published that stated that the number of young people who have considered taking their life is higher than the number of those who have COVID. He said there are a number of adverse effects from wearing a mask either incorrectly or wearing them for long periods of time. He said every law the Council enacts has the threat of violence behind it and he feels that is necessary for a civil society. He asked the Council not to extend the mask mandate.

Thomas Mockler, Hyde Park. Thomas is against the mandate. He said masks do not work and another reason the mandate should not be extended is the matter of personal freedom. He said if the mandate is extended, he does not plan on following.

Missy Best, Smithfield. Missy stated that she works in the Emergency Room and she traveled back to New York City to help with COVID care and she feels strongly that we should not mandate masks. She feels people have enough common sense that they know when they need to wear a mask. She said every year from November to March is the flu/virus season and this year COVID-19 will be added to the list of viruses. She said COVID-19 and other viruses are here to stay and we need to get on with our lives. Last year the flu vaccine was only 20% effective so a COVID vaccine is not going to cure the virus either, but it might help.

David Nielson, Garland. David is against the mandate. He stated that his mom submitted various GRAMA requests throughout the State of Utah asking for COVID data and nobody at this point has responded to her requests. He feels that your immune system is where your health is determined. He considers a mask mandate upon him being a violation of his freedom of religion, speech, and association.

Todd Holland, Logan. Todd is against the mandate. He said the vast majority of kids are not excited to go back to school and the reason is the wearing of masks. He feels that people should choose for themselves whether or not they wear a mask.

Nicole Oksness, Logan. Nicole is against the mandate. Her daughters are going to school soon and are being asked to wear a mask against their will to benefit some other person. She believes the numbers are skewed, masks are useless, and kids are scared to go to school.

Kaylee Tanner, Logan. Kaylee is against the mandate. She is nurse and works at a local hospital and she also works at a COVID testing center here in Cache Valley. In her experience the spike in cases came directly from the spike in testing that was required because of procedures and treatments being done in the hospital where people are required to get COVID tests. She feels if this were a real pandemic, the numbers would not need be skewed by people being forced to be tested. What has come from the spike in numbers has not been a spike in hospitalizations. In her experience working at the hospital, the case numbers really do not matter if people are not getting that sick. What is happening with the spike in numbers is that fear is being spread and people are being told that the number of cases is what indicates how severe the virus is. What is happening is that people are being forced to wear masks against their will, people are avoiding health care because they are afraid, they might come out with something worse than what they started with. People are avoiding visiting their loved ones and it has been proven that elderly people have a higher risk of mortality if they do not have a strong social support system. Now we are congratulating and celebrating deaths in our elderly as long as its not COVID related. A death of an elderly person because they lacked social support, is not something to celebrated. Our kids are not being educated based off of this fear and the numbers of cases is not indicating the severity of this disease. She does not feel that people should be forced to wear masks and our children's education jeopardized because of political correctness.

Luke Doxey, Logan. Luke does not like the mandate. He thanked the Council for the opportunity for the public to make comments at tonight's meeting regarding the mandate.

Dr. Alan Anderson, Logan. Dr. Anderson is for the mandate. He is a surgeon and is President of the Medical Staff at Logan Regional Hospital. He commended everyone on their true libertarian spirit and arguments against government intervention. Ultimately the question is do masks work or not work and he has heard a lot of misinformation about that tonight. He said that masks do work. They don't eliminate the disease, but they significantly diminish the chance of someone getting the virus in the right circumstances. You do not need to wear a mask outside or when you are far away from someone. He wears a mask at work, he is a surgeon and he does not think anyone would not want him to wear a mask when he is operating on them. There is also misinformation about the Bear River Health Department, and they are not reporting on total hospitalizations, they are reporting on active hospitalizations. There are 1-5 people in the hospital all the time with COVID. He met the first person who died from COVID who was in his 40's and he did have a lot of other medical problems but, he was getting ready to leave the hospital, he got sick, his oxygen level dropped and within two hours he had died. People do not need to be afraid of COVID, but it doesn't mean its not worth being afraid of. COVID is spread by droplets and masks prevent droplet spread.

There were no further comments and Chair A. Anderson closed the public hearing.

Councilmember Simmonds stated that the Council does not control what happens in the schools and the Council does not control what happens in more than 35 businesses in Logan that have chosen to have mask mandates. What the Council had hoped to do when they agreed that Mayor Daines write to the Governor, was to help our community become more aware of the elements of social distancing, become more aware of our responsibility to our community and our communities responsibility to us. She understands that the cases have gone down, and she thanked everyone for that happening. She also understands that University students are coming back, and K-12 kids are going back to school. She would personally like us to show our children that we are willing to be like them and how we would like to respond as a community. She understands there are a lot of people that do not like to wear a mask. On her last count there were 95 emails that were set to the Council in favor of keeping the mask mandate and 55 emails that were against the mask mandate.

Vice Chair Jensen stated that this issue is confusing to him because our leaders in healthcare have said to wear a mask and others have said masks do not help. He feels there is some hysteria with this issue. What is being proposed tonight is a resolution with no punishment attached. Wearing a mask is not for the person wearing the mask it is for the people around them. Most of the Logan businesses require the wearing of a mask on their own without the mandate in place.

Councilmember M. Anderson asked Police Chief Gary Jensen how many citations have been given since the mask mandate was issued.

Chief Jensen responded that to his knowledge no citations have been issued and he has seen people not wearing masks.

Councilmember M. Anderson said he has three kids in school right now and all of them are required to wear a mask if they want to have the privilege of going to school. His kids are not afraid to wear a mask and are happy to wear a mask because it allows them the freedom to go where they want and do the things they want. He said how can he ask them as a parent to wear a mask if he won't also wear a mask. What example are we setting for our kids if we do not wear a mask. People need to respect the "house rules" which includes businesses, restaurants, etc. and if someone owns a business and they have a rule to wear a mask then people should abide by that rule. The cheapest way to mitigate risk in our community during this time is the wearing of a mask. He doesn't know if the mask really helps that much but he was taught by a young age that you listen to your leaders and you do what they ask but you ask questions. But, when it comes down to it, someone has to make a decision and are we going to be good examples for our kids or are we going to be bad examples for our kids. The Governor, Mayor Daines, Bear River Health and his religious leaders have asked him to wear a mask. People need to look at the choices they are making and the responsibilities they have to their leadership and are they going to support that leadership or not. It does not matter to him if the mask really makes



that much difference, but he is not willing to infect one person because of his negligence because that is on him. Mayor Daines has so much concern, respect and compassion for the entire community and he respects her for taking the jump and making the difficult decision regarding the mask mandate because it was a hard decision for her. The decision the Council has to make tonight will also be hard and they have tried their best to listen to what the citizens really want, and the Council will try and make a compromise.

Councilmember Bradfield stated that according to Dr. Angela Dunn, Utah State Epidemiologist, 80% of Utah adults are willing to wear a mask always or usually when they are in public spaces. First, he would like to congratulate the residents of Logan, the residents of Cache Valley, the greater Bear River Health District, and the State of Utah for all the hard work in dropping our case count throughout the months. COVID has led to people looking at each other in different ways. He validated the CDC study that said 25% of youth 18-24 during the month of June did consider suicide the same people who are issuing guidelines for a mask. He is okay with the wearing of a mask; he wears a mask and he is not an anti-masker. He wants to make sure that people have a voice and he wants to make sure that we do things the right way and come up with a solution where people feel good about what is decided. He encouraged citizens to wear masks and to do the right thing. He believes the City can increase the spreading of information given to them by the CDC, WHO and the Bear River Health Department. He thanked Mayor Daines for her willingness to meet with the Council and listen to the ideas brought forward. He thanked the Council for their willingness to discuss this issue to come up with a compromise.

Chair A. Anderson said there is a proposed resolution before the Council and there are several options. The Council can choose to set the resolution aside and vote to extend the State of Emergency with a date the Council would determine. The Council could script an ordinance that could have an infraction attached to it and she has been assured that if it went that direction there are systems in place where people could appeal. The Council can also approve the proposed resolution before them, or they could do nothing.

Councilmember Simmonds said if the Council feels the resolution is the right direction, they should go she would like clarification on the education component that is mentioned. She asked what is the budget and who will be assigned to do the education. To have that clarity, she feels will take until the next Council meeting scheduled for September 1, 2020 which is one day after the State of Emergency ends on August 31, 2020. The Council could opt to extend the State of Emergency for one day so they can discuss the details of the resolution at the September 1 Council meeting.

Councilmember Bradfield said he spoke with Logan City Finance Director Richard Anderson and asked him where the Council could get the funding for education. Councilmember Bradfield said we have someone hired and dedicated to administer and oversee the CARES funding at this time. He said that Mr. Anderson indicated that the resolution and the education component fits exactly with the mission of the CARE funding and said \$20,000 would not be out of scope to spend for the education campaign.

Councilmember Simmonds said she is still concerned and would like a more specific plan in regard to the education plan.

Councilmember Bradfield said Chair A. Anderson and Councilmember Simmonds both serve on the CARES committee, so he deferred to them with Council input regarding funding and an education campaign. He stated that he also has a lot of experience with marketing campaigns and would be willing to help.

Mayor Daines indicated that Makell Mitton is the CARES funding coordinator and there is another City staff member who can help with social media if needed.

Vice Chair Jensen said there are no penalties in the proposed resolution, but he proposed that the language in the resolution be changed from “required” to “requested” to wear a face covering.

Chair A. Anderson said when she and Councilmember Bradfield drafted the resolution they specifically added the word of “required” mostly for the reason that many of the businesses have signs stating that masks are “required” and she feels that wording helps them.

Councilmember M. Anderson added that the proposed resolution also matches the verbiage from the State of Utah and is not overruling the State’s guidelines that are already in place.

**ACTION. Motion by Councilmember Bradfield seconded by Councilmember M. Anderson to approve Resolution 20-37 as presented. This resolution takes effect August 31, 2020 and will expire at 11:59 p.m. on October 15, 2020 unless otherwise determined by the Municipal Council. Motion carried 4-1 (Jensen voted nay).**

**PUBLIC HEARING - Budget Adjustments FY 2020-2021 appropriating: \$4,500 donated funds for the Cruise-In; \$9,100 a grant Community Development was awarded by the State of Utah for a historic preservation project of the Cache DUP (Daughters of Utah Pioneers) Museum Building - Resolution 20-32**

At the August 4, 2020 Council meeting, Assistant Finance Director Rueben Nelson addressed the Council regarding the proposed budget adjustments.

Chair A. Anderson opened the meeting to a public hearing.

There were no comments and Chair A. Anderson closed the public hearing.

**ACTION. Motion by Vice Chair Jensen seconded by Councilmember Bradfield to approve Resolution 20-32 as presented. Motion carried unanimously.**

## **Consideration of a proposed resolution authorizing the City of Logan to withdraw from the Carbon Free Power Project Power Sales Contract – Resolution 20-33**

At the August 4, 2020 Council meeting, Light & Power Director Mark Montgomery addressed the Council regarding the Carbon Free Power Project Power Sales Contract and presented the following:

Logan Light & Power Director Mark Montgomery gave an update on the Carbon Free Power Project. He stated the players are Logan City and other UAMPS members, NuScale (Developers of the SMR Technology, Flour Corporation Worldwide Construction Company (backing NuScale) and the Department of Energy (DOE).

### **Summary Facts**

- The project size is 600 MW (720 MW with uprate)
- Logan commitment 5 Mw (6.99 MW with Jump)
- DOE to own 1<sup>st</sup> module 50 Mw (60 MW with uprate)
- Spent so far is \$8.8 million, this includes DOE and NuScale
- Logan City so far has spent \$256,000

### **Project Changes**

The DOE changed the support approach from owning the first module to appropriations.

- Removed DOE from taking on the First of Kind (FOK) risk and instead capping their monetary risk
- 1.5B commitment came but project increased by 1.89B
- Year to year federal appropriation creates additional risk

### **Project Cost History**

- 11/2017 – Budget and plan of finance = \$3.64B
- 11/2019 – Amended budget and plan of finance = \$4.238B
- 7/2020 – Amended budget and plan of finance = \$6.124B

### **Project Subscription**

- Have been working on the subscription for 2 years
- Hired employee for marketing over one year ago (result is 1 MW)
- Currently subscribed at 213 of 720 MW (21% w/o jump)
- Subscription History
  - May 2018 77.5 MW
  - June 2018 97.3 MW
  - August 2018 98 MW
  - Jump module strategically increased subscription over 150 MW requirement

**Missed Commitments**

- November 2019 “approve the minimum budget for December 2019 thru March 200 to maintain the critical path for COLA Development”
- April “DOE cost share should be done in May”
- November 2019 UAMPS committed to be at 50% by July 2020

**First of a Kind Risk (FOK)**

- No SMR plant has been built
- DOE has shifted the FOK risk back to UAMPS using a monetary cap
- Project assumed to be air cooled no nuclear plant had been air cooled before

**Why We are Here**

- Anytime an increase to the budget gets approved by the Project Management Committee, entities are given an opportunity to withdraw or lower their project share amount, we have 60 days to do this and it was done last week. The 60-day window ends September 15, 2020.

**Offramps and Future Costs**

Off Ramp	Description	Start	Finish	UAMPS Cost Millions	LCLP Costs
	December 2019 Budget & Finance	Dec-19	Sep-20		158,000
1	Licensing Period - 1 phase (COLA Submittal)	Oct-20	Apr-23	19.9	654,000
2	Licensing Period - 2nd phase (COLA issued)	May-23	Nov-25	658	21,582,400
3	Construction Period (Commercial Operation Date)	Dec-25	Jun-30		

LL&P Share Licensing #1 period before DOE & <u>NuScale</u> with Cost Share \$654,000	\$4,787,101
DOE and <u>NuScale</u> estimated costs	\$1,375,150,348
Participants estimated costs	\$4,759,535,481
<b>Total Project cost estimate</b>	<b>\$6,124,293,710</b>

Mr. Montgomery said he would like to see the conditions of the Budget and Plan of Finance completed before a resolution is approved. He would also like to see more subscription and construction and engineering completed past a class IV level (-10% to +30%). He would also like to see the participant JUMP MW’s resolved.

He said regardless of these things, if the City wants to stay in the project, the money will have to be spent regardless.

He said the City has the following options before September 15, 2020

- Pass a resolution to officially increase, decrease or withdraw from the project. If we reduce, it may or may not reduce the project cost.
- Pass a resolution to withdraw from the JUMP program MW's.
- Do nothing and stay the course.

Mr. Montgomery feels this will be a good project and it will be built eventually even if UAMPS or Logan withdraws the project will still move forward. He also reminded the Council that any money coming back to Logan City if we withdraw, only happens if UAMPS as a group withdraws. If we take the off ramp at this time, we will have to pay \$157,000 to pay for our portion of what has been completed on the project up to this point. He is not comfortable with the project the way it stands now, and his recommendation is to withdraw from the project.

Mr. Montgomery said the cost for staying in the project until the next off ramp, which is in three years, is a total of \$657,000 or \$220,000 per year. Logan City has currently put in \$420,000 to the project.

Councilmember Simmonds said she has participated in a lot of meetings regarding the project and she has always been hesitant. Construction aside, they have not secured the water to run the plant and that could be very expensive.

**ACTION. Motion by Councilmember Simmonds seconded by Vice Chair Jensen to approve Resolution 20-33 as presented to withdraw. Councilmember Simmonds withdrew her motion.**

Councilmember M. Anderson said he has really struggled in deciding what to do with this issue.

Councilmember Bradfield feels that \$200,000 is not a lot of money to spend for a project such as this one especially where it is over three years. He feels spending the money to potentially benefit the entire citizenry for a total of \$600,000 is a risk he is willing to take.

Councilmember M. Anderson said he too is willing to take the risk and stay in the project.

**ACTION. Motion by Councilmember Bradfield to deny Resolution 20-33 as presented to withdraw. Motion failed for lack of a second.**

Finance Director Richard Anderson addressed the Council and said he has been against the Carbon Free Power Project since day one. The risk that the City would face is larger than the benefits we will garner if we stay in the project. The benefit we would get is market rate power and we can get that anytime we want and sometimes it goes up and sometimes it goes down. The downside is significant including reputation and that is what he has a lot of concern with and has for a long time. None of the important elements

of the project have been completed which is very concerning and they still keep asking for funding. He does not see the upside with this project, and we are the last entity in the United States that should be participating in risky endeavors such as this one and what we should participate in is the third or fourth iteration of this project when the costs have come down to whatever is market rate and we can consider investing at that time.

Councilmember M. Anderson said he does not like going against what staff recommends.

**ACTION. Motion by Vice Chair Jensen seconded by Councilmember M. Anderson to approve Resolution 20-33 as presented to withdraw. Motion carried 4-1 (Bradfield voted nay).**

Councilmember Bradfield was excused from the meeting at this time 7:55 p.m.

### **WORKSHOP ITEMS:**

#### **Library Update – Discussion on potential location site plan and proposed financial steps needed to move forward with a new library building – Mayor Daines and Library Director Karen Clark**

Mayor Daines addressed the Council and asked Library Director Karen Clark to join her as well. She said there have been discussions for many years about a new Library and Community Center for Logan. Things have been quiet as we continued to explore options, and tonight there will be a presentation and recommendation to tear down the existing library and rebuild on the new site, and offer a proposed financial plan to move forward to begin design and construct the new building. Several factors influenced the decision: First, Logan desperately needs a new library to better serve patrons as the current facility is literally falling apart from the roof to the very-scary HVAC system in the basement. Second, acquiring new property is expensive, and could have added a million dollars to the budget. Third, people are happy with the current location at City Hall. It is familiar, and they can take care of other city business at the same time. Fourth, Downtown revitalization is important, and renovating this portion of Main Street would be a win for downtown.

Mayor Daines stated that later on tonight's agenda, under the Redevelopment Agency, she will also be asking Council to consider funding the purchase of property and vacant buildings near the corner of 300 North and Main. If approved, the intent is to demolish the blighted buildings and use the property to facilitate a future mixed-use development at that site. She feels a new library, and a cleanup of the 300 North corner would be a big win for Downtown, and for library patrons.

Mayor Daines asked Library Director Karen Clark to talk about how she could run a temporary library during construction, and her perspective on the location. Then she will turn the time over to the Hacker Architectural Team. Kent Craven, of the local partner Design West, who attended in person, with the rest of the team joining via zoom. Hacker

specializes in designing libraries and were selected during Mayor Craig Peterson's tenure. They were involved in the need's assessment and site selection study at that time, and one location that was considered was the existing site. Then, Finance Director Richard Anderson outlined the financial plan.

Library Director Karen Clark addressed the Council and said the Logan Library staff and Logan Library Board are in favor of the location and the plan for a new library. The current location has served patrons well for over 30 years. It is central to many places in Logan and is located in the heart of Logan. The Library provides many services to the community but at this time is closed due to COVID-19 and public safety concerns. Since being closed they have dramatically increased their online presence for library patrons. They have enhanced their pick-up service and their books-by-mail service and its being used a lot. They have created online story time and take and make craft materials. The library knows how to provide services to their patrons remotely and they can still do this while being closed for construction and they have plans to offer other programs in the future. A new facility would greatly enhance their ability to serve patrons of all ages and abilities especially children and teens.

Kent Craven - Design West Architects, Laura Klinger and David Keltner – Hacker addressed the Council and gave a presentation on the Logan Library Site Feasibility Study.

Project Goal: Explore several viable design options for a new library on the existing library site and determine a preferred option(s) with associated project costs.

Site Analysis: The site being considered for the new library is at the intersection of Main Street and 300 North. Things that were considered with this location were solar orientation, pedestrian and vehicle access, public and service entries, building edges, acoustic disturbance, views in and out.

Parking:            On street parking (300 North): 25 spaces  
                         Police and Library Staff: 55 spaces  
                         Shared with Hotel: 15 spaces  
                         Total: 95 spaces

City Hall parking 57 spaces that are no included.

It is proposed to retain the police and library staff parking of 55 spaces (includes 5 library staff). Library (1 per 500 sf): approximately 75 parking spaces for a total of 130 spaces.

Bicycle parking (10% of required parking): 8-13 spaces.

Target parking – 130 parking spaces.

Proposed Site Plan: Mr. Keltner showed four proposed site plans. With Option 3 being the preferred plan because it engaged Main Street for the longest dimension of the Library building and it would have a large presence. The proposed building would also be multiple stories and there could also be a new plaza area connecting to the existing City Hall plaza. There is a 911 cell tower that can be seen in all of the site plans and it was looked at to possibly move the tower to another location but the cost was one million dollars to move the tower so it will be left where it is now. The new plaza area design would add 44 parking spaces to the North where the parking ends now.

Mayor Daines reminded people this is just a massing study and is not the design at this time.

Kent Craven talked about the cost analysis and said the Kearns City Library was completed in 2020 is 35,000 sf with a project budget of \$240.00/sf and is a single-story building. The Daybreak Library was completed in 2020 and is 27,000 sf with a project budget of \$380.00/sf and has rooftop gardens and underground access. Neither of these projects was done by Design West or Hacker but it gives an idea of present-day costs. He estimated the cost for the Logan Library would be \$325.00/sf.

Finance Director Richard Anderson stated the cost projections are \$15.9 million and the City has about \$8M set aside for a new Library. In order to move ahead, the City is proposing that next August 2021, as part of the Truth in Taxation hearings, that we ask Council to increase the Library portion of City property taxes. That increase would be \$16.94 a year on the average Logan home (value of \$281,100).

Available Library Reserves	\$2,642,423
Capital Funds available for Library (Property Sales and Donations	\$2,264,945
RDA Funds (Unrestricted and specific property sale)	\$3,000,000
<u>Library Loan – Additional Property Tax Funds Needed</u>	<u>\$8,000,000**</u>
<b>TOTAL</b>	<b>\$15,907,368</b>

2020 Average Home Value	\$281,100.00
Estimated Increase in Property Tax Per Year	\$ 16.94

Mr. Anderson said we have not increased the general property tax levy since 2008. We do need to raise the general property tax levy year over year because things cost more, and we need incrementally more funding. If this process is found amenable by the public and the Council it would be the City’s intent that we would not plan on seeking a general fund property tax increase in addition and the property tax increase would be the addition that we would go after which would be \$16.94 and would hold off for one year on the general property tax levy increase request. The Council could decrease the property tax levy in the future once the library is built and operating.

Vice Chair Jensen asked about public reach for contributions.



Mayor Daines responded and said the ideal size for a new library would be 40,000 sf so with contributions the library could be that size but without it may only be 35,000 sf and we will just have to adjust as needed depending on funding.

Mayor Daines suggested the Council take time to review the information they have heard tonight and that it be discussed again at a future Council meeting.

Mr. Craven said the costs include furniture, soft costs, and demolition. It does not include the temporary relocation of the library.

Mayor Daines said it will take nine months to develop full plans from the architect, so we do not want to move to that point until there is direction from the Council. She would like to go ahead with the design which will firm up the cost and would then come back to the Council in August 2021 as part of the Truth in Taxation process to make a formal request for funding. She said there should be public input and staff does have some ideas of a temporary location for the library.

Councilmember Simmonds hopes that the rest of the community is as excited as she is about a new library. She has looked at many proposed locations for a new library in Logan over the years and when the committee looked at this location it came together very quickly and everyone felt that it was a great opportunity for Logan and having it located right on Main Street was a benefit.

JaDene Denniston, Chair of the Logan Library Board addressed the Council and stated she is 100% for a new library at this location and that libraries are her life. She feels the greatest thing we can give our community is the love of reading and lifelong learning. She said the other Library board members fully support the location of the new library and feel this is a great plan. She also pledged \$1,000 to the new library.

**Budget Adjustments FY 2020-2021 appropriating: \$4,568,640 funds for two new electric substations; \$85,000 funds from the State Task Force Grant the police department received. These funds will be used to reduce, prevent, and investigate drug use - Resolution 20-34 – 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 September 1, 2020 Council meeting.

**Unspent Appropriations FY 2020 – Carry Forwards:  
ADMINISTRATION - \$2,942 for Deer Pen Subdivision Design**

**POLICE DEPARTMENT - \$4,752 for Police Equipment; \$16,913 for Police Equipment; \$4,752 for Police Equipment**

**FIRE DEPARTMENT - \$147,465 for Station Building Improvements**

**PUBLIC WORKS - \$335,000 for Capital Projects; \$352,532 for Service Center Roof; \$8,375 for Design Standards; \$19,903 for Aerial Photos; \$39,808 for Pool Projects; \$50,663 for Parks & Recreation Pavilion; \$20,000 for Vehicle Purchase**

**REDEVELOPMENT AGENCY - \$175,266 for Emporium Demolition; \$45,198 for Tunnel Feasibility Study**

**WATER & SEWER - \$9,640 for USU Water Rate Study; \$46,877 for various projects; \$509,576 for Vac Truck; \$1,285,383 for various Capital Projects; \$60,766 for various Capital Projects; \$19,793 for Fiber Optic Project; \$6,690 for Tokay Software Upgrade; \$23,275 for Manhole Collar Project**

**SEWER TREATMENT – \$18,219 for Wastewater Financial Plan Update; \$66,623,001 for Logan Regional Wastewater Treatment Plan Project**

**ELECTRIC - \$312,733 for Electric Department Vehicles; \$699,664 for Sub 4 Project; \$4,194,588 for Third Dam Project**

**ENVIRONMENTAL - \$927,659 for North Valley Landfill Project Management; \$102,313 for Environmental Vehicles; \$12,062 for Landfill Permit Renewal and Study**

**STORM WATER - \$148,039 FOR SW Monitoring & Master Plan; \$90,226 for various projects; \$42,611 for Manhole Collars & Grates; \$1,032,728 for various Capital Projects**

**INFORMATION TECHNOLOGY - \$94,059 for Software Implementation**

**Carry Forward of Capital Projects: \$65,011 for Master Plan Studies; \$2,432,253 for Curb, Gutter, and Street Improvement Projects; \$2,641,214 for Curb Gutter, and Street Improvement Projects**

**Capital Equipment: \$29,870 for Public Works Vehicles; \$8,875 for Parks & Recreation Vehicles**

**Unspent Appropriations FY 2020 - Restricted: \$48,669 for Police Alcohol Enforcement; \$160,907 for various Street Projects; \$893,976 for Chip Seal; \$45,330 for CMPO Main Street Corridor Study**

**FEDERAL GRANT - \$3,064,022 Coronavirus, Aid, Relief, and Economic Security Grant**

**STATE GRANTS - \$60,000 Main Street Corridor Study**

**MISC GRANT - \$138,461 ULCT Active and Healthy Communities Grant**

***Carry Forward of Reimbursement Grants:***

**FEDERAL GRANTS - \$685,383 CDBG; \$62,000 Land & Water Conservation 1700 South Park; \$13,172 Bullet Proof Vests; \$2,207 LSTA Cares Act; \$7,709 USDA Waste Management**

**STATE GRANTS - \$25,000 US-91 UDOT Trail Crossing Study; \$45,886 Safe Routes to School; \$95,749 Logan Canyon Pathway-UDOT**

**MISC GRANT - \$5,250,755 County Road Grant Tax**

**RAPZ GRANTS - \$295,572 - Resolution 20-35 – Richard Anderson, Finance Director**

Finance Director Richard Anderson addressed the Council regarding the proposed Carry Forwards.

The proposed resolution will be an action item and public hearing at the September 1, 2020 Council meeting.

**OTHER CONSIDERATIONS:**

Chair A. Anderson stated that an email was received by Logan resident Brady Eames in regard to quarterly financial reports. She received a response from the City Finance Department stating that a fourth quarter (quarterly report) is not issued and is titled the Comprehensive Annual Financial Report (CAFR) which is completed in December.

There were no further items to be considered by the Council.

**ADJOURN TO MEETING OF THE LOGAN REDEVELOPMENT AGENCY.**

Councilmember's present at the beginning of the Logan Redevelopment Agency meeting: Chair Amy Z. Anderson, Vice Chair Tom Jensen, Councilmember Mark A. Anderson and Councilmember Jeannie F. Simmonds. Administration present: Mayor Holly H. Daines, City Attorney Kymber Housley, Finance Director Richard Anderson, Economic Development Director Kirk Jensen and City Recorder Teresa Harris. Excused: Councilmember Jess W. Bradfield.

Chair A. Anderson welcomed those present. There were approximately 2 in attendance at the beginning of the meeting.

**Chair A. Anderson explained that those wishing to speak during the public hearing portion of the meeting must sign in and queue up with social distancing maintained. Chair A. Anderson explained that masks can be removed when speaking at the microphone.**

**WORKSHOP ITEM:**

**Consideration of a proposed purchase of certain parcels located at and near the corner of 300 North Main from the Needham Family Partnership for the purpose of eliminating blight**

Logan Economic Development Director Kirk Jensen addressed the Council regarding the proposed purchase of property on 300 North. There are four parcels of approximately one acre.

Blighting Influences Include:

- Accessory building needs major repair
- Building condition is deficient
- Hazardous materials
- Poor asphalt areas, including driveway and sideway
- Poor frontage
- Possibly not enough parking
- Potential lead-based paint and or PCB ballasts and or asbestos containment material
- Sidewalk needs replacement
- Site needs heavy maintenance
- Suspect commercial use
- Traffic congestion on Main Street ingress and egress
- Wood fence needs repair

Option Agreement to the Needham Family Partnership

Expiration: October 31, 2020

Purchase Price: \$1,165,000

Environmental: \$ 51,850 (up to) would include asbestos removal, Phase I & II of environmental assessments and underground storage tank removal.

The environmental assessment work has been completed and the Needham Family has indicated there is no residual environmental issues. Prior to closing the City will be provided with proof of completion of all the findings from the assessment.

Chair A. Anderson asked what is the current zoning for this area.

Mr. Jensen responded the zoning is Town Center 1.

Councilmember Simmonds said she is concerned about the environmental aspect of this property and feels it will be very expensive to clean up the area.

Mr. Jensen said we should be concerned and should complete our due diligence. From a financing perspective no lender would grant financing if a cleanup were not completed. Those assessment are being completed at this time and the City will get a copy of the report.

City Attorney Kymber Housley addressed the Council and said he confirmed with realtor Blake Parker that the tank on the property has been removed. The Phase II report did come back but we have not yet seen the report but have been told there are no further environmental issues. At this point we have the property under option in the contract and we can address any other concerns we might have with the property. He feels Logan has a good track record when it comes to purchasing property that is clear of environmental cleanup and problems have not occurred in the past.

Mr. Jensen said the purpose of purchasing the property is to draw a mixed-use project to the area. We could also raze the buildings and clear the property making the area more attractive and clean up the blight. If a developer were to do a mixed-use project, the development agreement would include demolition.

Mayor Daines stated that the City would like to do the demolition as soon as possible and the Public Works Department could possibly do this through the winter months when they have crews and equipment more available. As part of the library potential and cleaning up the two blocks, staff feels it makes sense to come to Council at this point with the request to purchase the property and will come back to the Council with details on the demolition.

The proposed resolution will be an action item and public hearing at the September 1, 2020 Council meeting.

**ADJOURNED.** There being no further business to come before the Council, the Logan Redevelopment Agency meeting adjourned at 9:00 pm.

Teresa Harris, City Recorder