

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, October 6, 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, 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 12 in attendance at the beginning of the meeting.

OPENING CEREMONY:

Jamie Andrus, representative of the Logan Cancer Center addressed the Council and announced that October is Breast Cancer Awareness Month. She gave statistics regarding breast cancer and reminded everyone of the importance to get regular mammograms and screenings. She also led the audience in the pledge of allegiance.

Meeting Minutes. Minutes of the Council meeting held on September 15, 2020 were reviewed and approved with no changes.

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

ACTION. Motion by Councilmember Simmonds seconded by Vice Chair Jensen to approve the September 15, 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, October 20, 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, 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:

Library Patron Award – Karen Clark, Library Director

Logan Library Director Karen Clark addressed the Council regarding the Library Patron Award that was awarded to 15-year-old Truman Phillips. Truman won an award in the *Book Your Summer Program* sponsored by the Utah State Library and received \$1,000 toward a future scholarship. Truman also won an award for the Logan Library who received \$500 to spend for teen and tween programs.

Truman shared with the Council his two favorite books and the Council congratulated Truman on receiving these awards.

Wilson Neighborhood Update – Mayor Daines

Mayor Daines gave an update on two projects that were recently completed in the Wilson Neighborhood. She stated that cleanup activity in the Wilson Neighborhood went very well and that a large dumpster was filled and replaced each day during their scheduled event. They also worked with Parks Manager Ed Stephens to get materials to refurbish the benches in Denzil Stewart Nature Park. Mr. Stephens supplied all of the boards, stain, brushes, and rollers that were needed. Both activities are completed, and the neighborhood looks forward to planting trees this fall and helping the Parks Department by removing poison ivy in or near the park.

Wastewater Treatment Plant Update – Issa Hamud, Environmental Director and Mark Nielsen, Senior Project Engineer

Mayor Daines said Logan City is involved in the biggest capital project in our history which is \$150 million dollar Wastewater Treatment Plant which will serve a good portion of Cache County. She asked Senior Project Engineer Mark Nielsen to attend tonight's Council meeting and give an update on the project.

Mr. Nielsen addressed the Council regarding the Wastewater Treatment Plant and gave an update and presentation. He focused on the construction of the project which has a guaranteed maximum price of \$136 million dollars with a contingency of \$4.4 million dollars. As of the end of August 2020, just over \$1 million dollars of contingency has been used and he said it looks like the project will come in at or just under the GMP.

Also, as of August 31, 2020 a total of \$83 million dollars in construction has been completed which is 61.6%.

Critical Path Schedule:

- Contract Substantial Completion Date: July 1, 2022
- Projected Substantial Completion: July 7, 2022
- Construction Activities Complete: October 29, 2021
- Startup Testing Activities Complete: January 13, 2022
- Buildup Biomass Complete: May 23, 2022
- Final Completion Date: October 6, 2022
- DWQ Compliance Schedule Completion: April 1, 2022

Mr. Nielsen said the public is welcome to tour the project during construction and can make arrangements through the Environmental Department. He talks with the Division of Water Quality every month and submits everything that has been accomplished for the month and the invoice for the work that has been paid is also submitted. The City is then reimbursed for what we have paid to the contractors. The Division of Water Quality comes on site quarterly to inspect the project.

Mr. Nielsen said this is the first plant incorporating the BIOMAG process. Park City has a wastewater plant but after hearing about ours, they are now looking at incorporating the BIOMAG process into their existing plant. He said there will also be a building where the public can come and learn more about the plant once it is completed.

Mr. Nielsen said the water coming out of the plant has already been filed on for the irrigation system so during the summer months they use all of it and that will be the same with the plant. They will be able to use the water in their irrigation canals for irrigating canals.

Environmental Director Issa Hamud added the winter flow is available but there are rights to the summertime flow which goes from April to the end of October.

Councilmember Simmonds asked if it were a winter use could the water be purified and reused as drinking water.

Mr. Hamud responded no, it would be exchanged rather than used because it has already gone downstream and purifying the water and bringing it back is costly. If the water were to be used for drinking it would need to be taken upstream from the river. Downstream users will take the water for irrigation.

The Mayor and Council thanked Mark Nielsen and Issa Hamud for their work on this very important project.

Redevelopment Agency Overview – Kirk Jensen, Economic Development Director

Mayor Daines said as the Council is aware, Logan is funding a lot of projects especially in the downtown area through what we call Redevelopment funds. Some have been concerned if their taxes will be increased for this fund and asking where the money is coming from. Logan City Economic Development Director Kirk Jensen prepared and will give a presentation that will answer some of those questions.

Logan Economic Development Director Kirk Jensen addressed the Council and gave an overview and presentation of the Redevelopment funds. He said the City established the Redevelopment Agency on February 20, 1979 under the Utah Neighborhood Development Act and Utah Code Title 17 C of the Community Reinvestment Act that regulates and guides the Redevelopment Agency. The Governing Board are the City Council members, and the Chief Administrative Officer of the Redevelopment Agency is the Mayor.

Project Areas

Inactive

600 West EDA
Logan North Retail RDA
Logan River RDA
North Main RDA
Quayle Meadows CRPA

Active

Auto Mall CDA
Downtown RDA
Northwest RDA
South Main RDA
South Main River CRPA

Inactive project areas are no longer receiving property tax increment as revenue for the Agency because the project areas have run their course but there is a balance leftover.

Active project areas we receive an annual property tax revenue called tax increment.

Mr. Jensen referred to the 600 West EDA and gave an example of the tax increment. When the project was created in 2003, the base value of this 93-acre project area was approximately \$20 million dollars. At the outset and during the entire 12-year life cycle of the project area, the property tax on the \$20 million dollars was distributed annually to the taxing entities and in this case the entities are Logan City, Logan City School District and Cache County. This means there was no reduction in revenues that were already flowing from this geography to the taxing entities. By agreement during the 12-year life of the project area, the new property tax created on the difference between the total taxable value and base value is called tax increment. For 12-years in this project area, that is what constitutes the RDA's revenue for that particular area. It is based only on the increase.

Tax Increment Utilization

- Ensuring the certainty of an expansion of development, or “incentivizing” it to happen
- Bridging an economic feasibility gap due to extraordinary development/redevelopment challenges
- Assisting with necessary public infrastructure
- Providing for project enhancement or public amenities associated with the project
- Land assembly
- Blight elimination
- Strengthening housing, both affordable and market-rate

Mr. Jensen said in regard to revenue impact for the taxing entities, some of the project areas were created in such a fashion that during the life span of the project area some of the revenue was agreed to go to the taxing entities during the interim. Some of the project areas are still active so the interim revenue is what they are currently receiving. When the project area matures the revenue will flow back to the taxing entities and this is annual revenue.

Mr. Jensen said the planned commitment from the RDA for the new library is \$3 million dollars. Ultimately, these funds will be appropriated once the plans have been completed and will come back to the Council for approval at a later date. The funds will come from the \$12 million dollar fund reserve.

Chair A. Anderson said there have been questions as to why more of the RDA funds cannot be used to fund the new Library.

Mr. Jensen responded that more funds could be used. When staff and Mayor Daines looked at the overall budget and the existing obligations that we currently have in the RDA, we have existing development agreements and we make annual payments and all told, looking at the budget staff and Mayor Daines settled on \$3 million dollars which they all felt was a good investment into the RDA but not circumventing other opportunities.

Mayor Daines added that the Library does not produce tax increment so there has been a question on whether funds should be used from the RDA. The Library will help revitalize downtown and back when Mayor Petersen was working on the Library, because it was a little bit of a “gray” area, he actually went to the other taxing entities with a specific amount of \$3 million dollars to get their approval just to be above board and make sure everyone was fine with the amount. We still have that same approval from the taxing entities to spend the \$3 million dollars and if we were to use more funding, we would go back to the taxing entities and ask for approval. She feels comfortable with the \$3 million dollars and so does staff with prior approval from the taxing entities and the funds have been kept in reserve during this time.

Mr. Jensen said going to the taxing entities was a goodwill gesture on the part of the City because legally tax increment funds can be used for public infrastructure such as a Library which is allowed.

Councilmember Simmonds said if she remembers correctly, Mayor Petersen went to the taxing entities because if we use a portion of the increment on something that does not bring additional tax revenue to the taxing entities, we wanted to not spend too much but we wanted to have some that was committed to the Library.

Mr. Jensen reviewed the different RDA areas and how the RDA has helped make improvements in these areas. He also reviewed the following advantages of the RDA:

- Acceleration of development and resulting effect on tax base
- Bridge to more efficient land assembly
- Development catalyzes other growth and development
- Directs development interest to areas in greatest need
- Ensures project certainty
- Greater likelihood of master planned developments
- Infrastructure enhancements
- Public amenity opportunities

Mayor Daines commented that these funds are generated from the increase in the tax base and are intended for redevelopment. These are not general fund dollars that we are using on the downtown redevelopment project and plaza area. They are funds that are specifically earmarked for redevelopment.

Vice Chair Jensen thanked Mr. Jensen for his presentation and said we need to remind the public that a lot of these projects would not happen without the RDA and the community, Logan City School District, Cache County and the City of Logan also benefit from the RDA.

Utah Climate and Clean Air Compact – Mayor Daines

Mayor Daines said she met with a group of citizens that are concerned about climate issues and there is a group in Utah called the Utah Climate & Clean Air Compact. This is a group of business leaders, governmental leaders, faith based and civic groups. They support a variety of principles such as Health and Well Being, Climate and Air Quality, Economy, Re-Energize Utah, Rural Utah and Leadership and the Utah Way. They are hosting a virtual signing event on October 7, 2020 for a launch and signing of the Utah Climate and Clean Air Compact. She plans to participate in the virtual signing and asked for the Council's support. She would like to be proactive about these issues and as leaders set a good example.

The Council were all in agreement to participate in the signing and support the compact.

No further Mayor/Staff Reports were presented.

COUNCIL BUSINESS:

Planning Commission Update – Councilmember Simmonds

Councilmember Simmonds reported that the Planning Commission met on September 10, 2020 and discussed a proposal from a daycare, the meeting was held virtually.

Other Committee Updates – Council

Councilmember M. Anderson reported that the Logan Marathon was a success and was sponsored by the Downtown Alliance.

Councilmember Simmonds reported that she and Councilmember M. Anderson attended the first meeting of the Logan/Nibley City Boundary Commission and she felt it was a very productive meeting and all involved came away with the beginnings of a conclusion to the original discussion. They will be meeting again soon.

The Voter District Sub-Committee recently met and various members of the committee have volunteered to write a portion of the report and will meet again soon to finalize the report.

Vice Chair Jensen reported that as a result of the COVID-19 virus, there have not been any golf tournaments at the Logan River Golf Course. But, as a result of there being no tournaments, personal golf rounds have increased and it has been very busy, and the course is in the best condition it has ever been. The Youth Golf Program has also been very good this year.

Vice Chair Jensen also reported on the Ellen Eccles Theatre and said the Theatre has been refurbished and looks beautiful. However, because COVID-19 has gone on for longer than expected people are very cautious about going back to a theatre and the question is can the theatre sustain not having programs. The Theatre is an asset in our community and if they cannot sustain staffing it would be very difficult for them to continue and the City should be cognizant of this situation.

Chair A. Anderson reported that the Fine Arts Committee met and awarded \$24,000 in grants to eleven applicants. The total requested amount was \$72,000 and the budgeted amount was \$24,000.

Interim Council Appointment – Chair A. Anderson

Chair A. Anderson announced that applications for the vacancy left by Councilmember Jess Bradfield are being accepted until 5:00 p.m. on Friday, October 9, 2020. More information can be found on the Logan City website. A public meeting will be held on Tuesday, October 13, 2020 at 5:30 p.m. in the Council Chambers where each of the applicants will be given 3 minutes to express to the Council why they should be selected to serve on the Council for the remainder of Councilman Bradfield’s term which ends January 2022.

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 appropriating funding for architectural and other related fees for the design of a new library to be located on the City Block at 300 North Main Street in the amount of \$999,990 – Resolution 20-42

At the September 15, 2020 Council meeting, Mayor Holly Daines addressed the Council and said the City is currently in the process of finalizing a contract with Design West. The option of a new site plan was presented to the City Council to replace the current Library. Design is expensive and is based on the size of the project. The proposed amount would be for all of the architectural drawings, construction drawings, interior design, and landscape design on the plaza. The design team is ready to move ahead quickly and the design would be completed in approximately 10 months. The City has 9 million dollars set aside for a new library and discussions have been held with the Council that to complete the entire library building we would have to address some type of property tax levy for the library as part of next year’s budget and truth in taxation process which, would occur in August 2021. The \$999,990 would allow staff to move ahead with the design of the Library and that is what is being requested at this time.

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

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

ACTION. Motion by Councilmember M. Anderson seconded by Councilmember Simmonds to approve Resolution 20-42 as presented. Motion carried unanimously.

***(Continued from September 15, 2020)* PUBLIC HEARING - Consideration of a proposed ordinance vacating a public right of way along the West right of way line of 1400 West at approximately 2054 South 1400 West in the Spring Creek Village Phase I – Ordinance 20-27**

At the September 15, 2020 Council meeting, City Engineer Bill Young addressed the Council regarding the proposed vacation. He said the City of Logan received a petition to vacate a portion of a public right of way subdivision along the West right of line of 1400 North across from 2054 South 1400 West, in the Spring Creek Village Subdivision Phase 1, in Logan, Utah.

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

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

ACTION. Motion by Vice Chair Jensen seconded by Councilmember M. Anderson to adopt Ordinance 20-27 as presented. Motion carried unanimously.

PUBLIC HEARING - Budget Adjustment FY 2020-2021 appropriating: \$165,992 a grant Logan City received from the State of Utah (pass thru funds). These funds will be used to purchase replacement vehicles for several City Departments; \$7,475 funds the Police Department will receive from the US Department of Justice for the upgrade and installation of a camera system; \$2,862 a grant the Communication Center received from the State of Utah for training of dispatchers; \$40,000 funds the City received from Cigna to promote wellness amount the City employees; \$12,000 a grant the Police Department was awarded from the Internet Crimes Against Children to investigate, protect and educate the community on children exploitation - Resolution 20-43

At the September 15, 2020 Council meeting, Finance Director Richard Anderson addressed the Council regarding the proposed budget adjustments.

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

Chair A. Anderson said there was one comment emailed to the Council regarding replacement vehicles and if there would be any possibility to make those vehicles electric or in some way help with emissions.

Mayor Daines responded that the City has approximately 550 vehicles in our fleet. Mike Beckstead is the City Fleet Manager, and he continues to attend trainings and demos on electric vehicles. Most recently, he attended a demo on hybrid pickup trucks. There are two issues right now with electric vehicles one is cost and the other is functionality. Right now, electric vehicles do not make sense for the City from both these perspectives. But as electric vehicles get better and less expensive things could change and Mr. Beckstead would like to move in that direction. Mayor Daines further said that any diesel vehicle

after 2007 is considered clean diesel and each year vehicles continue to improve in cleanliness for emissions. She said the City has received a number of grants to upgrade our City vehicles and that is one reason our fleet is doing so well with clean diesel. We also have a rollover schedule for our rolling stock, so we tend to have newer vehicles with good emission ratings. Electric vehicles are typically double the cost of a gas vehicle and currently we trade in a number of our pickup truck on an annual basis for a cost of about \$1,000 to rollover so we have no maintenance costs and a brand new truck every year. The City recently received a grant to help cover the cost of two new fire engines and electric fire engines were considered. The clean diesel fire engines we purchased were \$630,000 each, the electric engines are \$1.2 to \$1.4 million dollars each and that is just too costly for the City budget at this time. The City and the Fleet Manager will continue to watch for opportunities and move in the direction of electric vehicles but for now it does not make sense for the City.

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

ACTION. Motion by Councilmember Simmonds seconded by Vice Chair Jensen to approve Resolution 20-43 as presented. Motion carried unanimously.

PUBLIC HEARING - Consideration of a proposed resolution approving an adjustment of Solid Waste Collection and Disposal Fees and Mandatory Curbside Recycling – Resolution 20-44

At the September 15, 2020 Council meeting, Environmental Director Issa Hamud addressed the Council regarding the proposed resolution. He said the free green waste disposal and composting operation started in 1990 and was improved in 1993/1994. It obtained an operations plan in 1995. The countywide drop sites were established in 1997/1998 and Logan City removed the drops sites in 2006. The number of drop sites are 15-17 and the number of trucks at a minimum for these locations is 3 with a minimum of 3 personnel.

Composting Rules – All waste materials collected for the purpose of processing must be processed within two years or as provided in the plan of operation. All materials not destined for processing must be properly disposed.

Funding Options

- **Fund the Compost Program**
- Required fund approximately \$225,634.00
- Number of residents in the service area 41,593
- Cost per dwelling \$255,634 (41,593 x 12) = \$0.45/month
- **Drop Site Funding**
- Required fund approximately \$240,833.55
- Number of residents in the service area outside of Logan 22,057
- Cost per dwelling \$240,833.55 (22,057 x 12) = \$0.90/month

Proposed Alternatives

Alternative 1

- Keep the two month per year plan
- Cut compost product cost
- Fund the compost facility

Pros: Least expensive, will fund the compost program, will allow the public to get compost product at a lower cost.

Cons: The service is not adequate due to the popularity of the program.

Alternative 2

- Provide one to two-month service
- Let every city pay its drop site service after the two months service
- Fund the compost facility shortfall
- Cut compost product cost
- Hauling cost \$126/load

Pros: May cost less if a city decides not to have the drop site, will fund the compost program, will allow the public to get compost product at a lower cost.

Cons: The cities will pay the program from their funds, cities have to address public concerns, potential problem if some cities implement and some cities do not, requires coordination from the host city staff to deal with site management, contamination and adequacy of the service.

Alternative 3

- Provide season long green waste service
- Fund both the collection and compost facility

Pros: Provide season long green waste service, fund both the collection and compost facility, provides affordable compost product, the program will be paid by the service fee (cities pay nothing), Logan will monitor the drop sites to an extent, the host city staff coordination will be limited, will help the compost facility.

Cons: Required minimum of two employees, one new bulk truck \$140,000, required funding: Funding the composting facility by \$0.50/month per household and funding the drop site collection by \$1.00/month per household (communities outside Logan).

Conclusion and Recommendation

Mr. Hamud said it is his recommendation that the Council fund Alternative 3.

Mr. Hamud provided a memo to the Council which read:

The Logan City Environmental Department requests authorization to add a full-time Equipment Operator for the collection and management of green waste drop-sites , and the approval of new service fees to fund the new position. We are requesting this position because the Solid Waste Service Area and the majority of Mayors of the towns we service wants the City of Logan to provide more green waste drop-site services for the citizens of their respective cities. On June 8, 2020 the Solid Waste

Advisory Board unanimously voted to approve a \$ 1.00 / month fee per residential dwelling outside Logan City (later revised to \$0.50/month) for the said services and compost facility fee of \$0.50/month fee for a residential dwelling of every house hold (including Logan City) in the solid waste service area. The approved fee is intended to fund the position we are requesting to add plus other ancillary expenses such as part-time employees on an as-needed basis, over time, equipment maintenance, fuel, and other expenses related to the green waste drop site and compost services.

The new addition al person will allow us to provide adequate drop-site services per the green waste drop-site service schedule. In addition to the drop-site service, this new position will also allow us to quickly process the received green waste at the compost facility. From December to the end of March this position will be assisting the compost facility personnel to grind and compost green waste.

Including the newly proposed green waste fee is the reduction of green waste product fees to allow us to move our products out of the compost facility on time and to allow the public to get compost products at a discount.

He proposed the equipment operator position to be a grade 52, with a beginning salary of \$34,728.

Mr. Hamud said in his presentation to the Council on September 15, 2020 he requested one full time employee and one part time employee. He asked the Council for their consideration to amend that request and to approve two full time employees. Mr. Hamud stated that Mayor Daines and Finance Director Richard Anderson have both approved this request and he has the money in his budget to pay for two full time employees.

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

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

ACTION. Motion by Vice Chair Jensen seconded by Councilmember M. Anderson to approve Resolution 20-44 and approve two full time employees as presented. Motion carried unanimously.

Consideration of a proposed ordinance amending Section 9.24.130 of the Logan Municipal Code Regulating Children in Vehicles – Ordinance 20-28 – Police Chief Gary Jensen

At the September 15, 2020 Council meeting, Chief Gary Jensen addressed the Council regarding the proposed ordinance changing the Logan Municipal Code regarding a child being unattended in a vehicle versus the State Code. Logan City can issue a citation on private property for a child left unattended in a vehicle under the age of 9 years old if the police officer can show risk for hyperthermia, hypothermia, or dehydration. The current Logan Municipal Code also gives officers the option to enforce leaving a child in a car

and the City code has an age of 6 years old or under. The City code states that the vehicle is unattended whether it is locked or not upon a public street, alley, or other public property. The amendment he proposed to the Council is to remove the wording from the code of “upon a public street, alley or other public property.”

ACTION. Motion by Councilmember Simmonds seconded by Councilmember M. Anderson to adopt Ordinance 20-28 as presented. Motion carried unanimously.

WORKSHOP ITEM:

Budget Adjustment 2020-2021 appropriating: \$40,000 a grant the Parks & Recreation Afterschool Program was awarded for this fiscal year; \$250,000 for the Afterschool Match Partnership Grant from the State of Utah; \$32,219 a grant the Fire Department received from the State of Utah for part time firefighter wages; \$6,158 a grant the Fire Department received from the State of Utah to purchase EMS equipment – Resolution 20-45 – Richard Anderson, Finance Director

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

The proposed resolution will be an action item and public hearing at the October 20, 2020 Council meeting.

OTHER CONSIDERATIONS:

Chair A. Anderson stated the Council received an email asking if the City Recorder was required to make an annual report to the Council. She spoke with Mayor Daines and with the City Recorder and because Mayor Daines provides an annual report to the Council that covers all departments including the City Recorder the Council is made aware of the work that is being done in the Recorder’s office.

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

ADJOURNED. There being no further business to come before the Council, the Logan Municipal Council meeting adjourned at 7:20 pm.

Teresa Harris, City Recorder