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

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

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

19
20 **OPENING CEREMONY:**

21
22 Cache Valley Food Pantry Director Matt Whitaker gave the opening prayer and led the
23 audience in the pledge of allegiance.

24
25 **Meeting Minutes.** Minutes of the Council meeting held on August 4, 2020 were
26 reviewed and approved with no changes.

27
28 **Meeting Agenda.** Chair A. Anderson announced there are two public hearings scheduled
29 for tonight's Council meeting.

30
31 **ACTION. Motion by Councilmember Simmonds seconded by Vice Chair Jensen to**
32 **approve the August 4, 2020 minutes as presented and approve tonight's agenda.**
33 **Motion carried unanimously.**

34
35 **Meeting Schedule.** Chair A. Anderson announced that regular Council meetings are held
36 the first and third Tuesdays of the month at 5:30 pm. The next regular Council meeting is
37 Tuesday, September 1, 2020 and will be a public meeting.

38
39 **QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL:**

40
41 Chair A. Anderson explained that the Questions and Comments portion of the agenda is
42 suspended at this time. She indicated that comments or questions can be emailed to:
43 teresa.harris@loganutah.org, who will distribute to the Mayor and Councilmembers. She

44 stated that under Other Considerations on tonight’s agenda the Council will be taking the
45 time at the end of the meeting the Council will address any comments or questions that
46 come to them during the open comment and question period as well as address any
47 emails that are received. This is being done in order to better connect with the appropriate
48 person to answer those questions and so the Council can react and include all those that
49 might be impacted or affected.

50

51 **MAYOR/STAFF REPORTS:**

52

53 **Mayor’s Request to Extend the Mask Mandate – Mayor Daines**

54

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

63

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

71

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

74

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

78

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

82

83 No further Mayor/Staff Reports were presented.

84

85 **COUNCIL BUSINESS:**

86

87 **Planning Commission Update – Councilmember Bradfield**

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

91

92 **Other Committee Updates – Council**

93

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

96

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

104

105 No further Council Business items were presented.

106

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

111

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

115

116 Chair A. Anderson stated that as Mayor Daines explained earlier in her remarks. After the
117 30-day mask mandate expires, the State of Emergency is something that needs to be
118 reauthorized by the City Council. The City Council has received a lot of public comments
119 via email and phone calls from individuals who registered their thoughts on the mask
120 issue. The Council can choose to reauthorize the State of Emergency and extend the mask
121 mandate as requested by Mayor Daines to December 31, 2020 or another date the
122 Council could choose. The Council could adopt an ordinance which could identify
123 penalties which, currently is a Class B Misdemeanor or perhaps an Infraction. At
124 tonight’s meeting, the Council has before them a proposed resolution that was brought
125 forward from members of the City Council and City staff. The resolution directs the
126 wearing of face coverings in the City of Logan and has an expiration date of October 15,
127 2020. The Council can also choose to do nothing, and the State of Emergency would end
128 on August 31, 2020.

129

130 Councilmember M. Anderson commented that the Council may not have responded to all
131 of the emails that were sent to them, but he read each of the emails he received.

132 Councilmember Simmonds added that even if the email was not sent directly to the City
133 Council it was forwarded to the Council by City Recorder Teresa Harris.

134
135 Chair A. Anderson read excerpts from some of the many emails that the Council received
136 regarding the mask mandate. She stated that some indicated via email that they felt
137 uncomfortable attending the meeting in person and chose to send an email instead.

138
139 Chair A. Anderson explained the process of the public hearing and said priority will be
140 given to residents of Logan to speak first.

141
142 Chair A. Anderson opened the meeting to a public hearing.

143
144 Bryson Freeze, Logan – Bryson is against the mandate. He feels it should not have been a
145 mandate in the first place without input and approval from the public or overwhelming
146 proof and statistics. He believes Mayor Daines responded in fear and copied USU's
147 standards rather than focusing on the public needs.

148
149 Jennifer Peeples, Logan – Jennifer is for the mandate. She said we have regulations and
150 rules to keep the community safe and the mask mandate is not any different. She said we
151 all need to do what we can to prevent COVID deaths in Logan.

152
153 Karen Kelly, Logan – Karen is against the mandate. She has two children with
154 disabilities, and they rely on the facial queues of others of how to act socially which is
155 very important for their progression. She is responsible for her family's health and
156 wellness and does need officials to mandate or force her. She instead wants officials to
157 support her and trust that people have educated themselves on these matters and will act
158 responsibility.

159
160 Gail Yost, Logan – Gail is for the mandate. She indicated that she is a high-risk
161 individual and has a daughter who has MS and cannot leave her home because of her
162 compromised immune system. She does not want to stop her activities of going out and
163 helping others just because someone else won't wear a mask. She said wearing a mask is
164 a matter of public safety and wearing a mask works.

165
166 Cody McClellan, Logan – Cody is against the mandate. He said the main purpose of the
167 State of Emergency on March 6, 2020 was to prevent the overrunning of hospitalizations
168 and depletion of hospital resources. Based on the information we have, the Bear River
169 Health Department reports that as of March 2020, there have only been two individuals
170 that have been hospitalized and there have only been 7 COVID related fatalities as of
171 March. Based on this information, he does not feel there is a State of Emergency.

172
173 Keegan Garrity, Logan – Keegan said the focus should be what is best for our City at this
174 time. He said the biggest threat we have seen from COVID-19 occurred during the first
175 week in June when our health district was named as one of the fastest spreading areas for

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

187

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

190

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

198

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

201

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

207

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

217

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

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

222

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

226

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

232

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

240

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

244

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

253

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

259

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

263

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

268
269 Kaylee Tanner, Logan. Kaylee is against the mandate. She is nurse and works at a local
270 hospital and she also works at a COVID testing center here in Cache Valley. In her
271 experience the spike in cases came directly from the spike in testing that was required
272 because of procedures and treatments being done in the hospital where people are
273 required to get COVID tests. She feels if this were a real pandemic, the numbers would
274 not need be skewed by people being forced to be tested. What has come from the spike in
275 numbers has not been a spike in hospitalizations. In her experience working at the
276 hospital, the case numbers really do not matter if people are not getting that sick. What is
277 happening with the spike in numbers is that fear is being spread and people are being told
278 that the number of cases is what indicates how severe the virus is. What is happening is
279 that people are being forced to wear masks against their will, people are avoiding health
280 care because they are afraid, they might come out with something worse than what they
281 started with. People are avoiding visiting their loved ones and it has been proven that
282 elderly people have a higher risk of mortality if they do not have a strong social support
283 system. Now we are congratulating and celebrating deaths in our elderly as long as its
284 not COVID related. A death of an elderly person because they lacked social support, is
285 not something to celebrated. Our kids are not being educated based off of this fear and
286 the numbers of cases is not indicating the severity of this disease. She does not feel that
287 people should be forced to wear masks and our children's education jeopardized because
288 of political correctness.

289
290 Luke Doxey, Logan. Luke does not like the mandate. He thanked the Council for the
291 opportunity for the public to make comments at tonight's meeting regarding the mandate.
292

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

307 need to be afraid of COVID, but it doesn't mean its not worth being afraid of. COVID is
308 spread by droplets and masks prevent droplet spread.

309
310 There were no further comments and Chair A. Anderson closed the public hearing.

311
312 Councilmember Simmonds stated that the Council does not control what happens in the
313 schools and the Council does not control what happens in more than 35 businesses in
314 Logan that have chosen to have mask mandates. What the Council had hoped to do when
315 they agreed that Mayor Daines write to the Governor, was to help our community
316 become more aware of the elements of social distancing, become more aware of our
317 responsibility to our community and our communities responsibility to us. She
318 understands that the cases have gone down, and she thanked everyone for that happening.
319 She also understands that University students are coming back, and K-12 kids are going
320 back to school. She would personally like us to show our children that we are willing to
321 be like them and how we would like to respond as a community. She understands there
322 are a lot of people that do not like to wear a mask. On her last count there were 95 emails
323 that were set to the Council in favor of keeping the mask mandate and 55 emails that
324 were against the mask mandate.

325
326 Vice Chair Jensen stated that this issue is confusing to him because our leaders in
327 healthcare have said to wear a mask and others have said masks do not help. He feels
328 there is some hysteria with this issue. What is being proposed tonight is a resolution with
329 no punishment attached. Wearing a mask is not for the person wearing the mask it is for
330 the people around them. Most of the Logan businesses require the wearing of a mask on
331 their own without the mandate in place.

332
333 Councilmember M. Anderson asked Police Chief Gary Jensen how many citations have
334 been given since the mask mandate was issued.

335
336 Chief Jensen responded that to his knowledge no citations have been issued and he has
337 seen people not wearing masks.

338
339 Councilmember M. Anderson said he has three kids in school right now and all of them
340 are required to wear a mask if they want to have the privilege of going to school. His kids
341 are not afraid to wear a mask and are happy to wear a mask because it allows them the
342 freedom to go where they want and do the things they want. He said how can he ask them
343 as a parent to wear a mask if he won't also wear a mask. What example are we setting for
344 our kids if we do not wear a mask. People need to respect the "house rules" which
345 includes businesses, restaurants, etc. and if someone owns a business and they have a rule
346 to wear a mask then people should abide by that rule. The cheapest way to mitigate risk
347 in our community during this time is the wearing of a mask. He doesn't know if the mask
348 really helps that much but he was taught by a young age that you listen to your leaders
349 and you do what they ask but you ask questions. But, when it comes down to it, someone
350 has to make a decision and are we going to be good examples for our kids or are we

351 going to be bad examples for our kids. The Governor, Mayor Daines, Bear River Health
352 and his religious leaders have asked him to wear a mask. People need to look at the
353 choices they are making and the responsibilities they have to their leadership and are they
354 going to support that leadership or not. It does not matter to him if the mask really makes
355 that much difference, but he is not willing to infect one person because of his negligence
356 because that is on him. Mayor Daines has so much concern, respect and compassion for
357 the entire community and he respects her for taking the jump and making the difficult
358 decision regarding the mask mandate because it was a hard decision for her. The decision
359 the Council has to make tonight will also be hard and they have tried their best to listen to
360 what the citizens really want, and the Council will try and make a compromise.

361

362 Councilmember Bradfield stated that according to Dr. Angela Dunn, Utah State
363 Epidemiologist, 80% of Utah adults are willing to wear a mask always or usually when
364 they are in public spaces. First, he would like to congratulate the residents of Logan, the
365 residents of Cache Valley, the greater Bear River Health District, and the State of Utah
366 for all the hard work in dropping our case count throughout the months. COVID has led
367 to people looking at each other in different ways. He validated the CDC study that said
368 25% of youth 18-24 during the month of June did consider suicide the same people who
369 are issuing guidelines for a mask. He is okay with the wearing of a mask; he wears a
370 mask and he is not an anti-masker. He wants to make sure that people have a voice and
371 he wants to make sure that we do things the right way and come up with a solution where
372 people feel good about what is decided. He encouraged citizens to wear masks and to do
373 the right thing. He believes the City can increase the spreading of information given to
374 them by the CDC, WHO and the Bear River Health Department. He thanked Mayor
375 Daines for her willingness to meet with the Council and listen to the ideas brought
376 forward. He thanked the Council for their willingness to discuss this issue to come up
377 with a compromise.

378

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

385

386 Councilmember Simmonds said if the Council feels the resolution is the right direction,
387 they should go she would like clarification on the education component that is mentioned.
388 She asked what is the budget and who will be assigned to do the education. To have that
389 clarity, she feels will take until the next Council meeting scheduled for September 1,
390 2020 which is one day after the State of Emergency ends on August 31, 2020. The
391 Council could opt to extend the State of Emergency for one day so they can discuss the
392 details of the resolution at the September 1 Council meeting.

393

394 Councilmember Bradfield said he spoke with Logan City Finance Director Richard
395 Anderson and asked him where the Council could get the funding for education.
396 Councilmember Bradfield said we have someone hired and dedicated to administer and
397 oversee the CARES funding at this time. He said that Mr. Anderson indicated that the
398 resolution and the education component fits exactly with the mission of the CARE
399 funding and said \$20,000 would not be out of scope to spend for the education campaign.
400
401 Councilmember Simmonds said she is still concerned and would like a more specific plan
402 in regard to the education plan.
403
404 Councilmember Bradfield said Chair A. Anderson and Councilmember Simmonds both
405 serve on the CARES committee, so he deferred to them with Council input regarding
406 funding and an education campaign. He stated that he also has a lot of experience with
407 marketing campaigns and would be willing to help.
408
409 Mayor Daines indicated that Makell Mitton is the CARES funding coordinator and there
410 is another City staff member who can help with social media if needed.
411
412 Vice Chair Jensen said there are no penalties in the proposed resolution, but he proposed
413 that the language in the resolution be changed from “required” to “requested” to wear a
414 face covering.
415
416 Chair A. Anderson said when she and Councilmember Bradfield drafted the resolution
417 they specifically added the word of “required” mostly for the reason that many of the
418 businesses have signs stating that masks are “required” and she feels that wording helps
419 them.
420
421 Councilmember M. Anderson added that the proposed resolution also matches the
422 verbiage from the State of Utah and is not overruling the State’s guidelines that are
423 already in place.
424
425 **ACTION. Motion by Councilmember Bradfield seconded by Councilmember M.**
426 **Anderson to approve Resolution 20-37 as presented. This resolution takes effect**
427 **August 31, 2020 and will expire at 11:59 p.m. on October 15, 2020 unless otherwise**
428 **determined by the Municipal Council. Motion carried 4-1 (Jensen voted nay).**
429
430 **PUBLIC HEARING - Budget Adjustments FY 2020-2021 appropriating: \$4,500**
431 **donated funds for the Cruise-In; \$9,100 a grant Community Development was**
432 **awarded by the State of Utah for a historic preservation project of the Cache DUP**
433 **(Daughters of Utah Pioneers) Museum Building - Resolution 20-32**
434
435 At the August 4, 2020 Council meeting, Assistant Finance Director Rueben Nelson
436 addressed the Council regarding the proposed budget adjustments.
437

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

439

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

441

442 **ACTION. Motion by Vice Chair Jensen seconded by Councilmember Bradfield to**

443 **approve Resolution 20-32 as presented. Motion carried unanimously.**

444

445 **Consideration of a proposed resolution authorizing the City of Logan to withdraw**

446 **from the Carbon Free Power Project Power Sales Contract – Resolution 20-33**

447

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

451

452 Logan Light & Power Director Mark Montgomery gave an update on the Carbon Free

453 Power Project. He stated the players are Logan City and other UAMPS members,

454 NuScale (Developers of the SMR Technology, Fluor Corporation Worldwide

455 Construction Company (backing NuScale) and the Department of Energy (DOE).

456

457 **Summary Facts**

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

463

464 **Project Changes**

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

- 466 ▪ Removed DOE from taking on the First of Kind (FOK) risk and instead capping
467 their monetary risk
- 468 ▪ 1.5B commitment came but project increased by 1.89B
- 469 ▪ Year to year federal appropriation creates additional risk

470

471 **Project Cost History**

- 472 ▪ 11/2017 – Budget and plan of finance = \$3.64B
- 473 ▪ 11/2019 – Amended budget and plan of finance = \$4.238B
- 474 ▪ 7/2020 – Amended budget and plan of finance = \$6.124B

475

476 **Project Subscription**

- 477 ▪ Have been working on the subscription for 2 years
- 478 ▪ Hired employee for marketing over one year ago (result is 1 MW)
- 479 ▪ Currently subscribed at 213 of 720 MW (21% w/o jump)
- 480 ▪ Subscription History
 - 481 ○ May 2018 77.5 MW

- 482 ○ June 2018 97.3 MW
- 483 ○ August 2018 98 MW
- 484 ○ Jump module strategically increased subscription over 150 MW
- 485 requirement

487 **Missed Commitments**

- 488 ▪ November 2019 “approve the minimum budget for December 2019 thru March
- 489 200 to maintain the critical path for COLA Development”
- 490 ▪ April “DOE cost share should be done in May”
- 491 ▪ November 2019 UAMPS committed to be at 50% by July 2020

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

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

498 **Why We are Here**

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

503 **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 & NuScale \$4,787,101
with Cost Share \$654,000

DOE and NuScale estimated costs \$1,375,150,348

Participants estimated costs \$4,759,535,481

Total Project cost estimate \$6,124,293,710

504 Mr. Montgomery said he would like to see the conditions of the Budget and Plan of
505 Finance completed before a resolution is approved. He would also like to see more
506

507 subscription and construction and engineering completed past a class IV level (-10% to
508 +30%). He would also like to see the participant JUMP MW's resolved.

509
510 He said regardless of these things, if the City wants to stay in the project, the money will
511 have to be spent regardless.

512
513 He said the City has the following options before September 15, 2020

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

518
519 Mr. Montgomery feels this will be a good project and it will be built eventually even if
520 UAMPS or Logan withdraws the project will still move forward. He also reminded the
521 Council that any money coming back to Logan City if we withdraw, only happens if
522 UAMPS as a group withdraws. If we take the off ramp at this time, we will have to pay
523 \$157,000 to pay for our portion of what has been completed on the project up to this
524 point. He is not comfortable with the project the way it stands now, and his
525 recommendation is to withdraw from the project.

526
527 Mr. Montgomery said the cost for staying in the project until the next off ramp, which is
528 in three years, is a total of \$657,000 or \$220,000 per year. Logan City has currently put in
529 \$420,000 to the project.

530
531 Councilmember Simmonds said she has participated in a lot of meetings regarding the
532 project and she has always been hesitant. Construction aside, they have not secured the
533 water to run the plant and that could be very expensive.

534
535 **ACTION. Motion by Councilmember Simmonds seconded by Vice Chair Jensen to**
536 **approve Resolution 20-33 as presented to withdraw. Councilmember Simmonds**
537 **withdrew her motion.**

538
539 Councilmember M. Anderson said he has really struggled in deciding what to do with
540 this issue.

541
542 Councilmember Bradfield feels that \$200,000 is not a lot of money to spend for a project
543 such as this one especially where it is over three years. He feels spending the money to
544 potentially benefit the entire citizenry for a total of \$600,000 is a risk he is willing to
545 take.

546
547 Councilmember M. Anderson said he too is willing to take the risk and stay in the
548 project.

549

550 **ACTION. Motion by Councilmember Bradfield to deny Resolution 20-33 as**
551 **presented to withdraw. Motion failed for lack of a second.**
552

553 Finance Director Richard Anderson addressed the Council and said he has been against
554 the Carbon Free Power Project since day one. The risk that the City would face is larger
555 than the benefits we will garner if we stay in the project. The benefit we would get is
556 market rate power and we can get that anytime we want and sometimes it goes up and
557 sometimes it goes down. The downside is significant including reputation and that is
558 what he has a lot of concern with and has for a long time. None of the important elements
559 of the project have been completed which is very concerning and they still keep asking
560 for funding. He does not see the upside with this project, and we are the last entity in the
561 United States that should be participating in risky endeavors such as this one and what we
562 should participate in is the third or fourth iteration of this project when the costs have
563 come down to whatever is market rate and we can consider investing at that time.
564

565 Councilmember M. Anderson said he does not like going against what staff recommends.
566

567 **ACTION. Motion by Vice Chair Jensen seconded by Councilmember M. Anderson**
568 **to approve Resolution 20-33 as presented to withdraw. Motion carried 4-1**
569 **(Bradfield voted nay).**
570

571 Councilmember Bradfield was excused from the meeting at this time 7:55 p.m.
572

573 **WORKSHOP ITEMS:**
574

575 **Library Update – Discussion on potential location site plan and proposed financial**
576 **steps needed to move forward with a new library building – Mayor Daines and**
577 **Library Director Karen Clark**
578

579 Mayor Daines addressed the Council and asked Library Director Karen Clark to join her
580 as well. She said there have been discussions for many years about a new Library and
581 Community Center for Logan. Things have been quiet as we continued to explore
582 options, and tonight there will be a presentation and recommendation to tear down the
583 existing library and rebuild on the new site, and offer a proposed financial plan to move
584 forward to begin design and construct the new building. Several factors influenced the
585 decision: First, Logan desperately needs a new library to better serve patrons as the
586 current facility is literally falling apart from the roof to the very-scary HVAC system in
587 the basement. Second, acquiring new property is expensive, and could have added a
588 million dollars to the budget. Third, people are happy with the current location at City
589 Hall. It is familiar, and they can take care of other city business at the same time. Fourth,
590 Downtown revitalization is important, and renovating this portion of Main Street would
591 be a win for downtown.
592

593 Mayor Daines stated that later on tonight’s agenda, under the Redevelopment Agency,
594 she will also be asking Council to consider funding the purchase of property and vacant
595 buildings near the corner of 300 North and Main. If approved, the intent is to demolish
596 the blighted buildings and use the property to facilitate a future mixed-use development
597 at that site. She feels a new library, and a cleanup of the 300 North corner would be a big
598 win for Downtown, and for library patrons.
599

600 Mayor Daines asked Library Director Karen Clark to talk about how she could run a
601 temporary library during construction, and her perspective on the location. Then she will
602 turn the time over to the Hacker Architectural Team. Kent Craven, of the local partner
603 Design West, who attended in person, with the rest of the team joining via zoom. Hacker
604 specializes in designing libraries and were selected during Mayor Craig Peterson’s
605 tenure. They were involved in the need’s assessment and site selection study at that time,
606 and one location that was considered was the existing site. Then, Finance Director
607 Richard Anderson outlined the financial plan.
608

609 Library Director Karen Clark addressed the Council and said the Logan Library staff and
610 Logan Library Board are in favor of the location and the plan for a new library. The
611 current location has served patrons well for over 30 years. It is central to many places in
612 Logan and is located in the heart of Logan. The Library provides many services to the
613 community but at this time is closed due to COVID-19 and public safety concerns. Since
614 being closed they have dramatically increased their online presence for library patrons.
615 They have enhanced their pick-up service and their books-by-mail service and its being
616 used a lot. They have created online story time and take and make craft materials. The
617 library knows how to provide services to their patrons remotely and they can still do this
618 while being closed for construction and they have plans to offer other programs in the
619 future. A new facility would greatly enhance their ability to serve patrons of all ages and
620 abilities especially children and teens.
621

622 Kent Craven - Design West Architects, Laura Klinger and David Keltner – Hacker
623 addressed the Council and gave a presentation on the Logan Library Site Feasibility
624 Study.
625

626 Project Goal: Explore several viable design options for a new library on the existing
627 library site and determine a preferred option(s) with associated project costs.
628

629 Site Analysis: The site being considered for the new library is at the intersection of Main
630 Street and 300 North. Things that were considered with this location were solar
631 orientation, pedestrian and vehicle access, public and service entries, building edges,
632 acoustic disturbance, views in and out.
633

634
635
636

637 Parking: On street parking (300 North): 25 spaces
638 Police and Library Staff: 55 spaces
639 Shared with Hotel: 15 spaces
640 Total: 95 spaces
641

642 City Hall parking 57 spaces that are no included.
643

644 It is proposed to retain the police and library staff parking of 55 spaces (includes 5 library
645 staff). Library (1 per 500 sf): approximately 75 parking spaces for a total of 130 spaces.
646

647 Bicycle parking (10% of required parking): 8-13 spaces.
648

649 Target parking – 130 parking spaces.
650

651 Proposed Site Plan: Mr. Keltner showed four proposed site plans. With Option 3 being
652 the preferred plan because it engaged Main Street for the longest dimension of the
653 Library building and it would have a large presence. The proposed building would also
654 be multiple stories and there could also be a new plaza area connecting to the existing
655 City Hall plaza. There is a 911 cell tower that can be seen in all of the site plans and it
656 was looked at to possibly move the tower to another location but the cost was one million
657 dollars to move the tower so it will be left where it is now. The new plaza area design
658 would add 44 parking spaces to the North where the parking ends now.
659

660 Mayor Daines reminded people this is just a massing study and is not the design at this
661 time.
662

663 Kent Craven talked about the cost analysis and said the Kearns City Library was
664 completed in 2020 is 35,000 sf with a project budget of \$240.00/sf and is a single-story
665 building. The Daybreak Library was completed in 2020 and is 27,000 sf with a project
666 budget of \$380.00/sf and has rooftop gardens and underground access. Neither of these
667 projects was done by Design West or Hacker but it gives an idea of present-day costs. He
668 estimated the cost for the Logan Library would be \$325.00/sf.
669

670 Finance Director Richard Anderson stated the cost projections are \$15.9 million and the
671 City has about \$8M set aside for a new Library. In order to move ahead, the City is
672 proposing that next August 2021, as part of the Truth in Taxation hearings, that we ask
673 Council to increase the Library portion of City property taxes. That increase would be
674 \$16.94 a year on the average Logan home (value of \$281,100).
675
676
677
678
679
680

681		
682	Available Library Reserves	\$2,642,423
683	Capital Funds available for Library (Property Sales and Donations	\$2,264,945
684	RDA Funds (Unrestricted and specific property sale)	\$3,000,000
685	<u>Library Loan – Additional Property Tax Funds Needed</u>	<u>\$8,000,000**</u>
686	TOTAL	\$15,907,368
687		
688	2020 Average Home Value	\$281,100.00
689	Estimated Increase in Property Tax Per Year	\$ 16.94

690
691 Mr. Anderson said we have not increased the general property tax levy since 2008. We
692 do need to raise the general property tax levy year over year because things cost more,
693 and we need incrementally more funding. If this process is found amenable by the public
694 and the Council it would be the City’s intent that we would not plan on seeking a general
695 fund property tax increase in addition and the property tax increase would be the addition
696 that we would go after which would be \$16.94 and would hold off for one year on the
697 general property tax levy increase request. The Council could decrease the property tax
698 levy in the future once the library is built and operating.

699
700 Vice Chair Jensen asked about public reach for contributions.
701

702 Mayor Daines responded and said the ideal size for a new library would be 40,000 sf so
703 with contributions the library could be that size but without it may only be 35,000 sf and
704 we will just have to adjust as needed depending on funding.
705

706 Mayor Daines suggested the Council take time to review the information they have heard
707 tonight and that it be discussed again at a future Council meeting.
708

709 Mr. Craven said the costs include furniture, soft costs, and demolition. It does not include
710 the temporary relocation of the library.
711

712 Mayor Daines said it will take nine months to develop full plans from the architect, so we
713 do not want to move to that point until there is direction from the Council. She would like
714 to go ahead with the design which will firm up the cost and would then come back to the
715 Council in August 2021 as part of the Truth in Taxation process to make a formal request
716 for funding. She said there should be public input and staff does have some ideas of a
717 temporary location for the library.
718

719 Councilmember Simmonds hopes that the rest of the community is as excited as she is
720 about a new library. She has looked at many proposed locations for a new library in
721 Logan over the years and when the committee looked at this location it came together
722 very quickly and everyone felt that it was a great opportunity for Logan and having it
723 located right on Main Street was a benefit.
724

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

730

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

735

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

738

739 The proposed resolution will be an action item and public hearing at the September 1,
740 2020 Council meeting.

741

742 **Unspent Appropriations FY 2020 – Carry Forwards:**

743 **ADMINISTRATION - \$2,942 for Deer Pen Subdivision Design**

744

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

747

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

749

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

753

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

756

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

761

762 **SEWER TREATMENT – \$18,219 for Wastewater Financial Plan Update;**
763 **\$66,623,001 for Logan Regional Wastewater Treatment Plan Project**

764

765 **ELECTRIC - \$312,733 for Electric Department Vehicles; \$699,664 for Sub 4**

766 **Project; \$4,194,588 for Third Dam Project**

767 ENVIRONMENTAL - \$927,659 for North Valley Landfill Project Management;
768 \$102,313 for Environmental Vehicles; \$12,062 for Landfill Permit Renewal and
769 Study
770
771 STORM WATER - \$148,039 FOR SW Monitoring & Master Plan; \$90,226 for
772 various projects; \$42,611 for Manhole Collars & Grates; \$1,032,728 for various
773 Capital Projects
774
775 INFORMATION TECHNOLOGY - \$94,059 for Software Implementation
776
777 Carry Forward of Capital Projects: \$65,011 for Master Plan Studies; \$2,432,253 for
778 Curb, Gutter, and Street Improvement Projects; \$2,641,214 for Curb Gutter, and
779 Street Improvement Projects
780
781 Capital Equipment: \$29,870 for Public Works Vehicles; \$8,875 for Parks &
782 Recreation Vehicles
783
784 Unspent Appropriations FY 2020 - Restricted: \$48,669 for Police Alcohol
785 Enforcement; \$160,907 for various Street Projects; \$893,976 for Chip Seal; \$45,330
786 for CMPO Main Street Corridor Study
787
788 FEDERAL GRANT - \$3,064,022 Coronavirus, Aid, Relief, and Economic Security
789 Grant
790
791 STATE GRANTS - \$60,000 Main Street Corridor Study
792
793 MISC GRANT - \$138,461 ULCT Active and Healthy Communities Grant
794
795 Carry Forward of Reimbursement Grants:
796 FEDERAL GRANTS - \$685,383 CDBG; \$62,000 Land & Water Conservation 1700
797 South Park; \$13,172 Bullet Proof Vests; \$2,207 LSTA Cares Act; \$7,709 USDA
798 Waste Management
799
800 STATE GRANTS - \$25,000 US-91 UDOT Trail Crossing Study; \$45,886 Safe
801 Routes to School; \$95,749 Logan Canyon Pathway-UDOT
802
803 MISC GRANT - \$5,250,755 County Road Grant Tax
804
805 RAPZ GRANTS - \$295,572 - Resolution 20-35 – Richard Anderson, Finance
806 Director
807
808 Finance Director Richard Anderson addressed the Council regarding the proposed Carry
809 Forwards.
810

811 The proposed resolution will be an action item and public hearing at the September 1,
812 2020 Council meeting.

813

814 **OTHER CONSIDERATIONS:**

815

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

820

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

822

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

824

825 Councilmember's present at the beginning of the Logan Redevelopment Agency meeting:

826 Chair Amy Z. Anderson, Vice Chair Tom Jensen, Councilmember Mark A. Anderson

827 Councilmember Jess W. Bradfield, and Councilmember Jeannie F. Simmonds.

828 Administration present: Mayor Holly H. Daines, City Attorney Kymber Housley,

829 Finance Director Richard Anderson, Economic Development Director Kirk Jensen and

830 City Recorder Teresa Harris.

831

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

834

835 **Chair A. Anderson explained that those wishing to speak during the public hearing**
836 **portion of the meeting must sign in and queue up with social distancing maintained.**
837 **Masks are strongly encouraged.**

838

839 **WORKSHOP ITEM:**

840

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

844

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

848

849 Blighting Influences Include:

850

- Accessory building needs major repair

851

- Building condition is deficient

852

- Hazardous materials

853

- Poor asphalt areas, including driveway and sidewalk

854

- Poor frontage

- 855 • Possibly not enough parking
- 856 • Potential lead-based paint and or PCB ballasts and or asbestos containment
- 857 material
- 858 • Sidewalk needs replacement
- 859 • Site needs heavy maintenance
- 860 • Suspect commercial use
- 861 • Traffic congestion on Main Street ingress and egress
- 862 • Wood fence needs repair

863

864 Option Agreement to the Needham Family Partnership

865 Expiration: October 31, 2020

866 Purchase Price: \$1,165,000

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

869

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

873

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

875

876 Mr. Jensen responded the zoning is Town Center 1.

877

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

880

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

885

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

893

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

898
899 Mayor Daines stated that the City would like to do the demolition as soon as possible and
900 the Public Works Department could possibly do this through the winter months when
901 they have crews and equipment more available. As part of the library potential and
902 cleaning up the two blocks, staff feels it makes sense to come to Council at this point
903 with the request to purchase the property and will come back to the Council with details
904 on the demolition.

905
906 The proposed resolution will be an action item and public hearing at the September 1,
907 2020 Council meeting.

908
909 **ADJOURNED.** There being no further business to come before the Council, the Logan
910 Redevelopment Agency meeting adjourned at 9:00 pm.

911

912

913

914 Teresa Harris, City Recorder