

2
3 Minutes of the meeting of the Logan Municipal Council convened in regular
4 session on Tuesday, November 3, 2015 at 5:30 p.m. in the Logan City Municipal
5 Council Chamber, 290 North 100 West, Logan, Utah. Chairman Jeannie F. Simmonds
6 conducting.

7
8 Councilmembers present at the beginning of the meeting: Chairman Jeannie F.
9 Simmonds, Vice Chairman Herm Olsen, Councilmember Karl B. Ward, Councilmember
10 Holly H. Daines and Councilmember S. Eugene Needham. Administration present:
11 Mayor H. Craig Petersen, Finance Director Richard Anderson, City Attorney Kymber
12 Housley and City Recorder Teresa Harris.

13
14 Chairman Simmonds welcomed those present. There were approximately 42 citizens in
15 the audience at the beginning of the meeting.

16
17 **OPENING CEREMONY:**

18
19 Star Coulbrooke, Logan City Poet Laureate stated that on this Municipal Election Day,
20 she wanted to publicly thank Mayor Petersen and the Logan City Council for extending
21 her term as Logan City Poet Laureate. She said it has been a pleasure and a true honor to
22 bring poetry to the people in an official capacity and she thanked everyone for their
23 generous support of poetry.

24
25 Ms. Coulbrooke indicated this is her 20th appearance as Poet Laureate since the inaugural
26 ceremony on May 19, 2015. She has been invited to read for the Iris Society, the Sandhill
27 Crane Festival, Summerfest, Friends of the Logan Library, Bridgerland Literacy, the
28 National Federation of the Blind, the League of Utah Writers, the USU library, the
29 English Department, Why Slam, the Allied Arts, and the City Council. She has been
30 involved in five poetry walkabouts: the May Swenson Walkabout, the Historic District
31 Walkabout, Celebrate Summer, Urban Naturalist, and Fall Hallows, with many new
32 poems inspired by the areas in which she has walked. She stated that Logan is such a
33 great place to live, to explore and write about.

34
35 For this occasion, Ms. Coulbrooke read three short poems on the theme of Thanksgiving
36 and giving thanks for the people in our lives, those friends and family members whom we
37 count on and who count on us.

38
39 The first poem is by the late Ken Brewer, mentor and former Poet Laureate of Utah. It
40 was written when Mr. Brewer was dying of pancreatic cancer—it's a poem of deep
41 gratitude, called "The Measure," which is published in *Whale Song*, by Dream Garden
42 Press.

43
44 *The Measure*

45
46 *I measure my life in friends and I am humbled by the numbers, the quality, the style, path*
47 *and grace.*

48
49 *I measure my life in days when friends write, when we converse as they sit by my bed,*
50 *read poems and listen.*
51
52 *I measure my life in family who speak through tears, who serve me meals on a wicker*
53 *tray, who pray and love and float.*
54
55 *I measure my life in pine siskins who entertain me in feeders outside my window, and Gus*
56 *the Schnauzer who curls up next to me in bed.*
57
58 *I measure my life in friends who do not know my sins, who hug my shrunken body, who*
59 *break open my heart with words.*
60
61 *I measure my life in cancer that has taught me how to measure my life.*

62
63 Ms. Coulbrooke read the following poem which she wrote in 2013.

64
65 *HARVEST*

66
67 *On the kitchen counter*
68 *jars of pickles, dill with peppers,*
69 *peppers with vegetables*
70 *suspended in vinegar, sharp tang*
71 *masking (barely) the smell of cod*
72 *fillets broiled for dinner.*
73 *Husband is yearning*
74 *for longer life,*
75 *his cancer returning.*
76
77 *Wife lets him help*
78 *with canning.*
79
80 *He stirs fat peppers*
81 *snapping and smoking*
82 *in the pan, a slick of canola oil,*
83 *skins pierced, juice burning his eyes.*
84
85 *She cuts long strips of carrot,*
86 *red bell peppers. She peels onions,*
87 *he peels garlic.*
88 *They stand side-by-side, industrious*
89 *after dark, holding the news*
90 *inside, each thought a texture*
91 *of its own, the color of future.*
92
93 *Whose life will be set-aside first,*
94 *his, with its bright varied snap,*

95 *or hers, its vinegared spark?*
96
97 *Who's to say which will be preserved*
98 *and which will be tossed*
99 *like the skins and gratings*
100 *of all they've peeled-back,*
101 *brightest colors pressed into jars,*
102 *shelved, shining.*
103
104 Ms. Coulbrooke also read one of her best-loved poems by Joy Harjo.
105 *Perhaps the World Ends Here*
106
107 *The world begins at a kitchen table. No matter what, we must eat to live.*
108
109 *The gifts of earth are brought and prepared, set on a table. So it has been since creation,*
110 *and it will go on.*
111
112 *We chase chickens or dogs away from it. Babies teethe at the corners. They scrape their*
113 *knees under it.*
114
115 *It is here that children are given instructions on what it means to be human. We make*
116 *men at it, we make women.*
117
118 *At this table we gossip, recall enemies and the ghosts of lovers.*
119
120 *Our dreams drink coffee with us as they put their arms around our children. They laugh*
121 *with us at our poor falling-down selves and we put ourselves back together once again at*
122 *the table.*
123
124 *This table has been a house in the rain, an umbrella in the sun.*
125
126 *Wars have begun and ended at this table. It is a place to hide in the shadow of terror. A*
127 *place to celebrate the terrible victory.*
128
129 *We have given birth on this table, and have prepared our parents for burial there.*
130
131 *At this table we sing with joy, with sorrow. We pray of suffering and remorse. We give*
132 *thanks.*
133
134 *Perhaps the world will end at the kitchen table, while we are laughing and crying, eating*
135 *of the last sweet bite.*
136
137 Chairman Simmonds led the audience in the pledge of allegiance.
138
139 Chairman Simmonds welcomed two scout groups that were in attendance.
140

141 **Meeting Minutes.** Minutes of the Council meeting from October 20, 2015 were
142 reviewed and approved.

143
144 **ACTION.** Motion by Vice Chairman Olsen seconded by Councilmember Daines to
145 **approve the October 20, 2015 minutes and approve the agenda.** Motion carried
146 unanimously.

147
148 **Meeting Agenda.** Chairman Simmonds announced there would be one public
149 hearing at tonight's Council meeting.

150
151 **Meeting Schedule.** Chairman Simmonds announced that regular Council
152 meetings would be held the first and third Tuesdays of the month at 5:30 p.m. The next
153 regular Council meeting is Tuesday, November 17, 2015.

154
155 **QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL:**

156
157 No comments for the Mayor or Council were brought forward.

158
159 **MAYOR/STAFF REPORTS:**

160
161 **Updates on Projects/Issues – Mayor Petersen**

- 162
163 1. Current Construction Projects
- 164 a. Still waiting for the lights to arrive for placement on Center Street.
 - 165 b. Work on 100 North continues. There will be a two or three night closure of
166 Main Street starting on November 9 to install a new storm drain. The entrance
167 to 100 North from Main Street will be closed for two weeks starting
168 November 9 for the same purpose. 100 North access will be available from
169 100 West.
 - 170 c. Construction is in progress at the Second Dam parking lot with funding from
171 the RAPZ tax.
- 172
173 2. Approval was received last Tuesday from the County Council to re-focus RAPZ
174 funding at Bridger Park for construction of an 8-court pickleball complex.
175 Construction will start next Spring. Part of the project will be privately funded.
176
- 177 3. The meeting with the Lt. Governor is Thursday, November 19 at USU. More details
178 will be forthcoming.
179
- 180 4. Human Resource Director Greg Cox will chair the City's Sesquicentennial Event.
181
- 182 5. The first meeting of the Wastewater Treatment Rate Setting Committee is Monday,
183 November 9 at 10:00 a.m. The initial task will be to select a consultant to conduct a
184 rate study.
185
- 186 6. Mayor Petersen expressed his best wishes to those candidates involved in the
187 election. He stated that he would be pleased and honored to serve with all four.

188 **COUNCIL BUSINESS:**

189

190 **2015 Comprehensive Annual Financial Report (CAFR) – Richard Anderson,**
191 **Finance Director and Independent Auditors Hansen, Bradshaw, Malmrose &**
192 **Erickson**

193

194 Finance Director Richard Anderson addressed the Council regarding the Comprehensive
195 Annual Financial Report (CAFR). He announced the CAFR is available on the Logan
196 City Website at www.loganutah.org and at the Logan City Library. State law requires that
197 every general-purposed local government publish within six months of the close of each
198 fiscal year a complete set of financial statements presented in conformity with Generally
199 Accepted Accounting Principles (GAAP) and audited in accordance with Generally
200 Accepted Auditing Standards by a forum of licensed Certified Public Accountants.
201 Pursuant to the requirement, Mr. Anderson presented the CAFR of the City of Logan for
202 the fiscal year ended June 30, 2015.

203

204 **Financial Highlights**

205 The assets and deferred outflows of resource of the City of Logan exceeded liabilities and
206 deferred inflows of resources at the close of the current fiscal year by \$302,354,523 (net
207 position). Of this amount, \$81,369,100 (unrestricted net position) may be used to meet
208 ongoing obligations to citizens and creditors.

209

210 Net position increased by \$26,352,260.

211

212 The City's governmental funds reported a combined ending fund balance of \$33,328,894,
213 an increase of \$3,613,731 in comparison to the prior year. The general fund reported fund
214 balance of \$10,245,128, of which \$4,446,650 is categorized as unassigned.

215

216 The City's total bonded debt decreased by \$3,670,000.

217

218 Mr. Anderson also reported that for the first time ever we are now reporting our net
219 pension liabilities and this is recorded in our financial reports.

220

221 He stated our general fund reserve is just over 18% which is our target level. At the end
222 of the year, anything exceeding our reserve amount is transferred to capital projects and
223 that is available for future appropriation and his hope is this money will go towards
224 transportation and capital infrastructure.

225

226 He reported on the enterprise funds of the City and said that generally all of these funds
227 are in the position we want them to be with the exception of the Water and Golf Course
228 Fund. The Water Fund is progressing towards sustainability. The Golf Course is also
229 heading in the right direction. The financial statements show that the City is in a very
230 strong position. Health care is a very big concern for employees and this is something
231 that will need to be addressed in the budget. He said with the decisions made by the
232 Mayor and Council we are in a good financial position.

233

234 Mr. Anderson introduced Jeff Miles with Hansen, Bradshaw, Malmrose & Erickson to
235 present the auditors opinion.

236
237 Mr. Miles addressed the Council and read from the Auditor's Report that states the
238 following. "In our opinion, the financial statements referred to above present fairly, in all
239 material respects, the respective financial position of the governmental activities, the
240 business-type activities, each major fund, and the aggregate remaining fund information
241 of the City of Logan, Utah, as of June 30, 2015, and the respective changes in financial
242 position and, where applicable, cash flows thereof for the year then ended in accordance
243 with accounting principles generally accepted in the Unites States of America."

244
245 Mr. Miles commented that in their opinion, the City of Logan complied, in all material
246 respects, with the compliance requirements referred to above that could have a direct and
247 material effect on the City of on each of its major state programs for the year ended June
248 30, 2015. He complimented the Finance Department for their excellent work in compiling
249 the financial information and he appreciates working with the City of Logan.

250
251 Councilmember Ward commented that in reviewing the audit in the Finance Committee
252 meeting the finance staff leaves the room and the committee can talk directly with the
253 auditors and they had no issues or concerns. They feel the Logan City Finance
254 Department is handling things appropriately.

255
256 **Discussion: General Plan Section 11 Recreation – Chairman Simmonds**

257
258 Chairman Simmonds referred to Section 11 of the General Plan regarding Recreation.
259 Since this was written it was geared toward a 2010 benchmark with 2050 goals and she
260 asked since 2010 what park land have we acquired.

261
262 Parks & Recreation Director Russ Akina responded that we are in an upward trend
263 towards land acquisition that follows the thinking of the General Plan. Currently, we have
264 400 acres of park land and some of that comes in the form of acquisitions the City does as
265 improvements are being made to other infrastructure or right-of-way.

266
267 Councilmember Ward asked do we have enough park land or do we need to find
268 additional acreage.

269
270 Mr. Akina responded that as the City moves forward there are opportunities that arise
271 when new commercial and residential development comes about and park land
272 sometimes becomes available. In his opinion, there are two areas of the City that are
273 lacking for park land, the Southwest and North Central area of Logan.

274
275 Chairman Simmonds said in the Plan it's listed to add someone from the Planning
276 Commission to the Parks & Recreation Board.

277
278 Mr. Akina responded that has not been done yet and said one thing that has taken place is
279 the County wide Trails Committee will designate a Regional Trails Coordinator and the
280 Bike/Pedestrian Committee has also met.

281 Councilmember Needham said he still likes the idea of a more central park location that
282 would connect to other parks and trails in the City.

283
284 Mr. Akina said now that we have a Bike/Pedestrian Plan in place we can move forward
285 with planning other things and we need to continue having discussions about future plans.

286
287 Chairman Simmonds said the Council will review the Comprehensive Parks &
288 Recreation Master Plan on November 17, 2015.

289

290 **ACTION ITEMS:**

291

292 **PUBLIC HEARING – Budget adjustment FY 2015-2016 appropriating: \$17,040**
293 **transfer donations to the General Fund for the construction of the Logan Cemetery**
294 **entrance; \$1,228 funds the 911 Communications Center was awarded from the State**
295 **of Utah. The EMS Grant will be used for certification, training and continuing**
296 **medical education for the Communication Center – Resolution 15-57**

297

298 At the October 20, 2015 Council meeting, Logan City Finance Director Richard
299 Anderson addressed the Council regarding the proposed budget adjustment.

300

301 Chairman Simmonds opened the meeting to a public hearing.

302

303 There were no comments and Chairman Simmonds closed the public hearing.

304

305 **ACTION.** Motion by Councilmember Daines seconded by Councilmember Ward to
306 **approve Resolution 15-57** as presented. Motion carried unanimously.

307

308 **Consideration for adoption of a Resolution of the City Council of Logan City, Utah**
309 **authorizing the issuance and sale of not more than (A) \$2,500,000 aggregate**
310 **principal amount of Water and Sewer Revenue Refunding Bonds, Series 2015A**
311 **(The “Series 2015A Bonds”) (B) \$3,500,000 aggregate principal amount of Water**
312 **and Sewer Revenue Bonds, Series 2015B (The “Series 2015B Bonds”) and (C)**
313 **\$5,000,000 aggregate principal amount of Water and Sewer Revenue Bonds, Series**
314 **2015C (The “Series 2015C Bonds” and together with the Series 2015A and Series**
315 **2015B Bonds, the “Series 2015 Bonds”); and related matters – Resolution 15-58**

316

317 Finance Director Richard Anderson introduced Matt Dugdale with George K. Baum who
318 spoke about the proposed resolution.

319

320 Mr. Dugdale commended the City and the Finance Department for their governance in
321 completing the CAFR in a timely manner and he explained the process of the
322 authorization and reissuance of the bonds.

323

324 Mr. Anderson explained the purpose of reissuing this debt is to put our structure in line
325 with what we are trying to do as a City. In the Water Fund, it will result in a savings but
326 in the Water & Sewer Fund it will be a push but, it will set us up for the new Water &
327 Sewer Treatment Facility. There is one additional bond that is not callable and it will take

328 cash out of our funds. We will then put these funds in a bank account that will pay those
329 debts over time. This will result in a small loss but we will rebuild our reserves quickly.

330

331 **ACTION.** Motion by Vice Chairman Olsen seconded by Councilmember Ward to
332 **approve Resolution 15-58** as presented. Motion carried unanimously.

333

334 **Consideration of a proposed resolution approving the Wastewater Treatment**
335 **Master Plan for the City of Logan – Resolution 15-59**

336

337 At the October 20, 2015 Council meeting, Logan Environmental Department Director
338 Issa Hamud addressed the Council regarding the Wastewater Treatment Master Plan. He
339 introduced Craig Ashcroft with Carollo Engineers.

340

341 Mr. Ashcroft stated the proposed project site is on City owned property immediately
342 South of the existing wastewater lagoons. Preliminary environmental work is underway,
343 including a wetland permit through the Army Corp of Engineers. After proposed
344 mitigation measures, no long term, adverse, direct or indirect environmental impacts are
345 anticipated. The project will improve the quality of water discharged to Cutler Reservoir
346 resulting in a positive environmental impact on the quality of the water and fish habitat.

347

348 The City has increased sewer rates over the past several years in anticipation of this
349 project, and has accumulated \$24 million in capital reserve funds. The remaining balance
350 will be met by low interest loans from the Division of Water Quality (DWQ) (\$70 million
351 dollars at 0.75 percent), the State of Utah's Community Impact Board (\$10 million
352 dollars at 1.5 percent), and cash reserves or tax-exempt bonding in the public markets for
353 the balance of the project. The estimated treatment fee increase for users is \$10 to \$15 per
354 month.

355

356 **PROJECT UPDATE**

357

- After a year of study, 6 member cities have agreed to participate in the project.
- The (DWQ) has finalized the wastewater permit, project funding and required implementation scheduled.
- The Master Plan for wastewater treatment needs City Council approval to secure DWQ funding and allow design to start.
- Environmental permitting on the proposed site to be completed by the end of 2015.
- Design of the facility must be completed by December 31, 2016.
- Project Review and approval by 2017.
- Bid Period/Award by 2017.
- Construction 2017-2020.
- Startup and Optimization 2020.

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373

374 **PROJECT FUNDING PLAN**

375 Financing	Amount (\$M)	Rate	Term	Est. Mon.	Treatment Fee Increase
376 DWQ	\$70	0.75%	20 yrs		
377 CIB Loan	\$10	1.5%	20 yrs	\$10-15	
378 Project Bond	\$7.6	4.86%	20 yrs		(1.19% Blended Rate)
379 City Cash on Hand	\$24	N/A	N/A		

380

381 Councilmember Ward asked how much exploration was done regarding the possibility of
382 putting our wastewater into the Cutler Reservoir and then pumping it to the dry areas of
383 the Western area of the Valley for the farmers.

384

385 Mr. Hamud responded this was researched but the issues are the cost of storage and the
386 cost of pumping to these areas where there is no water.

387

388 Mayor Petersen asked in terms of water rights, do we have any legal obligation to
389 discharge into Cutler Reservoir.

390

391 Mr. Hamud responded in the summer the farmers and the canal company downstream
392 have full rights of our discharge.

393

394 **ACTION.** Motion by Councilmember Ward seconded by Vice Chairman Olsen to
395 **approve Resolution 15-59** as presented. Motion carried unanimously.

396

397 **Certification of Annexation Petition as filed by City of Logan, Mayor Craig**
398 **Petersen for annexation of property located at 1500 South 1600 West and 1500**
399 **South 1580 West Logan, Utah, consisting of approximately 21.965 acres.**

400

401 Logan City Attorney Kymber Housley addressed the Council regarding the Certification
402 of Annexation Petition. This property is in the Trapper Park and we are requesting to
403 bring this property into City of Logan boundaries.

404

405 **ACTION.** Motion by Councilmember Daines seconded by Vice Chairman Olsen to
406 **accept the annexation petition** as presented. Motion carried unanimously.

407

408 **WORKSHOP ITEMS:**

409

410 **Conditional Use Permit, Zone Change, Code Amendment – Consideration of a**
411 **proposed zone change. BJ Smith/Raymond & Judy Z. Jensen Trust, authorized**
412 **agent/owner, requests a zone change from Resource Conservation (RC) to Gateway**
413 **(GW); a Land Development Code amendment allowing maintenance and repair**
414 **service for buildings as a conditional use in the Gateway Zone; and a Conditional**
415 **Use Permit for light outdoor storage within the use located on 1.10 acres at 2250**
416 **South Hwy 89/91 in the Resource Conservation (RC) Zone: TIN 03-007-0013 –**
417 **Ordinance 15-21 – Russ Holley, Planner**

418

419 Planner Russ Holley addressed the Council and stated the request is to rezone one parcel
420 totaling 1.10 acres located at 2250 South Hwy 89/91, from Resource Conservation (RC)

421 to Gateway (GW) to conditionally allow “Maintenance or Repair Services for Buildings”
422 in the GW zone. The request also includes remodeling the existing home into an
423 approximate 2,000 SF office for a landscaping business and a Conditional Use Permit for
424 the commercial use of “maintenance and repair services for buildings” and “minor”
425 outdoor storage in the rear for landscaping materials and equipment.

426
427 Mr. Holley explained that the Planning Commission voted on October 22, 2015 to
428 **recommend approval** to the Municipal Council for a Zone Change from Resource
429 Conservation (RC) to Gateway (GW) at 2250 South Hwy 89/91; **recommend denial** of
430 an amendment to the Land Development Code to allow the land use “Maintenance and
431 Repair Services for Buildings” in the GW zone; and **conditionally approve** a
432 Conditional use Permit as outlined in PC 15-049 with conditions which can be found in
433 the Planning Commission minutes dated October 22, 2015.

434
435 Mr. Holley added that one thing to consider is the South Corridor Plan and the placement
436 of future traffic signals.

437
438 The proposed ordinance will be an action item and public hearing at the November 17,
439 2015 Council meeting.

440
441 **Code Amendment – Consideration of a proposed code amendment. Logan City**
442 **requests to amend the Land Development Code Sections 17.17.030 (Districts and**
443 **Corridors Land Use Table) and 17.62 Definitions – Ordinance 15-22 – Russ Holley**
444

445 Mr. Holley addressed the Council and said the proposed amendments to Section
446 17.17.030 create a major and minor category for outdoor storage and a category for
447 outdoor retail merchandise storage for businesses and properties with outdoor retail areas
448 adjacent to the commercial building. Currently, the Land Development Code has one
449 “catch all” outdoor storage option and now with such a diverse mix of business and
450 services offered in Logan City it has become evident to staff that additional options are
451 needed. This proposed amendment defines and differentiates between outdoor storage
452 and retail merchandise displayed outside. The proposal also creates and defines two
453 outdoor storage land uses, one geared toward large scale manufacturing or industrial
454 properties and one geared toward smaller commercial or light manufacturing properties.
455 The minor outdoor storage category limits the overall storage area to less than one acre
456 and no taller than 12’ in height.

457
458 Staff recommended that the Planning Commission recommend approval to the Municipal
459 Council.

460
461 On October 22, 2015, the Planning Commission voted unanimously for approval to the
462 Municipal Council.

463
464 Councilmember Daines said there are some retail businesses that place items out in front
465 of their business and sometimes there is a lot of merchandise. They don’t always take it
466 inside at night and she asked will this amendment address this issue.

467

468 Mr. Holley responded yes, this amendment will address this issue and regulate but not for
469 all zones and will exclude the Town Center Zone because this is a public right-of-way
470 and has been left out of the amendment at this time.

471
472 Chairman Simmonds stated there are some instances where merchandise is stored in the
473 rear of buildings that are in the Town Center. If someone were to develop adjacent to that
474 rear storage it might be deemed as unsightly.

475
476 Councilmember Daines asked technically, if items are in front of a building and they are
477 located on private property do they have to take these items in at night.

478
479 Mr. Holley responded that outdoor storage is only allowed in the Industrial Zone so
480 technically the items would have to come in at night.

481
482 City Attorney Kymber Housley responded in the Town Center Zone the way the zoning
483 code is currently written, outdoor storage is allowed and the Council will need to decide
484 if this is a priority to change. It's actually defined as "outdoor display" rather than outdoor
485 storage and it does make a difference if it's on private property or a public right-of-way.
486 He recommended the Council craft a specific ordinance to address this issue rather than
487 enforce what we have now.

488
489 The proposed ordinance will be an action item and public hearing at the November 17,
490 2015 Council meeting.

491
492 **Consideration of a proposed ordinance vacating a public utility easement near 800**
493 **North 200 West – Ordinance 15-23 – Mark Nielsen, Public Works Director**

494
495 Public Works Director Mark Nielsen addressed the Council regarding the proposed
496 vacation. He explained the Public Works Department purchased property for a future
497 road connecting 100 West and 200 West and after public meetings were held it was clear
498 the public was not in favor of a road at this location and the City sold the property to the
499 adjacent property owner. The sale of the property did not vacate a 10-foot wide easement
500 that inhibits development of the parcel and finds there is good cause for vacating the
501 public utility easement and that such action shall not materially injure the public or any
502 person.

503
504 The proposed ordinance will be an action item and public hearing at the December 1,
505 2015 Council meeting.

506
507 **OTHER CONSIDERATIONS:**

508
509 **ADJOURNED.** There being no further business to come before the Council, the meeting
510 of the Logan Municipal Council adjourned at 7:15 p.m.

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512
513
514

Teresa Harris, City Recorder