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3 Minutes of the meeting of the Logan Municipal Council convened in regular
4 session on Tuesday, November 17, 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 34 citizens in
15 the audience at the beginning of the meeting.

16
17 **OPENING CEREMONY:**

18
19 Chairman Simmonds gave the opening thought and asked the audience to join her in a
20 moment of silence for those affected by the recent incident in Paris. She also led the
21 audience in the pledge of allegiance.

22
23 **Meeting Minutes.** Minutes of the Council meeting from November 3, 2015 were
24 reviewed and approved.

25
26 **ACTION.** Motion by Councilmember Ward seconded by Councilmember Daines to
27 **approve the November 3, 2015 minutes and approve the agenda.** Motion carried
28 unanimously.

29
30 **Meeting Agenda.** Chairman Simmonds announced there would be one public
31 hearing at tonight’s Council meeting.

32
33 **Meeting Schedule.** Chairman Simmonds announced that regular Council
34 meetings would be held the first and third Tuesdays of the month at 5:30 p.m. The next
35 regular Council meeting is Tuesday, December 1, 2015.

36
37 The Council agreed to cancel the December 15, 2015 Council meeting.

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

40
41 No comments for the Mayor or Council were brought forward.

48 **MAYOR/STAFF REPORTS:**

49
50 **Updates on Projects/Issues – Mayor Petersen**

- 51
52 1. Current Construction Projects
- 53 a. Some of the new lights and all of the poles are installed on Center Street.
 - 54 b. Work on the storm drain on 100 North continues. Main Street will be closed
 - 55 one more night for repaving and 100 North will be closed for one more week.
 - 56 c. Construction is almost complete at the Second Dam parking lot.
 - 57 d. Work has begun on the new cemetery entrance.
 - 58 e. There is a road closure at 1600 North 200 West where a new water service is
 - 59 being installed.
- 60
- 61 2. The Cache Humane Society Dog Park is now open.
- 62
- 63 3. The dinner meeting with the Lt. Governor is Thursday, November 19 beginning at
- 64 6:30 p.m. in the USU Taggart Student Center Ballroom.
- 65
- 66 4. The first meeting of the Wastewater Treatment Rate Setting Committee was
- 67 Monday, November 9. Bylaws were approved, a chair elected (Mayor Petersen)
- 68 and an RFP for a rate study approved.
- 69
- 70 5. A new website to assist citizens and businesses with permits and licenses is now
- 71 available. It can be accessed at loganpermits.businesscatalyst.com or from the
- 72 Community Development page on the Logan City website. The website is still a
- 73 work in progress. Comments and suggestions are appreciated.
- 74
- 75 6. Mayor Petersen congratulated City Recorder Teresa Harris who earned the
- 76 designation of Certified Municipal Clerk.
- 77

78 **Board Appointments (Wastewater Rate Setting Committee) – Mayor Petersen**

79
80 Mayor Petersen asked for ratification that he serve as Chair of the Wastewater Rate

81 Setting Committee.

82

83 **ACTION.** Motion by Councilmember Ward seconded by Councilmember Daines to

84 **approve ratification** of Mayor Craig Petersen to serve as the Chair of the Wastewater

85 Rate Setting Committee as presented. Motion carried unanimously.

86

87 **COUNCIL BUSINESS:**

88
89 **Discussion: Parks & Recreation Master Plan – Chairman Simmonds**

90
91 Parks & Recreation Director Russ Akina addressed the Council regarding the Parks &

92 Recreation Master Plan. He stated the Master Plan is now available for public review and

93 comment and can be viewed on the Logan City Website.

94

95 Mr. Akina stated the 2015 Comprehensive Parks, Trails, and Open Space Plan is the
96 primary planning document for the Logan Parks and Recreation Department. The
97 planning horizon for this document is six to eight years. It is anticipated that the
98 Department will again update this Plan for the years ahead. Like the Plans from 1998 and
99 2006, the 2015 Comprehensive Plan is prepared with a significant amount of public input
100 over the course of several years in addition to Department recommendations that reflect
101 the City's mission and the Department's vision, core values, goals, and objectives for the
102 proposals put forth for the next five to ten years, with a plan update before the tenth year.
103 It is the desired outcome of the Logan Parks and Recreation Department that the 2015
104 Comprehensive Parks, Trails Recreation, and Open Space Plan be an informative, yet
105 effective planning tool for City leaders, staff, and the citizens of Logan.

106
107 Mr. Akina also said there is public input as far back as 2012 and 2013 with information
108 from a community survey that was completed. One of the things that is clear in this Plan
109 is the priority to continue to address trails along with other recreation needs.

110
111 Councilmember Daines commented that one thing missing in the Plan that keeps coming
112 up in public surveys is the issue of dogs in City parks. She said this is one of the highest
113 comment categories and is something we need to consider and address in the Plan.

114
115 Vice Chairman Olsen asked how is the County's park system in comparison to the City's
116 park system.

117
118 Mr. Akina responded he looks at what the citizen needs are within the boundaries of the
119 City of Logan. Things to consider are how long it takes someone to walk to get to a City
120 park. Central and Southwest Logan are the two areas where it takes longer to access a
121 park.

122
123 Councilmember Daines added that the County recently hired a Trails Coordinator and
124 that person will look regionally at all the trails, how they connect, which will make all
125 resources more valuable.

126
127 Chairman Simmonds asked when the current landfill is closed, what happens to that
128 property.

129
130 Mr. Akina responded there have been discussions about the landfill becoming a park or
131 some other regional use.

132
133 Mayor Petersen said he will come prepared at the December 1 Council meeting to further
134 address the future of the landfill property.

135
136 Chairman Simmonds announced approval of the Parks & Recreation Master Plan will be
137 a workshop item on December 1, 2015 and an action item on January 5, 2016.

138
139 Chairman Simmonds also announced the Council will review the final three Chapters of
140 the General Plan Sections 13. Other Public Services, 14. Annexation and 15.
141 Accomplishing the Goal.

142 **ACTION ITEMS:**

143

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

153

154 **WITHDRAWN – PUBLIC HEARING - Code Amendment – Consideration of a**
155 **proposed code amendment. Logan City requests to amend the Land Development**
156 **Code Sections 17.17.030 (Districts and Corridors Land Use Table) and 17.62**
157 **Definitions – Ordinance 15-22 – Russ Holley**

158

159 **PUBLIC HEARING – Consideration of annexation of real property into the City of**
160 **Logan as filed by C.A. Fullmer Family, LLC – Charlie Fullmer for annexation of**
161 **approximately 1.49 acres located at 87 West 1200 South, Logan, Utah – Ordinance**
162 **15-25**

163

164 At the October 6, 2015 Council meeting, Logan City Attorney Kymber Housley
165 addressed the Council and gave the history on the proposed annexation of approximately
166 1.49 acres located at 87 West 1200 South in Logan, which is currently vacant. This
167 property used to be part of Providence City and the property owner went through the
168 disconnect procedures and it was disconnected from Providence. This is part of a parcel
169 that is already in Logan City so this would just bring the entire parcel into the City of
170 Logan so the property owner can get services from one entity instead of two. On October
171 6, 2015, the Council unanimously accepted the petition of C.A. Fullmer Family, LLC and
172 City Recorder Teresa Harris sent a copy of the Certification of Annexation to the
173 Council.

174

175 Vice Chairman Olsen asked would the property tax for schools still remain dedicated to
176 the Cache County School District.

177

178 Mr. Housley responded yes, the property tax will go to the Cache County School District.

179

180 Chairman Simmonds opened the meeting to a public hearing.

181

182 Logan resident Tom Jensen addressed the Council and asked for clarification on the
183 boundaries.

184

185 Community Development Director Mike DeSimone showed Mr. Jensen a copy of the
186 map indicating the boundaries.

187

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

189 **ACTION.** Motion by Councilmember Ward seconded by Councilmember Daines to
190 **adopt Ordinance 15-25** as presented. Motion carried unanimously.

191

192 **WORKSHOP ITEMS:**

193

194 **Budget Adjustment FY 2015-2016 appropriating: \$1,200,000 from the Water Fund**
195 **and \$3,415,000 from the Sewer Treatment Fund for the cash defeasance of the**
196 **2006A Water, Sewer, and Solid Waste Bonds; \$74,558 for a grant the**
197 **Communications Center (Dispatch) was awarded from the Utah Communications**
198 **Authority. The funds will be used for phone equipment upgrades and enhancements**
199 **– Resolution 15-60 – Richard Anderson, Finance Director**

200 Finance Director Richard Anderson addressed the Council regarding the proposed budget
201 adjustments. The Council recently passed a parameters resolution which starts the
202 funding of two bonds both of which are held in the water fund. To complete the process
203 and separate the indenture that encumbers both the sewer, water and the solid waste
204 funds, we need to refund one additional bond. According to Finance Director Rich
205 Anderson, the city has approximately \$22 million outstanding in total debt. By defeasing
206 these bonds issued in 2006 he expects debt to be reduced to about \$17.5 million. The
207 defeasance of the bonds would facilitate the City's restructuring of the indenture, the
208 obligations underlying the issuance of the water, sewer and solid waste bonds. Because
209 these bonds are not callable, a cash defeasance will be done taking cash from the water
210 fund and the sewer fund and put it off to the side with a trustee who will hold those funds
211 and pay off the bonds when they become due.

212 Mr. Anderson explained that a key reason for doing this is to ensure the city's sewer
213 treatment fund stands on their own, as it will require use in the City's wastewater
214 treatment plant and agreement with the six cities to provide wastewater treatment to a
215 new facility. The City does not foresee any financial concerns or issues with the facility.
216 We are making sure these funds are separate since we now have an agreement with the
217 other cities and the accountability needs to be very clear.

218 Mr. Anderson said in 1986, the City had three funds that were all accounted for as one
219 fund. Now that all of the funds have been separated the City has a "triple pledge" and
220 must pledge revenue from all funds in the indenture.

221 Councilmember Ward asked if we were to find ourselves in a situation where we needed
222 to replace significant infrastructure, could we do this without borrowing more funding.

223

224 Mr. Anderson said there is a risk but the largest risk is that the federal government could
225 fail but that is a remote risk. The City has adequate reserves in most other funds and we
226 could shift money within the various funds. We have reserves of 100 million dollars
227 across the entire City so there is flexibility if there are any unforeseen events.

228

229 The proposed resolution will be an action item and public hearing at the December 1,
230 2015 Council meeting.

231

232 **Consideration of a proposed ordinance vacating a right of way located at 400 East**
233 **from 1000 North to 1085 North – Ordinance 15-24 – Mark Nielsen, Public Works**
234 **Director**
235

236 Public Works Director Mark Nielsen addressed the Council regarding the proposed
237 vacation. He stated the City has received a request submitted by the abutting property
238 owner (Craig Champlin) of the subject right of way, requesting that a portion of the street
239 be vacated and public utility easements be vacated and relocated. The City has authority
240 by State Law to vacate streets, rights of way, and public utility easements, from use by
241 the public. The existing City right of way is not in alignment with existing roadway to the
242 north and south of the proposed right of way vacation. Mr. Nielsen feels there is good
243 cause for vacating/relocating the public utility easements and vacating the portion of right
244 of way.
245

246 Chairman Simmonds asked are there future plans to expand 400 East or is there a plan to
247 align the road the way we did on 600 East.
248

249 Mr. Nielsen responded there is nothing stated in the Master Plan to expand 400 East and
250 if we do align the road it would affect the East side not the West.
251

252 Vice Chairman Olsen asked what benefit Logan City receives for vacating this property.
253

254 Mr. Nielsen responded the property would be placed in a taxable status. The property has
255 fair market value.
256

257 Vice Chairman Olsen asked, is the notion that the fair market value of the vacated
258 property equal to the benefits received by the proposed turn lane.
259

260 City Attorney Kymber Housley responded that we can't vacate and then sell property
261 except for unusual circumstances. Generally, the law requires that it goes to the adjoining
262 property owner. This is not a buildable lot and the exception to this would be if it's part
263 of the original land grant there are situations where we can keep the property. We don't
264 have to divest it to the adjoining property owner but in this situation the law requires it go
265 to the adjoining property owner.
266

267 Mr. Nielsen said the widest part of the property is 16 ft and the smallest is 5 ft and it does
268 not increase the density.
269

270 The proposed ordinance will be an action item and public hearing at the December 1,
271 2015 Council meeting.
272

273 **OTHER CONSIDERATIONS:**
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275 There were no further considerations from the Mayor or Council.
276
277

278 **ADJOURNED.** There being no further business to come before the Council, the meeting
279 of the Logan Municipal Council adjourned at 6:45 p.m.

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281

282

283 Teresa Harris, City Recorder