

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, May 17, 2016 at 5:30 p.m. in the Logan City Municipal Council Chamber, 290 North 100 West, Logan, Utah. Chairman Herm Olsen conducting.

Councilmembers present at the beginning of the meeting: Chairman Herm Olsen, Vice Chairman Holly Daines, Councilmember Tom Jensen, Councilmember Jeannie F. Simmonds and Councilmember S. Eugene Needham. Administration present: Mayor H. Craig Petersen, Finance Director Richard Anderson, City Attorney Kymber Housley and City Recorder Teresa Harris.

Chairman Olsen welcomed those present. There were approximately 11 citizens in the audience at the beginning of the meeting.

#### **OPENING CEREMONY:**

Ned Weinschenker gave the opening thought and led the audience in the pledge of allegiance.

**Meeting Minutes.** Minutes of the Council meeting from May 3, 2016 were reviewed and approved with minor changes.

**ACTION.** Motion by Councilmember Simmonds seconded by Vice Chairman Daines **approve the May 3, 2016 minutes and approve tonight's agenda.** Motion carried unanimously.

**Meeting Agenda.** Chairman Olsen announced there are five public hearings at tonight's Council meeting.

**Meeting Schedule.** Chairman Olsen announced that regular Council meetings would be held the first and third Tuesdays of the month at 5:30 p.m. The next regular Council meeting is Tuesday, June 7, 2016.

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

Logan resident Cindy Cheal, 728 East 200 North. Ms. Cheal stated that she received a notice from Logan City stating that due to the increased traffic on 200 North, the City would be posting signs along this road and would only allow parking on one side of the street. She said it appears the problems are directed to the traffic passing through rather than the concerns of the citizens who live along this road. She asked would it be possible to have a public meeting to allow citizens to discuss the situation along this road and give their input before signs are posted.

Public Works Director Mark Nielsen stated the signs on 200 North would be permanent and the reason is the width of the street and the parking on the street does not allow for the minimum width for public safety vehicles or cars going back and forth. The residents along 200 North were then notified that signs would be posted.

Councilmember Jensen said he would support the request from Mrs. Cheal to have a public meeting with the neighborhood regarding this issue.

Logan resident Mark Nafziger, 808 East 200 North. Mr. Nafziger stated that he lives on 200 North and has lived there for the past 23 years. He said the biggest safety issue on that street is speeders and impatient drivers, not parked cars. He talked with Mark Nielsen and he understands there is a concern with safety vehicles being able to travel along this road. In the 23 years he has lived on 200 North he has only seen a fire vehicle maybe twice, but he sees people speeding several times a day. Very infrequently are there cars parked on both sides of the street. He feels the signs being posted are a decision for the benefit of people who use 200 North as part of their commute rather than people who live along this road.

Logan resident Cindy Cheal addressed the Council again and spoke on behalf of her son Michael Cheal who would like to see the current library location preserved.

There were no further comments or questions for the Mayor or Council.

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

#### **Updates on Projects/Issues – Mayor Petersen**

1. Current Construction Projects
  - a. Construction of the sidewalk along the Steep Dugway was delayed two weeks and will start Monday, May 23. Extended Road closures are anticipated.
  - b. Riverside Drive will be closed until the end of June for trees, curb and a guardrail.
2. A ribbon cutting ceremony for the new Logan Cemetery entrance is scheduled for Thursday, May 26 at 10:00 a.m.
3. A ribbon cutting for the Highline Trails is scheduled for Thursday, May 26 at 11:00 a.m. This is a County sponsored event.
4. The City now owns the Poco Loco, Emporium and Plaza 45 buildings. A Request for Proposal (RFP) is being prepared for commercial development of the properties. The RFP will be sent to interested parties.
5. Council Members are invited to attend an employee lunch on Monday, May 23 at the Logan River Golf Course starting at 11:00 a.m.
6. The Logan Youth Council sponsored a very successful downtown concert on Friday, May 13.
7. Monday's water break on Canyon Road was quickly contained and resulted in minimal damage. The response by emergency service personnel was fast and effective.
8. An RFP is being prepared for sale of the city-owned lots on 200 East between 200 and 300 South.
9. Community Garden plots near the Bridger School are now being assigned. To reserve a plot, contact Helen Muntz at USU Extension, 752-6263.

Vice Chairman Daines suggested when possible that roads be opened when construction is completed for the day and when possible on the weekend.

Councilmember Jensen asked if the water break was caused by corrosion in the pipe.

Mayor Petersen stated the pipe is the Canal Company's responsibility.

City Attorney Kymber Housley said he would be cautious to say it's the Canal Company because it could also be the private lateral and at this time we don't know if it was on the canal side or the private lateral.

Councilmember Jensen said his reason for asking is if this is going to be systematic for other break that could occur and does it need to be replaced and repaired.

Public Works Director Mark Nielsen stated that pipe that was there from the irrigation was intact and we don't know exactly where the leak occurred. The private laterals that extend from the canal piece down, have been there for many years. Until that is worked out between the irrigation company and the private owner. The canal has a pipe and the irrigation company owns from the pipe to a valve. Anything downstream from that valve is the private lateral user.

Mayor Petersen said the point he was trying to make is that it appears the area where the break occurred is not City property.

#### **Hill Air Force Base Air Show – Lt. Col Kris Long**

Lt. Col Kris Long was not in attendance at tonight's meeting and did not report to the Council.

#### **COUNCIL BUSINESS:**

#### **Proclamation: USU National Handball Championship – Chairman Olsen**

Mayor Petersen read the following Proclamation which was signed by the Mayor and Council Members.

*To Utah State University Champions,*

*It is not often that Utah State University produces a national champion. But when it does we take notice! We are anxious to honor the members of the Utah State University Handball Team which recently competed for the United States National Collegiate Championships in Minneapolis, Minnesota.*

*The Utah State University Handball Team sent two men and three women to compete against teams from all over the nation and from Ireland. Competing against some of the best players in the country, Utah State succeeded in crowning a National Champion and having two others make the finals.*

*Jeanne Munk Hancock from Salt Lake City challenged the nation's best in her division, and won a thrilling victory against her opponent, fellow teammate Lindsey Boelter also from Salt Lake City to capture the national crown.*

*Kim Butcher from Provo likewise played for the National Championship in her division, and Jeanne and Lindsey teamed up for the Double Championship finals.*

*Logan City is pleased to honor and acknowledge the accomplishments and achievements of the Utah State University Handball Team, and to recognize Jeanne, Lindsey, Kim, Marcus Haslam and Bodey Hancock for their remarkable efforts on behalf of Utah State University. We thank you for being such remarkable representatives for Utah State University and for Logan*

**ACTION ITEMS:**

**PUBLIC HEARING – Logan City Budget Transfers Fiscal Year 2017**

In accordance with Utah State Law and Logan City budgeting practices, Logan City will hold a public hearing on May 17, 2016 at 5:30 pm in the Logan City Council Chambers located at 290 North 100 West, Logan Utah, to discuss proposed transfers from enterprise funds to the Logan City General Fund. Anyone desiring to address the Logan Municipal Council on this issue is invited to this public hearing.

A transfer is the movement of cash or other resources from one fund to another. Logan City has utilized transfers from enterprise funds as a General Fund financing mechanism for many years. If budgeted and planned correctly, transfers from enterprise funds can help to defray the cost of services such as public safety, public works, parks and recreation and general governmental services, and consequently, keep property taxes low. But for transfers, Logan City would either have to raise property taxes significantly or cut services significantly. Where private sector utility companies are in business to provide a return on investment to its shareholders, Logan City's shareholders, its taxpayers and citizens, receive this return on investment as a transfer to the General Fund.

The following Fiscal Year 2017 proposed transfers will be discussed:

|  |           |
|--|-----------|
| From Water & Sewer Fund to General Fund        | \$730,449 |
| From Sewer Treatment Fund to General Fund      | 323,400   |
| From Electric Fund to General Fund             | 2,882,640 |
| From Environmental Health Fund to General Fund | 911,699   |

Logan City has also enacted 911 fees that are assessed on utility customers for the County-Wide 911 system, radio communications, and related functions. These fees are technically transferred from the Environmental Health Fund to the Communication Center Fund (911 Fund). It is estimated that during Fiscal Year 2017 the City will transfer \$1,410,000 for this purpose.

Please feel free to contact Rich Anderson, Logan City Finance Director at 435-716-9180 with any questions.

Publication Date: May 8, 2016

Chairman Olsen opened the meeting to a public hearing.

There were no comments and Chairman Olsen closed the public hearing.

Finance Director Richard Anderson stated that the Council is not required to take action on the Budget Transfer at this time and it will be done as part of the final budget in August.

**PUBLIC HEARING - Budget Adjustments FY 2015-2016 appropriating: \$25,000 to account for delinquent assessments budgeted for in prior fiscal year but collected in the current fiscal year; \$38,815 from the sale of surplus rolling stock for Parks & Recreation projects at the Logan Cemetery and Bridger Park – Resolution 16-24**

At the May 3, 2016 Council meeting, Finance Director Richard Anderson addressed the Council regarding the proposed budget adjustments.

Chairman Olsen opened the meeting to a public hearing.

There were no comments and Chairman Olsen closed the public hearing.

**ACTION.** Motion by Vice Chairman Daines seconded by Councilmember Simmonds to **approve Resolution 16-24** as presented. Motion carried unanimously.

**PUBLIC HEARING - Zone Change – Consideration of a proposed zone change. Jed Willets, authorized agent/owner, requests a zone change from MR-12 to MR-20 on .24 acres located at 1350 North 200 West;; TIN: 05-041-0056 – Ordinance 16-13**

At the May 3, 2016 Council meeting, Planner Russ Holley addressed the Council regarding the proposed zone change. Mr. Holley provided a brief history of the property. In 1992 the Planning Commission approved the 6-lot Royal Point Subdivision located South of 1400 North between 200 and 400 West. Each lot was approximately 1.30 to 1.80 acres in size. Lot #6 is associated with this request. In 1992 the zoning was R4, which allowed multi-family structures at a rate of one unit per every 6,000 SF and an additional 1,000 SF for each subsequent unit (4-plexes would require 9,000 SF). Multiple residential structures were permitted one lot. In 1993 the first 4-plex was built and over the course of the following two years seven 4-plexes were built on Lot #6 (1.8 acres). In 1995 tax identification number (TIN) boundaries were divided around the existing seven 4-plexes at the County. The creation of the seven (7) boundaries left the original parent TIN as vacant .24 acre area in the southwest corner. Application for proper subdivision (to create legal building lots) was never made with Logan City. The City has never recognized these additional TIN boundaries. Lot #6 under the R4 zoning ordinances could have allowed for additional units, but were never constructed (reason unknown). Access easements were established at the County for access interior structures. In 2000 zoning designations and densities changed to Multi Family High and the project became “legally existing nonconforming”.

The proponent is requesting a re-zone of Lot #6 from Mixed Residential Low (MR-12) to Mixed Residential Medium (MR-20). This would achieve a higher density allowing for a subdivision to occur and thus creating recognized building lots. It would then be the intention of the proponent to build a multi-family structure (up to 4 units for .24 acres) in the vacant areas in the southwest corner. The MR-12 zone allows 12 units per acre. The MR-20 zone allows 20 units per acre. Currently, Lot #6 is developed at 15.5 units per acre.

Mr. Holley stated this proposal has the potential to possibly set precedence for compromising zoning intent and regulation, because with a city so diverse in its history, there are enormous amounts of non-conforming properties, land uses and structures throughout. In this case, however processed improperly by only going to the County, it could have been legally subdivided in 1993-95 when these structures were built and divided. If a down-zone application back to MR-12 was to be immediately submitted by the Community Development Department, it would allow the subdivision to be platted and result in a 0.24 acre property that is zoned MR-12 and capable of two (2) units and a neighborhood that is zoned the same way as it is today. That would be exactly what the proponent thought he had purchased and what City staff originally told him he had.

The Planning Commission unanimously agreed with this concept, on the condition that somehow only a duplex could be built, not a four-plex, which the MR-20 would allow.

On April 14, 2016, the Planning Commission voted on a recommendation for approval to the Municipal Council for a rezone of 1.80 acres, lot #6 of the original Royal Point Subdivision, from MR-12 to MR-20.

Chairman Olsen opened the meeting to a public hearing.

There were no comments and Chairman Olsen closed the public hearing.

**ACTION.** Motion by Vice Chairman Daines seconded by Councilmember Jensen to **adopt Ordinance 16-13** as presented. Motion carried unanimously.

**PUBLIC HEARING - Code Amendment – Logan City requests an amendments to the Land Development Code Section 17.25 (Drinking Water Source Protection (SP) Overlay Zone) to permit the use of Class V injection wells in Drinking Water Source Protection Zones 3 & 4 only – Ordinance 16-14**

At the May 3, 2016 Council meeting, Community Development Director Mike DeSimone addressed the Council regarding the proposed code amendment. The proposed modifications to Section 17.25 (Drinking Water Source Protection (SP) Overlay Zone) of the Land Development Code are required in order to comply with the State & Federal requirements to manage storm water on-site. Underground injection systems, called Class V injection wells, are currently prohibited in all Drinking Water Source Protection Zones. These changes would permit the use of Class V injection wells in Drinking Water Source Protection Zones 3 & 4 only. A Class V injection well is a type of drainage facility that generally depends on gravity to drain fluids below the land surface and generally

involves little or no pretreatment. A typical Class V system is a dry well or a septic system.

On April 14, 2016, the Planning Commission recommended that the Municipal Council approve the proposed amendments.

Chairman Olsen opened the meeting to a public hearing.

Logan resident Joe Tennant addressed the Council and asked what is a Class V Injection Well.

Vice Chairman Daines responded that a Class V injection well is a type of drainage facility that generally depends on gravity to drain fluids below the land surface and generally involves little or no pretreatment. A typical Class V system is a dry well or a septic system.

City Attorney Kymber Housley responded this proposed ordinance will help us comply with the new State regulation and we are adding it to our zoning ordinance.

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

**ACTION.** Motion by Councilmember Simmonds seconded by Councilmember Jensen to **adopt Ordinance 16-14** as presented. Motion carried unanimously.

**PUBLIC HEARING - Zone Change – Logan City requests to rezone the Main Street frontage of the City block located between 200 North – 300 North from Public (PUB) to Town Center (TC). This action includes approximately 4 acres on the following properties or portions thereof: TIN: 06-0016-0001, -0002, -0004, -0019, -0020, -0021, -0022, -0023, -0024, -0025, -0027 – Ordinance 16-15**

At the May 3, 2016 Council meeting, Community Development Director Mike DeSimone addressed the Council regarding the proposed rezone. Logan City is proposing to rezone approximately four acres from Public (PUB) to Town Center (TC) along the front or eastern half of the City block. The purpose is to develop this area commercially.

On April 14, 2016, the Planning Commission recommended that the Municipal Council approve the rezone.

Chairman Olsen opened the meeting to a public hearing.

There were no comments and Chairman Olsen closed the public hearing.

Councilmember Simmonds asked does this rezone change the parcels tax status.

Mr. Housley responded no, the tax status is determined based on ownership. It's still owned by the City so it remains tax exempt.

Councilmember Needham said he has been concerned about this because he wants to see the current library building preserved. He asked if we change the zoning do we have to change it back if we decided to keep the library in its current location.

Mr. Housley commented no, the Library could stay as it is now or we could build a new one.

Councilmember Needham said he has been reviewing the Library remodeling plans from 2008 and he feels it will save us money and encouraged the Council to look at these plans and feels a remodel should be done instead of building a new Library. He feels there are a lot of good reasons to remodel.

Councilmember Jensen said there was not a plan to remodel the existing Library. A cost estimate was done in the range of \$9 - \$10 million dollars. He said there are strong reasons to develop the Library property as commercial development and not a remodel project.

Chairman Olsen said the direct issue before the Council tonight is whether or not to approve the proposed zone change. He feels that Councilmember Needham raises a legitimate question about whether or not at some point we want to perpetuate the library where with appropriate remodels or physically have it reconstructed at another location. It's not an issue of whether or not the proposed zone change should occur, since the Library can remain and function where it is or if moved to another location the property would benefit from the zone change.

**ACTION.** Motion by Councilmember Jensen seconded by Vice Chairman Daines to **adopt Ordinance 16-15** as presented. Motion carried unanimously.

#### **WORKSHOP ITEMS:**

**Budget Adjustment FY 2015-2016 appropriating: \$14,100 donated funds to the Police Department for a tactical robot; \$3,300 donated funds for the Annual Police Banquet – Resolution 16-28 – Richard Anderson, Finance Director**

Finance Director Richard Anderson addressed the Council regarding the proposed budget adjustments. He said these are donations for a specific purpose. The police department will be spending some of their own funding for the purchase of the tactical robot.

Logan City Police Department Captain Curtis Hooley explained that the robot is on tracks and equipped with a camera that can go into an area where officers can see what is happening before entering.

The proposed resolution will be an action item and public hearing at the June 7, 2016 Council meeting.

**Consideration of a proposed resolution approving an adjustment of Solid Waste Collection and Disposal Fees and Mandatory Curbside Recycling – Resolution 16-25 – Issa Hamud, Environmental Director**

Environmental Director Issa Hamud addressed the Council regarding the proposed resolution regarding the need to adjust the Solid Waste Rates to address Special Event Rates (SER) as follows:

**Section 1. Residential Garbage Pickup (includes landfill tipping fees (TF) unless otherwise noted).**

|   |                     |           |
|---|---------------------|-----------|
| Logan City  |                     |           |
| 90 gallon   | \$12.65 per month   | No Change |
| Extra pick up   | \$3.87 ea container | No Change |
| 60 gallon (minimum fee)   | \$10.50 per month   | No Change |
| Current 60 gallon user rate increase will be implemented over a two year period \$1.35/yr |                     |           |

Special Pickup/Bulky Waste Charge                    \$20.00 plus TF (except green waste)

|   |                      |           |
|---|----------------------|-----------|
| Cache County  |                      |           |
| 90 gallon   | \$13.25 per month    | No Change |
| Extra pick up   | \$4.19 ea. container | No Change |
| 60 gallon   | \$11.00 per month    | No Change |
| Current 60 gallon user rate increase will be implemented over a two year period \$1.30/yr |                      |           |

Special Pickup/Bulky Waste Charge                    \$26.00 plus TF (except green waste)

**Section 2. Commercial Garbage Pickup**

a. Front Load Refuse hauled by Service Area    \$ 5.40 cu. yd. per pickup

b. Temporary/Construction Dumpster Rental

|                         |                                |
|-------------------------|--------------------------------|
| Front Loader Dumpster   |                                |
| Rental Fee              | \$10.00 weekly or \$1.43 daily |
| Collection/Disposal Fee | Same as Section 2(a)           |

c. Roll-off Dumpster

|   |                                |
|---|--------------------------------|
| Rental Fee (beginning day 15 of rental) | \$40.00 weekly or \$5.71 daily |
| Collection/Disposal Fee                 | Same as Section 2(c)           |

c. Roll-off Refuse

|             |                    |
|-------------|--------------------|
| Each Pickup | \$123.75 each      |
|             | Plus Applicable TF |

d. Minimum Commercial Fee

|              |                    |           |
|--------------|--------------------|-----------|
| Logan City   | \$ 12.65 per month | No Change |
| Cache County | \$ 13.25 per month | No Change |

\* ED: Environmental Department

**Section 3. New Home Automated Container (A.C.) Service Fee.**

Delivery of A.C. in Logan City – for any number of containers for SER Event    \$20.00

|  |         |
|--|---------|
| Delivery of A.C. in Cache County – <u>for any number of containers for SER Event</u> | \$26.00 |
| Delivery of A.C. by customer   | \$5.00  |

**Section 4. Landfill Tipping Fees (TF).**

|  |                |               |
|--|----------------|---------------|
| Car or truck up to ¾ ton                       | \$10.00        | No Change     |
| Small single axle trailer                      | \$10.00        | No Change     |
| Dual axle trailer and trucks larger than ¾ ton |                | Applicable TF |
| General refuse                                 | \$29.00/ton    | No Change     |
| Construction debris & tree stumps              | \$21.00/ton    | No Change     |
| Uncovered or otherwise unsecured loads         | Additional fee | \$10.00       |

**Section 5. Recyclable Item Fees.**

|  |  |                |
|--|--|----------------|
| a. Tire (size measured by inside diameter) |  |                |
| 15 inches or less                          |  | \$2.00 ea.     |
| Larger than 15 but less than 20 inches     |  | \$5.00 ea.     |
| 20 to 25 inches                            |  | \$10.00 ea.    |
| Over 25 inches                             |  | \$100.00 ea.   |
| Tires with rim, additional                 |  | \$5.00 ea      |
| b. Pallets                                 |  |                |
| Clean to go to Green Waste Facility        |  | \$9.00 per ton |
| Contaminated                               |  | Applicable TF  |

**Note:** There is no charge for separated, recyclable items such as newspaper, ferrous metals, aluminum, carpet pad, used oil, and compostable waste trimmings.

**Section 6. Special Handling Fees (SHF).**

|  |                 |                                 |
|--|-----------------|---------------------------------|
| a. Medical and Infectious Waste                                      |                 |                                 |
| Minimum Fee: up to 0.5 cubic yard or 100 gallons in                  |                 |                                 |
| Volume, standard size “Black Beauty” dumpster \$8.00 cu. yd.         |                 |                                 |
| Load is greater than 0.5 cubic yard                                  | \$17.00 cu. yd. | No Change                       |
| b. Hydrocarbon contaminated soil fees                                |                 |                                 |
| (1000 ppm in accordance with landfill                                |                 |                                 |
| hazardous waste disposal procedures)                                 |                 |                                 |
|  | \$17.50/ton     | Applicable TF plus<br>No Change |
| c. Household refrigerators, freezers, air conditioners               |                 |                                 |
| or other appliances originally having contained refrigerant          |                 |                                 |
| which are not certified and marked as having been legally evacuated. |                 |                                 |
|  |                 | \$30.00 SHF ea unit             |
| d. Sludge  |                 |                                 |
|  | \$17.50 ton/SHF | Applicable TF Plus<br>No Change |
| e. Any other items requiring special handling                        |                 |                                 |
|  | \$17.50ton/SHF  | Applicable TF Plus<br>No Change |
| f. Metal bottles or other containers which are or have been          |                 |                                 |
| pressurized, including but not limited to propane bottles            |                 |                                 |
| and fire extinguishers.  |                 |                                 |
|  |                 | \$10.00 SHF ea. Unit            |

g. Asbestos & asbestos contaminated materials \$500.00/ton No Change

**Section 7. Dead Animal Fees**

Animal disposal for farmers is free.

**Section 8. Residential Curbside Green Waste Collection (April – November)**

Logan, Smithfield, North Logan, Providence, Hyde Park, River Heights, Millville,  
Nibley, Hyrum.  
90 Gallon \$4.00 per month  
(12 month billing period)

**Section 9. Green Waste Facility Product Pricing (includes sales tax)**

|                                     |                                |                             |
|-------------------------------------|--------------------------------|-----------------------------|
| Finished Compost                    | <del>\$17.00 per cu. yd.</del> | <del>\$20.00/cu. yd.</del>  |
| Coarse Wood Chips                   | \$8.00/cu. yd.                 | \$8.00/cu. yd. (no change)  |
| <del>Fine Screened Wood Chips</del> | <del>\$10.00 per cu. yd.</del> | <del>\$15.00/cu. yd.</del>  |
| Medium Wood Chips                   | \$12.00 per cu. yd.            | \$12.00/cu. yd. (no change) |
| Pallet Wood Chips                   | <del>\$8.00 per cu. yd.</del>  | <del>\$10.00/cu. yd.</del>  |
| Premium Wood Chips                  | <del>\$10.00 per cu. yd.</del> | <del>\$15.00/cu. yd.</del>  |
| Christmas Tree Wood Chips           | <del>\$7.00 per cu. yd.</del>  | <del>\$10.00/cu.yd.</del>   |
| Firewood                            | <del>\$5.00 per cord</del>     | <del>\$10.00 per cord</del> |
| Colored Chips                       | \$30.00/cu.yd.                 | \$30.00/cu.yd. (no change)  |
| Bagged Compost                      | \$1.50/1 cu.ft.                | \$1.50/1 cu.ft. (no change) |

**Section 10. Commercial/Curbside Recycling Collection**

Countywide Mandatory Curbside Recycling \$3.00 per resident per month, once every other week pick up

a. Roll-off Recyclables

Each Pick up (Green Waste, Other Recyclables) \$45.00 each  
Plus ED\* receives recycling revenue

Each Pick up (cardboard) \$ 0.00 each  
Plus ED\* receives recycling revenue

b. Roll-off Cardboard and other recyclables

\$123.75/per pick-up  
no rebate to ED

c. Front Load Cardboard

\$0.00 each  
Plus ED\* receives recycling revenue

d. Front Load Mixed recycling and other recyclables

\$6.00/yard - Every Other Week Pick-Up  
(\$12.00/yard Week)

**Section 11. Spring Cleanup/Green Waste Drop Site**

Provide one time spring clean up for every community, or keep the green waste drop site/s at a location identified and monitored by the local community, or credit \$2.15 per residential customer per year to the local community for green waste management

**Section 12. Hardship Allowance**

Cache County Residential customers may apply for reduced recycling rate annually on the basis of hardship through the Solid Waste Advisory Board.

Section 13. Special Event Rates (SER), also see attached letter

Residential Containers

|  |                         |
|--|-------------------------|
| <u>Logan</u>   | <u>\$3.15 per empty</u> |
| <u>All Other Areas outside of Logan</u>  | <u>\$3.30 per empty</u> |
| <u>For all services provide two times the requested numbers of containers or charge ½ of the amount of containers.</u> |                         |
| <u>Commercial Containers</u>   |                         |

For all SER commercial services the rate is the same as shown in section 4 except no rental fee and the size of the container will be double the size of the requested container or the charge will be ½ of the service fee.

The proposed resolution will be an action item and public hearing at the June 7, 2016 Council meeting.

**Text Amendment – Consideration of a proposed amendment to the Land Development Code Section 17.57.060 to clarify the Standard of Review for the Land Use Appeal Board – Ordinance 16-16 – Mike DeSimone, Community Development Director**

Community Development Director Mike DeSimone addressed the Council regarding the proposed text amendment. He proposed the following changes to Section 17.57.060.

**§17.57.060. Standard of Review**

A. The review by the Land Use Appeal Board of the appeal or request shall be limited to the record of the land use application process resulting in the decision made by the Land Use Authority which is the subject of the appeal or request including written communications, the written land use decision and the written appeal or request.

B. The Land Use Appeal Board may not accept or consider any evidence outside the record of the Land Use Authority unless that evidence was offered to the Land Use Authority and the Board determines that it was improperly excluded. The Appellant has the burden of proving that the Land Use Authority erred. The Land Use Appeal Board shall presume that a Land Use Authority decision is valid and in the review of factual matters shall determine only whether or not the decision is arbitrary, capricious, or illegal. A Land Use Authority decision interpreting or applying a land use ordinance shall be reviewed for correctness.

The proposed ordinance will be an action item and public hearing at the June 7, 2016 Council meeting.

**FY 2016-2017 Budget Presentations:**

**Library – Robert Shupe, Director**

Library Director Robert Shupe addressed the Council regarding the Library’s proposed budget.

**Capital Projects**

|   |       |
|---|-------|
| New Library building (PRIORITY #1)  | \$11M |
| Allocate funds toward purchase of property and/or to begin programming and design phase of a new building (PRIORITY #2) | \$11M |

**General Operating**

Full-time (benefited) staff (PRIORITY #3) 16 staff possible increases 3%.  
Part –time (non-benefitted) staff (PRIORITY #4) \$106,605.00

|  |                                     |
|--|-------------------------------------|
| Subscriptions and Memberships                | \$700.00                            |
| Travel and Training (PRIORITY #6)            | \$9,500.00 increase to \$10,500.00  |
| Office Supplies                              | \$30,000.00                         |
| Maintenance (PRIORITY #5)                    | \$40,400.00 increase to \$49,765.00 |
| Professional and Technical                   | \$21,500.00                         |
| Special Department Supplies                  | \$34,000.00                         |
| e-books and downloadable books (PRIORITY #7) | \$10,000.00 increase to \$14,800.00 |
| Adult Fiction Collection Development         | \$66,000.00                         |
| Adult Non-Fiction Collection Development     | \$65,500.00                         |
| Children’s Collection Development            | \$62,000.00                         |
| Young Adult Collection Development           | \$24,500.00                         |
| Other Supplies                               | \$40,000.00                         |
| Ads and Publications                         | \$500.00                            |
| Maintenance                                  | \$14,250.00                         |
| Building and Grounds Maintenance             | \$20,000.00                         |
| Utilities                                    | \$91,500.00                         |
| Professional and Technical                   | \$2,000.00                          |
| Special Departmental Supplies                | \$14,000.00                         |
| IT Assessments                               | \$157,986.00                        |
| Risk Assessments                             | \$19,159.00                         |

Total proposed increases to operating budget as of April 12, 2016 \$15,165.00

Amendment added during Library Board meeting on April 12, 2016. Motion passed by Board in support of the City raising the Library Property Tax approximately \$10.00 per year for a \$200,000.00 home.

Mayor Petersen said that Mr. Shupe's staff is working on a project to identify other libraries in the State of Utah and see how large these libraries are and when they were last remodeled. He said most of the newer libraries are smaller and only 5 in the State of Utah are larger. Logan is one of the antiquated libraries in the State.

Chairman Olsen said the item that stands out in the Library's budget is the proposed new Library building for \$11M dollars. He asked if the direction changed and there was not going to be a new Library building, what the cost would be to remodel the existing Library.

Mr. Shupe responded that any older building can be remodeled but he has been in the current building for the last five years and what he does know about library construction is that a remodel could come in for less than a new building. There are many things to consider. His personal opinion as Library Director and as a resident of Logan is that if the building truly has historical significance that is one thing and he would be in favor of restoring the building. He does not have an attachment to the building and feels that it's dilapidated, out of code, and to retrofit would be a major undertaking. He respects the opinion of Councilmember Needham but does not feel that remodeling the current Library is the direction we should go.

Mayor Petersen said a remodeling estimate was completed in 2009 at a cost of \$7.5M dollars.

Councilmember Simmonds added that we need to keep in mind that if we choose to renovate the Library building we will also have costs of moving everything out, closing down the Library for a renovation and then moving everything back in. She does not feel that closing down the Library is realistic for our community.

Councilmember Jensen asked would it be pertinent to take syntheses of the two studies that have been done for the purpose of public awareness.

Councilmember Needham said the Library is the heart of the City and is a statement to ourselves. He has been very pleased with the Library throughout the years and complimented Director Shupe on a job well done. He hopes that we make the best decision for the community.

#### **Light & Power – Mark Montgomery, Director**

Light & Power Director Mark Montgomery addressed the Council regarding the Light & Power proposed budget. He reported that last year he budgeted \$7,000,000 for the Third Dam project and that money will go unused this year.

- Ordered transfer for Substation 6 \$1,000,000.
- Moved Third Dam money into CEA account so that a purchase order could be issued for the transformer.
- This money will drop off into reserves; money is budgeted with this year's budget.

- UAMPS Power Purchase Budget last year was \$23,622,694 and this year is \$23,585,400.
- New projects to power portfolio: VEYO at cost of \$500,000 and Carbon Free Power Project (CFPP) at a cost of \$720,000.

Mr. Montgomery said the Light & Power Department will be in their new building by June 1 and are now waiting for the parking lot to be installed. There will be solar panels on the new building and it will also have a ground source heat pump.

Councilmember Jensen said with the focus on energy conservation, sustainability, new construction and people retrofitting their properties, shouldn't we have a decrease in our usage based on population.

Mr. Montgomery responded as people put in LED lights and more efficient appliances, as a general trend usage is going up because people are using power in different ways such as cell phones, Ipads, etc.

Chairman Olsen said that he is in favor of the Carbon Free Power Project and feels it has exciting possibilities and is step away from carbon consumption.

#### **Environmental - Issa Hamud, Director**

Environmental Director Issa Hamud addressed the Council regarding the Environmental Departments proposed budget. He stated his budget remains the same as last year and updated the Council on current projects.

North Valley Landfill Road – The site is being excavated at this time and will then start building the road. Next year the goal is to line the area that is excavated and build the scale house. The cost of the road was favorable and is at \$3.8 million dollars, they are still within budget. Excavation was estimated at over \$2 million dollars.

Wastewater Treatment Plant – Crews continue working on the site project, design, and they continue to explore the soils of the site location. The goal is to complete the design by the end of the year and hope to break ground in the Fall of 2017.

Councilmember Simmonds asked if the rate setting committee will complete their study by this summer.

Mayor Petersen responded yes, it will be completed by August 2016 and at that time we will also know what other cities will be participating.

Councilmember Simmonds said she doesn't want Logan to have made decisions to build a larger plant if it's not needed.

Mr. Hamud responded we can change the design quickly and can downsize if needed.

Mayor Petersen said as we get the rate study back and find out what other cities want to participate, there will be long term interlocal agreements in place so that cities won't be able to back out after the project design has been completed.

Mr. Housley stated cities that are looking at other options are only about 10% of our overall usage so it's not a big factor. The intent is once we get the rate analysis, we will enter into interlocal agreements and the other cities will have to decide at that point if they want to participate. The other cities don't want to commit until they know exactly what the costs will be.

### **Overview of General Budgetary Issues – Richard Anderson**

Finance Director Richard Anderson stated there will be two budget workshop items on June 7, 2016 regarding Elected Officials Wages and Utah Retirement Systems. On June 21, 2016 the Council will tentatively adopt the budget and it will include if the Council intends to raise the property tax rate and then a Truth in Taxation hearing will take place on August 2, 2016 along with the final adoption of the budget.

Chairman Herm Olsen was excused from the meeting at this time 7:08 p.m.

### **OTHER CONSIDERATIONS:**

There were no further considerations from the Council.

### **ADJOURNED to meeting of the Logan Redevelopment Agency**

Vice Chairman Daines welcomed those present. There were approximately 4 citizens in the audience at the beginning of the meeting.

### **WORKSHOP ITEM:**

#### **Budget Adjustment FY 2015-2016 appropriating: \$2,000,000 for the acquisition of the Emporium property by the Downtown Redevelopment Agency – Resolution 16-29 RDA – Richard Anderson, Finance Director**

Finance Director Richard Anderson explained the Council appropriated \$1 million dollars from the Library Reserves and \$1 million dollars from General Fund Capital to purchase the Emporium building with the intent to build a Library. It appears that this location will be better used for commercial development rather than a new Library so the proposed budget adjustment is to appropriate \$2 million dollars from the Downtown RDA reserves to purchase the Emporium property and then immediately issue a Request for Proposal for its sale. At the June 7, 2016 Council meeting, there will be a public hearing as part of the general Council meeting agenda to sell this property to the RDA. The Library and General Fund will then get their money back. The RDA does not have \$2 million dollars in reserves so it will be deficit funding but the overall RDA budget is doing well.

The proposed resolution will be an action item and public hearing at the June 7, 2016, 2016 Council meeting.

**ADJOURNED.** There being no further business to come before the Council, the meeting of the Logan Municipal Council adjourned at 7:10 p.m.

Teresa Harris, City Recorder