

2
3 Minutes of the meeting of the Logan Municipal Council convened in regular
4 session on Tuesday, May 16, 2017 at 5:30 p.m. in the Logan City Municipal Council
5 Chamber, 290 North 100 West, Logan, Utah. Chairman Holly H. Daines conducting.
6

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

13 Chairman Daines welcomed those present. There were approximately 22 citizens in the
14 audience at the beginning of the meeting.
15

16 **OPENING CEREMONY:**

17
18 Shelley Petersen, 911 Communication Coordinator gave the opening thought/prayer and
19 led the audience in the pledge of allegiance.
20

21 **Meeting Minutes.** Minutes of the Council meeting from May 2, 2017 were reviewed and
22 approved with no changes.
23

24 **ACTION.** Motion by Councilmember Olsen seconded by Councilmember Simmonds to
25 **approve the May 2, 2017 minutes and approve tonight's agenda.** Motion carried
26 unanimously.
27

28 **Meeting Agenda.** Chairman Daines announced there are two public hearings
29 scheduled for tonight's Council meeting.
30

31 Chairman Daines announced that the public hearing in regards to the Garden Park
32 Apartments will be continued until the June 6, 2017 Council meeting.
33

34 **ACTION.** Motion by Councilmember Simmonds seconded by Vice Chairman Jensen to
35 **continue Ordinance 17-05, Garden Park Apartments Rezone to the June 6, 2017**
36 **Council meeting.** Motion carried unanimously.
37

38 **Meeting Schedule.** Chairman Daines announced that regular Council meetings
39 are held the first and third Tuesdays of the month at 5:30 p.m. The next regular Council
40 meeting is Tuesday, June 6, 2017.
41

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

43
44 Logan resident Janice Bird read a statement regarding the Garden Park Apartment Project
45 and she feels that Logan's heart, soul and history are valuable and we should all value
46 this gift that we have. She feels that Trent Cragun, Developer of the Garden Park
47 Apartment Project is putting forth misconceptions and she does not want Logan to turn

48 into California. She said the neighborhood wants to be heard and although they are small
49 they are important to the City.

50

51 Logan resident Teresa Theurer addressed the Council regarding residential parking. Her
52 concern is there is no parking for guests of the seven families she rents apartments to in
53 the area of 621 East 700 North and 710 North 600 East. She requested that residential
54 parking be retained on 700 North from 600 East to 640 East on the North side of the road.
55 She provided a map to the Council indicating where her rentals are located and the
56 requested parking for this area.

57

58 Logan resident Gail Yost addressed the Council and said she is very concerned about the
59 proposed Garden Park Apartment Project on 100 East. She feels the project needs to be
60 placed in an area where it will be appreciated or downscaled so it will fit with the existing
61 neighborhood. The Council should understand they represent neighborhoods and not
62 developers. She also wants the Council to control growth and to keep Logan a place
63 where we all want to live.

64

65 Steve Jensen, Utah State University Representative of Housing, Dining and Parking
66 addressed the Council. He said it's not the role of USU to provide parking for private
67 businesses. He asked that the Planning and Zoning Department make sure that parking is
68 part of the planning when new development is built near the University and the burden
69 should be on the developer.

70

71 Logan resident Bill Bower addressed the Council and announced that Smith's grocery
72 store on 400 North is having a re-grand opening tomorrow. He said Smith's is a very
73 good business and has excellent customer service.

74

75 Logan resident April Mortensen addressed the Council. She lives at 200 South 100 East
76 and she said the neighborhood is not against development but would like to see changes
77 made to the proposed Garden Park Apartment Project. She indicated there are traffic
78 concerns on 100 East which was mentioned by Councilmember Herm Olsen when he ran
79 for office two years ago. Ms. Mortensen commended Chairman Holly Daines for doing
80 research on the Council and her work to acquire park space on Cliffside. She would also
81 like the Council to consider the Garff Garden Park area located on 100 East and how the
82 proposed project will impact this area and the residents would like to keep the green
83 space. She feels that more density will destabilize the neighborhood. She also feels the
84 Council should consider the broad base of opposition in regards to this project and it will
85 have a negative impact and affect property values.

86

87 Adam's Neighborhood resident Ted Nyman addressed the Council and thanked them for
88 taking the time to listen to the concerns of the Adam's Neighborhood in regards to
89 parking. He asked the Council to consider extending the on-street parking restrictions in
90 the area that has been proposed and he feels it will make a big difference. He also
91 requested that the City take care of the intersection marking in the high density areas so
92 cars aren't parking near intersections or stop signs. He also said enforcement is very
93 important in these high density areas and is a great way to educate people on where they
94 can and can't park.

95 Logan resident Brian Seamons addressed the Council. He owns apartments on 600 East
96 and is a general contractor. In regards to the project on 100 East he asked can Mr. Cragun
97 actually complete this project and will it be what is proposed. Mr. Cragun is asking a lot
98 and he feels the City should require some kind of assurance that the project will be as
99 presented.

100

101 Logan resident Derek Sudweek addressed the Council. He is a working professional and
102 does not attend school at USU but he feels we should not punish the students who have
103 vehicles but rather those who are building these projects and are not providing enough
104 parking.

105

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

107

108 **MAYOR/STAFF REPORTS:**

109

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

111

112 Mayor Petersen gave a report on the following:

113

- 114 1. The job announcement for a new Library Director was posted last week and the
115 deadline is June 2, 2017.
- 116
- 117 2. The process of selecting a new Fire Chief continues. Two candidates will be
118 brought in for interviews next week.
- 119
- 120 3. Community Gardens are now available and this year's they include raised beds
121 and better soil.
- 122
- 123 4. Flooding continues to be a concern. Eight hundred feet of four foot "muscle wall"
124 has been placed along the golf course. Sandbags have been provided to residents
125 along the river and it is anticipated that high river flows during Memorial Day
126 weekend may be a problem.
- 127
- 128 5. Electric Power Systems, is locating their business in Logan at the airport. Mayor
129 Petersen thanked Economic Development Director Kirk Jensen for his effective
130 efforts in recruiting this company to Logan.
- 131
- 132 6. An employee appreciation lunch will be held on Monday, June 12 beginning at
133 11:30 a.m. at the Golf Course Clubhouse. Council members are invited to attend.
- 134
- 135 7. The Annual Torch Run will be held on Friday, May 19 at 9:00 a.m. The event is
136 sponsored by law enforcement to promote Special Olympic athletes. The route is
137 Walmart to Walmart along Main Street. Council members are invited to
138 participate.
- 139

140

140

141 8. Bike with the Mayor will also be held Friday, May 19 at 10:00 a.m. Council
142 members are invited.

143

144 **COUNCIL BUSINESS:**

145

146 **Candidate Filing – Teresa Harris, City Recorder**

147

148 City Recorder Teresa Harris announced that candidate filing begins June 1 and will go
149 until June 7. Those interested in running for Mayor or Council will need to file in person
150 with the City Recorder.

151

152 **Joint Meeting: Logan Municipal Council and Logan Planning Commission –**
153 **Chairman Daines**

154

155 Chairman Daines announced that a joint meeting with the Logan Municipal Council and
156 the Logan Planning Commission is scheduled on Tuesday, May 23, 2017 at 5:30 p.m. in
157 the Logan City Hall Conference Room, 290 North 100 West Logan, Utah. The public is
158 invited to attend.

159

160 **Update: Adams Neighborhood Parking Issues – Councilmember Jeannie Simmonds**

161

162 Councilmember Jeannie Simmonds thanked everyone involved on the parking
163 committee. The committee recommended that restrictions be made from midnight to 2:30
164 a.m. and parking permits be required as either a daytime student parking permit or other
165 type of permit. In addition, the committee would like to ask Public Works to look at all
166 intersections in the area and make sure they are red striped in front of fire hydrants and
167 stop signs. There are no parking restrictions in June or July. The committee will move
168 forward and propose an agreement/resolution. It will be presented to the Council at the
169 June 6, 2017 Council meeting and a public hearing will also be held.

170

171 Chairman Daines announced that a meeting with Qualtrics has been scheduled on Friday,
172 June 2 at 10:30 a.m. Councilmember Simmonds and Chairman Daines plan to attend.

173

174 No further Council business items discussed at this time.

175

176 **ACTION ITEMS:**

177

178 **PUBLIC HEARING – Logan City Budget Transfers Fiscal Year 2018**

179

180 Logan Finance Director Richard Anderson addressed the Council and explained the
181 proposed Budget Transfers for Fiscal Year 2018.

182

183

FY 2018 Transfers

184

185 A transfer is the movement of cash or other resources from one fund to another. Logan
186 City has utilized transfers from enterprise funds as a General Fund financing mechanism
187 for many years. If budgeted and planned for correctly, transfers from enterprise funds can

188 help to defray the cost of services such as public safety, public works, parks and
 189 recreation and general governmental services, and consequently, keep property taxes low.
 190 But for transfers, Logan City would either have to raise property taxes significantly or cut
 191 services significantly. Where private sector utility companies are in business to provide a
 192 return on investment to its shareholders, Logan City's shareholders, its taxpayers and
 193 citizens, receive this return on investment as a transfer to the General Fund.
 194

195 The transfer from the Environmental Health Fund to the 911 Fund is composed of the
 196 garbage can fees used to fund the 911 system and radio equipment. The transfer is simply
 197 the legal justification used to obtain the funding needed for the 911 system.
 198

199 Administrative fees are not the same as transfers. While transfers are a movement of cash
 200 or resources without compensation, administrative fees are charges for centralized
 201 services provided by the general fund to the other funds of the City. Such services include
 202 but are not limited to utility billing, accounting, payroll, legal, human resources, shops
 203 and garage, and facility management. Administrative fees are allocated by the finance
 204 department in a reasonable and rational manner.
 205

206 The following are the Fiscal Year 2018 transfers and administrative fees:
 207

Fund	Proposed Expenditures		Transfer	% of Expenditures	% of Admin Fees	% of Expenditures
	FY 2018	Transfer To				
Water & Sewer	10,570,981	General Fund	739,479	7.0%	1,210,936	11.5%
Sewer Treatment	6,015,000	General Fund	325,875	5.4%	200,023	3.3%
Electric	35,398,000	General Fund	2,821,440	8.0%	1,315,266	3.7%
Environmental Health	12,436,000	General Fund	927,280	7.5%	1,272,963	10.2%
Environmental Health	12,436,000	911 Fund	775,000	6.2%	-	0.0%
Golf Course	1,154,614	General Fund	-	0.0%	29,114	2.5%
Storm Water Management	2,281,478	General Fund	-	0.0%	452,465	19.8%

208
 209

210 Chairman Daines opened the meeting to a public hearing.

211

212 There were no comments and Chairman Daines closed the public hearing.

213

214 A public hearing for the proposed transfers will be held on June 20, 2017.

215

216 **PUBLIC HEARING - Budget Adjustment FY 2016-2017 appropriating: \$50,000 for**
 217 **a grant the Parks & Recreation Department received from the State of Utah to be**
 218 **used to support the Logan River Trail Rendezvous Park project; \$4,200 donated**
 219 **funds towards the Police Department banquet; \$30 donated funds to the Bridger**
 220 **Park Pickleball Complex – Resolution 17-20**

221

222 At the May 2, 2017 Council meeting, Finance Director Richard Anderson explained the
 223 proposed budget adjustments.

224

225 Chairman Daines opened the meeting to a public hearing.

226

227 Logan resident Bill Bower addressed the Council and said he is concerned about the
228 \$4,200 donation and feels the public should know where and who the funds are coming
229 from.

230
231 Mayor Petersen responded these are private donations.

232
233 City Attorney Kymber Housley said in this situation, such as the banquet, people can
234 make anonymous donations.

235
236 Logan Police Chief Gary Jensen responded there were several donors that stepped
237 forward and combined to make the \$4,200.

238
239 Mr. Housley also said that a GRAMA request can be made for the information.

240
241 There were no further comments and Chairman Daines closed the public hearing.

242
243 **ACTION.** Motion by Councilmember Olsen seconded by Councilmember Simmonds to
244 **approve Resolution 17-20** as presented. Motion carried unanimously.

245
246 *(Continued from April 18, 2017)* - **PUBLIC HEARING - Garden Park Apartments**
247 **Rezone – Consideration of a proposed rezone. Trent Cragun, authorized**
248 **agent/owner requests a rezone from Recreation (REC) and Traditional**
249 **Neighborhood Residential (NR-6) to Town Center (TC) for construction of a**
250 **129,330 SF 4-story, 123-unit apartment building on 2.7 acres from 115-169 South**
251 **100 East – Ordinance 17-05**

252
253 Community Development Director Mike DeSimone addressed the Council and said staff
254 is requesting that the Council continue the hearing and decision on Ordinance 17-05, to
255 the June 6, 2017 Council meeting.

256
257 The Council heard the request at their April 18, 2017 meeting and continued it to today to
258 allow for the applicant to meet with the neighborhood and work on a resubmittal to the
259 Design Review Permit for the project. A meeting was held with the neighborhood on
260 April 27, 2017. The applicant has been working on the resubmittal design documents for
261 the Planning Commission but was not able to meet the deadline for the project to be
262 noticed for the May 11, 2017 Planning Commission meeting. A resubmittal packet is
263 expected by May 9, 2017 so the project will be reviewed at the May 25, 2017 Planning
264 Commission meeting.

265
266 At the beginning of the meeting, the following action was taken to continue Ordinance
267 17-05.

268
269 **ACTION.** Motion by Councilmember Simmonds seconded by Vice Chairman Jensen to
270 **continue Ordinance 17-05, Garden Park Apartments Rezone to the June 6, 2017**
271 **Council meeting** as presented. Motion carried unanimously.

272
273

274 **WORKSHOP ITEMS:**

275
276 **Budget Adjustment FY 2016-2017 appropriating: \$11,100 funds from the State of**
277 **Utah CLEF Grant. This grant will be used to build collection development and**
278 **technology in the Logan Library – Resolution 17-24 – Richard Anderson, Finance**
279 **Director**

280
281 Finance Director Richard Anderson addressed the Council and explained the proposed
282 budget adjustment.

283
284 The proposed resolution will be an action item and public hearing at the June 6, 2017
285 Council meeting.

286
287 **CODE AMENDMENT – Consideration of a proposed ordinance amending**
288 **Chapters 5.02 and 5.16 of the Logan Municipal Code regarding Business Licenses**
289 **and Home Occupations – Ordinance 17-06 – Mike DeSimone, Community**
290 **Development Director**

291
292 Community Development Mike DeSimone addressed the Council regarding the proposed
293 amendments. He said the State Legislature adopted new rules regarding how local
294 municipalities may regulate home occupations (S.B. 81). He proposed criteria in 5.02.030
295 to determine whether a proposed home occupation type of activity will warrant licensing
296 or not. The proposed language is the following:

297
298 Chapter 5.02
BUSINESS LICENSE GENERAL PROVISIONS

299 5.02.030: EXEMPTIONS:

300 | A business license shall not be required for a business that is operated only occasionally
301 | and by an individual who is under 18 years of age. The Administrator will evaluate the
302 | size, frequency, duration, visibility, and seasonality of the proposed business to determine
303 | whether the proposed business is considered occasional.

304
305

306 **SECTION 2:**

307
308 Chapter 5.16
HOME OCCUPATIONS

309 5.16.040: LICENSE FEES:

310 | A license fee will not be charged for a home occupation unless the combined offsite
311 | impact of the home based business and the primary residential use materially exceeds the
312 | offsite impact of the primary residential use alone. License fees for licenses issued
313 pursuant to this chapter shall be the same as set forth in section 5.02.190 of this title.
314 (Prior Code 7-4-4)

315 Mayor Petersen said in reference to Section 5.16.040, he feels the language is not clear
316 and asked if the City is bound to that language or can we clarify in our own ordinance.

317
318 Mr. Housley said this language comes from State Code and suggested that we keep the
319 same language. The City can be more restrictive but we cannot be in conflict with State
320 law. Until we see the home occupation, it would be hard for the City to anticipate every
321 possible impact that would be greater than a single family home would be in that area.

322
323 The proposed ordinance will be an action item and public hearing at the June 6, 2017
324 Council meeting.

325
326 **Consideration of a proposed Amendment #1 to the Community Development Block**
327 **Grant (CDBG) Program Year 2016 Annual Action Plan for the City of Logan –**
328 **Resolution 17-18 – Aaron Smith, CDBG Coordinator**

329
330 CDBG Coordinator Aaron Smith addressed the Council regarding the proposed
331 Amendment. He explained that the CDBG Consolidated Plan for the City of Logan
332 dictates that substantial changes to activities within an Annual Action Plan, including
333 changes in the purpose, scope, location or beneficiaries of an activity, or changes which
334 exceed 50% or \$25,000, whoever is less, of the CDBG funding amount allocated to the
335 subrecipient in the approved Plan necessitate a Council amendment.

336
337 He further explained that high construction costs have stretched CDBG too thin in
338 regards to the following two projects:

339
340 300 South Sidewalk – Original Estimate \$350,000 – Construction Bid \$575,000
341 400 North Medians – Original Estimate \$360,000 – Construction Bid \$650,000

342
343 Amendment Overview - Delay the 400 North Medians due to high cost (eligible for
344 future CDBG funding). Reallocate funding to the 300 South Sidewalk project.
345 Unallocated CDBG funds are \$165,965.

346
347 The PY2016 Amendment – Cancel the 400 North Median Project - \$320,130 and Cancel
348 the 200 West 1600 North Sidewalk project (completed without CDBG funding) -
349 \$73,000.

350
351 The remaining \$165,965 remains unallocated and is proposed to allocate these funds to
352 projects in the next Annual Action Plan (July 2017).

353
354 The proposed resolution will be an action item and public hearing at the June 6, 2017
355 Council meeting.

356
357 **Consideration of a proposed Amendment #1 to the Community Development Block**
358 **Grant (CDBG) Program Year 2015 Annual Action Plan for the City of Logan –**
359 **Resolution 17-19 – Aaron Smith**

360

361 CDBG Coordinator Aaron Smith addressed the Council regarding the proposed
362 Amendment.

363

364 The PY2015 Amendment – Increase CDBG funding for the 300 South Sidewalk project
365 to \$494,474. Shovel ready project allows us to spend funds in a timely manner. Also,
366 cancel the Boulevard Sidewalk Project (completed without CDBG funds) - \$40,000.

367

368 The proposed resolution will be an action item and public hearing at the June 6, 2017
369 Council meeting.

370

371 **FY 2017-2018 BUDGET PRESENTATIONS:**

372

373 **Community Development – Mike DeSimone**

374

375 Mr. DeSimone addressed the Council and presented his proposed budget. His budget is
376 the same as last year and each year \$50,000 to \$100,000 is returned back to the General
377 Fund and they start with a new budget.

378

379 **Police – Chief Gary Jensen**

380

381 Chief Jensen addressed the Council and presented his proposed budget. He highlighted
382 rolling stock replacements which are one patrol car and two cars for the Investigations
383 Division. He explained this is the third year the police department is participating in a
384 program of owning unmarked police cars for detectives and administration. The total one
385 year cost for eight vehicles is \$6,728.

386

387 He said the most important thing to discuss tonight is parking enforcement. If the intent is
388 to provide 24 hour parking enforcement in the Hillcrest and Adams areas adjacent to
389 Utah State University, he will need to increase the parking enforcement salary account
390 by \$19,000 and benefits by \$1,500. Adding a single part-time employee would provide
391 30 hours of enforcement time per week to these areas during overnight hours. Likely, the
392 enforcement activities of new parking enforcement employees would offset the increase
393 through citation revenue.

394

395 Vice Chairman Jensen said booting can be done on public streets and he feels there is
396 some validity in considering this enforcement option in residential areas.

397

398 The Council agreed that parking enforcement costs should be added to the budget.

399

400 Finance Director Rich Anderson said he will add parking enforcement to the police
401 department budget.

402

403 **Fire – Interim Fire Chief Craig Humphreys**

404

405 Interim Fire Chief Craig Humphreys addressed the Council regarding the fire
406 department's proposed budget. He reported on patient transfers the fire department
407 provides to other medical facilities which are mostly to the Salt Lake City area. The fire

408 department is seeing an increase in behavioral health transfers as well. The fire
409 department has six ambulances so it's very difficult to keep ambulances in the City when
410 they are being used for transfers to Salt Lake. He stated that reimbursements for transfers
411 have increased by a small amount for medical transfers. A proposal was made to the
412 Cache County Emergency Management Services (CCEMS) and funds were approved to
413 hire two additional employees to help with transfers and will use Cache County
414 ambulances to help with the workload and wear and tear on the ambulances.

415

416 **Overview of the General Budgetary Issues – Richard Anderson**

417

418 Finance Director Richard Anderson said the final proposed budget will come before the
419 Council for approval on June 20, 2017.

420

421 **OTHER CONSIDERATIONS:**

422

423 Councilmember Olsen announced the Herald Journal and the Salt Lake Tribune reported
424 that Cache County has the dirtiest air in the nation. He requested that the next time the
425 Council meets with the Cache County Council that a discussion regarding air quality be
426 placed on the agenda.

427

428 Mr. Housley announced that a readoption in regards to the River Heights boundary
429 adjustment will come before the Council on June 6, 2017.

430

431 No further considerations were discussed.

432

433 **ADJOURN TO MEETING OF THE LOGAN REDEVELOPMENT AGENCY**

434

435 Chairman Daines welcomed those present. There were approximately 12 citizens in the
436 audience at the beginning of the RDA meeting.

437

438 **FY 2017-2018 BUDGET PRESENTATION:**

439

440 **Economic Development – Kirk Jensen**

441

442 Economic Development Director Kirk Jensen addressed the Council regarding his
443 proposed budget.

444

445 Goals for Fiscal Year 2018 are the following:

446

- 447 • Commence construction of a new library/community center
- 448 • Construction of the hotel and multifamily projects
- 449 • RFP for the continued redevelopment of the East side of the City Block
- 450 • Hosting of the 2017 Tour of Utah International Cycling Event
- 451 • Facilitation of additional downtown façade grant projects
- 452 • Facilitation of various development projects
- 453 • Continued execution of the Logan on the Edge marketing strategy

454 Chairman Daines asked do the Affordable Housing Reserve Funds have an expiration
455 date.

456

457 Mr. Housley responded that if we don't use the funds they will go back the Olene Walker
458 Fund. These funds come from different project areas so we don't have an exact date of
459 when the funds need to be used.

460

461 Councilmember Simmonds asked about the Professional and Technical Fund and the
462 budgeted amount adopted in 2017 was \$100,000 but all that has been spent at this time is
463 \$11,000.

464

465 Mr. Housley explained in the past we went to outside consultants to help form our project
466 areas and we have been doing that in-house for the last 3-4 years. That funding was kept
467 in the account because we were hiring outside consultants for various studies. It was kept
468 at a higher amount due to the Quayle Meadows housing project but the study on this
469 project was completed in-house.

470

471 Mr. Jensen added that this funding was also used for the branding project.

472

473 Mr. Housley said that under the new law, there is no requirement for blight studies to be
474 completed.

475

476 **ADJOURNED.** There being no further business to come before the Council, the meeting
477 of the Logan Municipal Council adjourned at 7:25 p.m.

478

479

480 Teresa Harris, City Recorder

481

482