

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, February 4, 2020 at 5:30 pm in the Logan City Municipal Council Chamber, 290 North 100 West, Logan, Utah. Chair Amy Z. Anderson conducting.

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

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

OPENING CEREMONY:

Milla Peterson, Boys and Girls Club Youth of the Year, gave the opening thought and led the audience in the pledge of allegiance.

Vice Chair Jensen suggested that because Mayor Young needs to leave for another meeting that item 8 A. an ordinance Prohibiting the Distribution of Disposable Plastic Bags be discussed before Questions and Comments for the Mayor and Council.

ACTION. Motion by Vice Chair Jensen seconded by Councilmember Bradfield to amend tonight's agenda. Motion carried unanimously.

Meeting Minutes. Minutes of the Council meeting held on January 21, 2020 were reviewed and approved with no changes.

ACTION. Motion by Councilmember Bradfield seconded by Councilmember M. Anderson to approve the January 21, 2020 minutes as presented. Motion carried unanimously.

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

Meeting Schedule. Chair A. Anderson announced that regular Council meetings are held the first and third Tuesdays of the month at 5:30 pm. The next regular Council meeting is Tuesday, February 18, 2020.

Consideration of an amendment to the effective date of an ordinance Enacting Title 8 Chapter 36 of the Logan Municipal Code Prohibiting the Distribution of Disposable Plastic Bags – Ordinance 20-02

Richmond Mayor Jeff Young addressed the Council regarding an ordinance Prohibiting the Distribution of Disposable Plastic Bags. He said this is an issue that is not just a city issue, but a countywide issue as well and also involves local businesses. Logan is

definitely a lot more progressive when it comes to recycling and the question is can, we come together and collectively work together.

Mayor Daines commented that Mayor Young went out and met with his constituents and tried hard to make things work and answer the questions that people were asking. She and Mayor Young both serve on the Solid Waste Advisory Board (SWAB) and the Board was a little surprised that suddenly Logan had gone ahead and adopted an ordinance. The Board felt they were moving in a good direction and were working to get everyone on the same page. Mayor Young has been actively out advocating to adopt a countywide Plastic Management Plan.

Mayor Young continued and said when Logan City adopted their ordinance, he received multiple phone calls from businesses who were confused. They felt there was mutual agreement with the direction of where things were going and collectively there would be a decision if we could do this together or not. None of the businesses want to come across that they don't support improving the environment. Mayor Young feels by working together makes for a better platform where it can then go forward to the State level.

Mayor Daines said the concern was over the process and the Board felt that adopting the ordinance went ahead of that process.

Mayor Young proposed that the ordinance take effect July 31, 2020 rather than April 22, 2020 to allow more time so it can be collectively supported by the entire County.

Councilmember M. Anderson asked Mayor Young about his impression on acceptance from the other communities in Cache County on this issue.

Mayor Young responded that in general the response was consistent across the board which is that a complete bag restriction is not favorable. The businesses want to be represented but want to do so in a way that is respectful, and he believes there is support from the business owners which will be in phases. He stated that former Councilmember Herm Olsen has stated there has been talk but no action and his biggest fear was this issue would be pushed down the road. The plan is for businesses to look at their own scenarios and to look at a charge mechanism for bags or a complete bag ban. The business owners want options.

Councilmember Simmonds stated the City Council approved a resolution for the Plastic Management Plan and if that did not happen then the Council would implement, and they adopted an ordinance Prohibiting the Distribution of Disposable Plastic Bags in Logan only.

Mayor Young said it was the Logan businesses that contacted him, and their biggest fear is they want to work on the Plan collectively and not single it out in only one city, which is Logan.

Mayor Daines added that the April 22, 2020 date did not give enough time for this to be accomplished.

Mayor Young stated with the extended date of July 31, 2020 it allows more time and does not feel forced. The concern was having more time to implement the Plastic Management Plan. He said they are still working on the implementation details for the businesses and buy in from the businesses is the majority of what needs to be accomplished. They are not able to govern this on a large-scale level and Logan is one of the few cities that has a mechanism in place to monitor this type of thing. The Board wants to show this is not a government push but a collective push by businesses, government and other agencies. Former Councilmember Herm Olsen is the one who put the year time period in place, the Board did not, and the Board said they will try and adhere to that time period.

Vice Chair Jensen complimented Mayor Young on the direction he is going. He reminded everyone that he voted against the compulsory ban and he feels the ban is having the effect that he felt it might with counter reaction against it. He would rather it be cooperative than compulsory where we move it along and a four-month delay is not going to change anything. He feels more will be accomplished by waiting the extra few months than remaining with the original April date.

Councilmember Simmonds commented that her hope is there is a resolution by July 31, and this is not postponed again.

Mayor Young responded there has been a lot of progress and that will continue. SWAB is an Advisory Committee that reports to Cache County and the County's feedback was immediately not positive in the current scenario and that is the reason that he felt it was important to attend tonight's meeting and request an extension. There is no intention to extend beyond the July 31, 2020 timeframe. The next SWAB meeting is February 26, 2020.

Councilmember M. Anderson said that as a retailer he does not oppose the bag ban, but he appreciates options rather than being told this is what you are going to do. He feels it will be very positive for a lot of businesses to participate and to look at this as an opportunity rather than an obstacle for their business.

Councilmember Bradfield commented that former Councilmember Herm Olsen still has his support that if the Plastic Waste Management Plan does not move forward that he still supports the plastic bag ban.

ACTION. Motion by Vice Chair Jensen seconded by Councilmember M. Anderson to adopt Ordinance 20-02 as amended changing the effective date from April 22, 2020 to July 31, 2020. Motion carried unanimously.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL:

Logan resident Keith Schnare gave a report from a recent Parking Appeals Board Meeting. He stated that most of the appeals were related to snow and residential parking. There is more than one type of permit for residential, snow and offsite parking and there is also more than one sign that states what the parking rules are in these locations. He said the City does not advertise the snow parking rules for people who travel from out of

town, so they are not aware of the parking restrictions. He said that very few appeals are dismissed. He added that 50% of Logan are rentals and because of past decisions made by former and present councilmembers there are parking problems and they are not going away. He feels the City needs to look at where they allow parking and how long parking is allowed at these locations because he feels much of the growth is rental and people are parking in the street which causes problems.

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

MAYOR/STAFF REPORTS:

Board Appointment – Mayor Daines

Mayor Daines asked the Council for ratification to appoint Bronwyn O'Hara to serve on the Historic Preservation Committee.

ACTION. Motion by Vice Chair Jensen seconded by Councilmember Simmonds to approve ratification of Bronwyn O'Hara as presented. Motion carried unanimously.

Logan/North Logan Fire Service – Chief Brad Hannig

Logan City Fire Chief Brad Hannig addressed the Council regarding an interlocal agreement with the Logan and North Logan Fire Service which, the Council will eventually need to approve. Over the last year Logan and North Logan have been in discussions to combine fire service and it has now developed to the point where the North Logan City Council have met and approved the negotiation process and are reviewing contracts and finances. The North Logan Council will meet and vote on a completed contract and it will then come to the Logan Municipal Council for review and consideration. Chief Hannig feels this will be a great relationship between Logan and North Logan Fire communities and it will bolster the service for both communities. It will also save the taxpayers money overall. This will be an individual contract with North Logan City for fire and EMS services.

Additional Employee and Restructuring of the Wastewater Collection Division – Cameron Draney, Water Wastewater Division Manager

Logan City Finance Director Richard Anderson commented the reason this is coming before the Council is a long-standing commitment to bring forward to the Council any additional full-time equivalent position in the City even though it can be done within the budget. It is anticipated this will be a longer-term position that will extend beyond this fiscal year.

Water Wastewater Division Manager Cameron Draney addressed the Council and stated that previous to 2013, the trend over many years in regard to sewer claims, was the City paid out which was not healthy for the City. In 2013 there was a change with the Sewer Foreman and through his hard work and the hard work of his crew, they were able to change that upward trend. In 2017-2019, the City paid zero in sewer claims so things

have changed dramatically for the better. They have been able to do this largely due to transitioning from reactionary sewer maintenance to preventative sewer maintenance. Mr. Draney also announced that the Water and Wastewater Department received a letter from the Environmental Protection Agency (EPA) stating that the City of Logan is now a Grade 4 Sewer Collection System which, is the highest level of classification. With the Grade 4 there are now even more stringent rules that must be followed and higher certification levels. Because of this he requested to both reorganize and to expand the sewer department. Funding for the position is in the existing budget.

Councilmember Bradfield asked if Human Resource Director Greg Cox had any input?

Mr. Draney responded that Mayor Daines and Finance Director Rich Anderson gave their approval.

Mayor Daines added this is a budgetary decision so once that is decided then Mr. Cox will be involved in the hiring for the new position.

Public Works Director Paul Lindardt indicated that he spoke to Human Resource Director Greg Cox who is aware of the new position.

The Councilmember's all gave a head nod to approve the request for an additional employee and to the restructuring in the Wastewater Collection Division.

No further items were presented.

COUNCIL BUSINESS:

Planning Commission Update – Councilmember Bradfield

Councilmember Bradfield reported that the Planning Commission met and continued a decision on the Future Land Use Plan. A proposed daycare was discussed, and the other item discussed was the L59 project on 100 East. The proponents of L59 will be reducing one story and two units so it will be a four-story building with 108 units. The L59 project was continued to February 13 where they will also present a parking plan. Also presented was a building design from USU Credit Union to be built on 1400 North.

Board/Committee Reports – Chair A. Anderson, Vice Chair Jensen and Councilmember Simmonds

Councilmember Simmonds reported that a ribbon cutting was held for the CVTD Loop Route and she feels this is very good addition to the community. She also attended an Airport Authority Board meeting where they discussed a runway resurfacing project and there is the potential of receiving grant funding for this project.

Vice Chair Jensen reported that RECAB will meet this Friday. He attended the recent Water/Wastewater and Stormwater Committee meeting and appreciates the proactive approach that Mr. Draney and his department are taking in regard to sewer maintenance. In regard to wastewater, one of the things that has been troubling for the City is the

infiltration into the sewer lines in the Island area where there is a lot of ground water and this water then has to be processed at the sewer plant. They are looking at ways to process this water so there is less infiltration. In regard to stormwater, there is a lot of snow this year and they are tracking the snowpack to determine the potential for spring flooding. A riverbank repair project will begin at the Logan River Golf Course. Vice Chair Jensen reported that the Cache Valley Center for the Arts has raised a lot of money and spent all but 1.3 million dollars. There is a pending façade project that will be completed in the Spring, winter art classes are being held and an art summit meeting will be held on March 25, 2020. There are two vacancies on the Golf Course Advisory Board, proposed names will be submitted to Mayor Daines and then to the Council for ratification. The Golf Course is increasing their revenue and reducing their expenditures. They are also looking for ways to increase sponsorship and will have a drone fly over the course which will give those interested in playing the course an idea of what the course looks like.

Chair A. Anderson reported on the recent CCEMS meeting and announced that an RFP went out and will be reviewed soon.

No further items were presented.

ACTION ITEMS:

PUBLIC HEARING – Budget Adjustment FY 2019-2020 appropriating: \$71,080 for wildland fire and fire standby reimbursements – Resolution 20-03

At the January 21, 2020 Council meeting, Finance Director Richard Anderson addressed the Council regarding the proposed budget adjustment.

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

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

ACTION. Motion by Councilmember Bradfield seconded by Councilmember Simmonds to approve Resolution 20-03 as presented. Motion carried unanimously.

PUBLIC HEARING – Proposed Impact Fee Facilities Plan for Water, Wastewater, Parks, Power and Transportation

City Attorney Kymber Housley addressed the Council regarding the proposed Impact Fee Facilities Plan for Water, Wastewater, Parks, Power and Transportation. He said the impact fees to be considered will be charged to new development and used to offset the cost of facilities to serve new development. These facilities may include water, sewer collection, sewer treatment, parks, power, fire, transportation and other infrastructure. The proposed impact fee facilities will be located within the City's current boundaries.

SUMMARY OF PROPOSED IMPACT FEES

The impact fees proposed in this analysis will be assessed within the Service Area. The table below illustrates the calculated impact fee for water, wastewater, parks, power, and transportation.

TABLE 1.1: IMPACT FEE PER UNIT

	Single Family Residential (per unit)		Multi-Family Residential (per unit)		Commercial/Retail (per 1,000 SF)		Office (per 1,000 SF)		Industrial (per 1,000 SF)	
	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing
Water*	2,293.00	1,738.00	2,293.00	1,738.00	2,293.00	1,738.00	2,293.00	1,738.00	2,293.00	1,738.00
Wastewater Collection*	203.00	884.00	203.00	884.00	203.00	884.00	203.00	884.00	203.00	884.00
Wastewater Treatment*	2,433.00	-	2,433.00	-	2,433.00	-	2,433.00	-	2,433.00	-
Parks	1,292.00	1,085.00	965.00	931.00	-	-	-	-	-	-
Power**	213.00	159.00	213.00	159.00	213.00	159.00	213.00	159.00	213.00	159.00
Fire***	-	55.66	-	55.66	-	43.35	-	43.35	-	43.35
Transportation	1,020.00	677.00	791.00	461.00	2,691.00	2,004.00	1,052.00	779.00	536.00	493.00
Total	\$7,454.00	\$4,598.66	\$6,898.00	\$4,228.66	\$7,833.00	\$4,828.35	\$6,194.00	\$3,603.35	\$5,678.00	\$3,317.35
% Change	62%		63%		62%		72%		71%	

* Fee is for 1 ERU based on water meter size. Larger water meters will be assessed a higher fee

** Fee is based on a peak demand of 3kW. Fee will increase as demand on the system increases

***While the City has plans to expand the capital facilities for fire service in the future, they are not committed to doing so in the next 6 years or any definitive timeline thereafter. Therefore, this impact fee has been removed from the fee schedule for the time being, with the understanding that it can be added back in at a later date, when specific plans for additional stations are available.

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

Logan resident Gail Yost addressed the Council and asked if the proposed impact fees will affect homeowners, rentals or owners of rental properties and how much are the proposed fees.

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

Mr. Housley responded that the proposed impact fees are for new development, current/existing homeowners are not affected. In regard to fees, the intent of tonight's hearing is only to consider the Facilities Plan and the Impact Fee Analysis. At the February 18, 2020 the specific proposed fees will be presented, and the proposed ordinance will be posted on the Logan City website for the public to review prior to the February 18 Council meeting. The fees will not be significantly different than what they are currently with the exception of the Sewer Treatment fees which, are fees that the State of Utah mandated the City pass to fund the financing of the Sewer Treatment Facility. This fee increase will be significant (\$2,400) but it only applies to new development and not current/existing homeowners. He added the impact fees are reviewed every six years.

Richard Anderson said as the Council reviews the Facilities Plan, particularly in water and wastewater collection, if staff is 100% sure that we need to do these projects then they will be included in the Plan and will be brought to Council. If staff is not sure then it will wait until the next impact study because to refund the funding would be very difficult. These are also very restricted funds for capital improvement and cannot be transferred to other accounts and must be used for new growth. He added this is not free money and we have to be committed to the projects 100%. It also might eliminate growth because our impact fees might encourage people to go elsewhere besides Logan, so we also need to be sensitive to that factor.

Mr. Housley commented that our impact fees are comparable to other communities. We are not the highest in the Cache Valley nor are we the lowest.

Mayor Daines commented that Logan Light & Power Director Mark Montgomery checked on the power impact fees, and Logan is comparable to other communities.

The proposed ordinance will be an action item and public hearing at the February 18, 2020 Council meeting.

WORKSHOP ITEMS:

Budget Adjustment FY 2019-2020 appropriating: \$69,605 funds received from the State of Utah for Alcohol Enforcement – Resolution 20-04 – Richard Anderson, Finance Director

Finance Director Richard Anderson addressed the Council regarding the proposed budget adjustment.

The proposed resolution will be an action item and public hearing at the February 18, 2020 Council meeting.

Consideration of a proposed ordinance amending Sections 9.12.290 and 9.12.300 of the Logan Municipal Code Regulating Public Intoxication and Drinking Alcohol in Public Places – Ordinance 20-01 – Chief Gary Jensen

Logan Police Chief Gary Jensen addressed the Council regarding the proposed ordinance. He stated the current terminology refers to “intoxicating liquor” and in court this language can and has been challenged. The proposed ordinance is to change the language from “intoxicating liquor” to “all alcoholic beverages”.

Councilmember Simmonds asked why a vacant lot is considered a public place.

Chief Jensen responded that drinking alcohol in a vacant lot has always been included in the code and is not new language.

The proposed ordinance will be an action item and public hearing at the February 18, 2020 Council meeting.

Consideration of a proposed adoption of the PY2020 Annual Action Plan – Mike DeSimone, Community Development Director

Community Development Director Mike DeSimone addressed the Council and presented the PY2020 Annual Action Plan. He said the Annual Action Plan defines funding allocations for 2020 CDBG funds based on priorities adopted in the 2019-2023 Consolidated Plan. Considerations are the following: Public Infrastructure and Facilities (Funding: 50% over five years), Nonprofit Service Support (Funding: 30% over 5 years) and Planning (Funding: 20% over five years).

Estimated funding allocation for 2020 - \$450,000
Priority 1 – Infrastructure - \$225,000 (50%)
Priority 2 – Nonprofit Services - \$315,000 (30%)
Priority 3 – Administration and Planning - \$90,000 (20%)

****All funding is subject to Congress passing a budget.**

PY2020 Timeline

February 18 – Public Hearing
February 19 – March 19 – Application Period
March 31 – Steering Committee Meeting
April 6 – May 5 – Public Comment Period
May 5 – Public Hearing and Adoption of 2020 Annual Action Plan

The proposed adoption of the PY2020 Annual Action Plan will be an action item and public hearing at the February 18, 2020 Council meeting.

No further workshop items were presented.

OTHER CONSIDERATIONS:

There were no further items considered by the Council.

ADJOURNED. There being no further business to come before the Council, the meeting adjourned at 6:50 pm.

Teresa Harris, City Recorder