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3 Minutes of the meeting of the Logan Municipal Council convened in regular
4 session on Tuesday, June 18, 2013 at 5:30 p.m. in the Logan City Municipal Council
5 Chamber, 290 North 100 West, Logan, Utah. Chairman Holly Daines conducting.
6

7 Council members present at the beginning of the meeting: Chairman Holly
8 Daines, Vice Chairman Tom Jensen, Councilmember Karl B. Ward, Councilmember
9 Herm Olsen and Councilmember Dean W. Quayle. Administration present: Mayor
10 Randy Watts, Public Works Director Mark Nielsen, City Attorney Kymber Housley and
11 City Recorder Teresa Harris.

12 13 **OPENING CEREMONY.**

14
15 Council Candidate Jess Bradfield gave the opening prayer and led the audience in the
16 pledge of allegiance.

17
18 Chairman Daines welcomed those present. There were approximately 10 citizens in the
19 audience at the beginning of the meeting.
20

21 **Meeting Minutes.** Minutes of the council meeting from June 4, 2013 were
22 reviewed and approved with minor changes. Chairman Daines requested that Ord. 13-43
23 that was postponed until the September 3, 2013 council meeting be renoticed and a
24 workshop held prior to a public hearing and action taking place.
25

26 **Meeting Agenda.** Chairman Daines announced there will be seven public
27 hearings at tonight's council meeting.
28

29 **Meeting Schedule.** Chairman Daines announced that regular council meetings
30 would be held the first and third Tuesdays of the month at 5:30 p.m. The next regular
31 council meeting is Tuesday, July 16, 2013. The July 2, 2013 council meeting has been
32 cancelled.
33

34 **QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL.**

35
36 No questions or comments for the Mayor or Council at tonight's meeting.
37

38 **MAYOR/ STAFF REPORTS.**

39 40 **Board Appointments.**

41
42 Mayor Randy Watts asked for ratification of the following to serve on the Fine Arts
43 Committee which, are three year terms:
44

45 *Jeannie Simmonds – Reappointment*

46 *Joe Needham – Reappointment*

47 *Andi Jorgensen – New Appointment*
48

49 **ACTION.** Motion by Vice Chairman Jensen seconded by Councilmember Ward to
50 **approve ratification** of Jeannie Simmonds, Joe Needham and Andi Jorgensen as
51 presented. Motion carried unanimously.

52

53 **Country Manor Subdivision – Mark Nielsen, Public Works Director.**

54

55 Public Works Director Mark Nielsen reviewed a proposal from residents in the Country
56 Manor Subdivision located in the Southwest area of Logan. Logan City is currently
57 working on the NRCS river project to improve future flood impacts and repairing historic
58 impacts from the flooding that occurred two years ago. He stated as part of the NRCS
59 project, there are 18 homes in the Country Manor Subdivision that have been identified
60 and will be purchased through the NRCS to allow a flood levy to be built to protect the
61 remaining homes from river flooding. The NRCS is providing 75% of the funding for the
62 entire project and 25% is a match from Logan City and Cache County. The cost of the
63 entire project is approximately 9 million dollars and the cost to purchase the 18 homes is
64 2 million dollars. There is a concern from the Country Manor Subdivision Home Owner's
65 Association (HOA) regarding utilities. They have some private utilities and private roads
66 but there are also public roads, public water and sewer lines. With this project, 26% of
67 the revenue base for the Homeowner's Association would be eliminated.

68

69 Mr. Nielsen provided the council with a priority project list which shows and the Country
70 Manor project is five years away from being completed. He said there are other
71 alternatives for Country Manor such as applying for Logan City to take over their private
72 infrastructure which would reduce the burden to the HOA. He recognized Aaron Pyfer
73 who is the HOA President of Country Manor and is present at tonight's meeting.

74

75 Councilmember Olsen asked who is the developer of Country Manor and stated that he is
76 frustrated that the developer proposed to build in this area, Logan City approved it and
77 now Logan City is dealing with these problems.

78

79 Mayor Watts said the developer of the Country Manor Subdivision was Francis Giles.

80

81 Councilmember Ward said the Country Manor Subdivision is the reason we are moving
82 away from planned unit developments because they create problems and going forward
83 they should not be allowed.

84

85 Mr. Nielsen said the proposal from resident Tami Pyfer is for the City to purchase the
86 homes and will eliminate the need for private infrastructure. Also, there are two homes
87 that are at a low point and will be impacted even with a flood levy. The cost to take over
88 the utilities which is water and sewer would be approximately \$250,000. The roadway
89 would need to come up to current Logan City standards.

90

91 Councilmember Olsen suggested there could be a cost sharing agreement with the Home
92 Owner's Association to help with the infrastructure costs.

93

94 Chairman Daines said this request came from the Country Manor homeowner's and
95 Logan City is not recommending anything. From the City's prospective, once the federal

96 project is finished we would not do any additional work in this area. At this point the City
97 does not plan to do anything.

98
99 Country Manor Home Owner Association President Aaron Pyfer addressed the council
100 and thanked Logan City for their help with the flooding that has occurred in the past in
101 his neighborhood. The HOA does not feel that Logan City owes them anything and they
102 appreciate very much the relationship the residents have with Logan City. The HOA is
103 receiving some money for land in the open area and they plan to use this money to bring
104 the infrastructure up to City code. The residents of Country Manor are so grateful for
105 everything that has been done in their neighborhood and they recognize the City has gone
106 above and beyond to help them.

107
108 Councilmember Quayle asked how much has Logan City spent in the Country Manor
109 Subdivision to mitigate flooding.

110
111 Mr. Nielsen responded Logan City has helped the Country Manor Subdivision three
112 times over the past three years on significant flooding issues. Including labor and
113 equipment the cost to Logan City is approximately \$500,000.

114
115 Chairman Daines said the new levy should solve the flooding issue except for the high
116 ground water issues.

117
118 City Attorney Kymber Housley said regarding zoning, a home can be built in a flood
119 plain but would have to be at a higher building standard.

120
121 Mr. Nielsen stated the levy is going forward regardless and the NRCS will move ahead
122 and purchase the 18 homes.

123
124 Mr. Pyfer stated the HOA will take the money they received from the open spaces and
125 will put towards the infrastructure costs. They have received \$27,000 at this time.

126
127 Chairman Daines said the total cost of the project is estimated to be \$500,000.

128
129 Mr. Nielsen said we can wait to replace water and sewer, only replacing the road and
130 bringing it up to code. There are a lot of options to consider that can reduce the costs.

131
132 Chairman Daines asked the council if they want Mr. Nielsen to move forward and look at
133 helping with infrastructure costs for Country Manor. She isn't sure where we will find the
134 funding for this project, considering all of the other needs throughout the City. She
135 suggested that Mark Nielsen gather additional information and the council discuss this
136 further at the July 16 council meeting.

137
138 **COUNCIL BUSINESS.**

139
140 **Council Workshop: Wastewater Treatment Improvement Project.**

141
142 Chairman Daines announced that a Council Workshop will be held on Tuesday, June 25,
143 2013 beginning at 5:30 p.m. in the City Hall Conference Room, 290 North 100 West. The

144 topic will be the Wastewater Treatment Improvement Project. The public is invited to
145 attend.

146

147 **Sidewalk Priorities.**

148

149 Chairman Daines reviewed the Sidewalk Priority List that was given to each council
150 member. In the Public Works Budget there is \$200,000 for sidewalks and of that amount,
151 \$51,000 is proposed for allocation of new projects, \$49,000 allocated for additional
152 repairs, and \$100,000 reserved for Special Assessment Area matching funds.

153

154 Mr. Nielsen said there is funding in the Public Works budget for hazardous sidewalk
155 repairs that he would like to complete as soon as possible.

156

157 Vice Chairman Jensen feels this is as good compromise regarding the sidewalk repairs.

158

159 Councilmember Ward said priority areas for sidewalks to be completed/repared are in
160 areas where children are moving to and from school, sidewalks near the hospital and
161 areas near senior citizen housing.

162

163 Chairman Daines said she received a call from BRAG regarding sidewalk areas that need
164 repairs for wheelchair access.

165

166 **ACTION.** Motion by Councilmember Ward seconded by Councilmember Jensen to
167 **approve the Sidewalk Priority List** as presented. Motion carried unanimously.

168

169 **Committee Report: Cache County Emergency Medical Services (CCEMS) –**
170 **Councilmember Karl Ward.**

171

172 Councilmember Ward gave a background of CCEMS and said the CCEMS board
173 consists of two members from the County Council and two members from the City
174 Council, which at this time are himself and Councilmember Olsen. The purpose of
175 CCEMS is to coordinate and share emergency medical service resources and to provide
176 sufficient coverage and response times to those living in Cache County.

177

178 Logan City Fire Chief Jeff Peterson addressed the council regarding CCEMS. He said
179 CCEMS started eight years and he is now in the process of renewing the contract with
180 CCEMS. The initial agreement still works today but two minor changes have been made.
181 First, the language regarding the first eight years of CCEMS has been removed because it
182 no longer applies. Second, they are rearranging the service areas and North Logan will be
183 placed under Chief Peterson. The biggest need at this time is to retrofit an ambulance for
184 bariatric patients to make them more comfortable when they are being transported. He
185 will be asking CCEMS for \$28,000 to retrofit an ambulance for this purpose. He reported
186 that the new fire station located by the Logan River Golf Course is doing well. The
187 response times have come down in that area and the personnel working at that location
188 enjoy it very much.

189

190 Councilmember Ward said the reimbursement rate to the City is adequate for the costs
191 and the CCEMS board has been willing to make things whole. He said this is an excellent
192 organization that functions very well.

193

194 Councilmember Olsen said the CCEMS Board brings Logan City and Cache County
195 together and is a good example of a positive partnership working together for all citizens.

196

197 **ACTION ITEMS.**

198

199 **PUBLIC HEARING - Budget Adjustment FY 2012-2013 appropriating: \$75,000 for**
200 **the transfer of impact fees from the Water Fund to the Sewer Treatment Fund;**
201 **\$1,657 for funds awarded to the Police Department for bullet proof vest purchase;**
202 **\$8,912 funds awarded from the State of Utah State Library Grant for the purchase**
203 **of literacy computer stations designed to promote and enhance learning in children**
204 **ages 2-5; \$15,220 for the purchase of a police dog and related supplies – Resolution**
205 **13-44.**

206

207 Chairman Daines opened the meeting to a public hearing.

208

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

210

211 **ACTION.** Motion by Councilmember Quayle seconded by Councilmember Olsen to
212 **approve Res. 13-44** as presented. Motion carried unanimously.

213

214 **PUBLIC HEARING - Consideration of a proposed resolution approving Elected**
215 **Official's Wages FY 2013-2014 – Resolution 13-40.**

216

217 The proposed resolution is part of the budget process this is brought forward to the
218 council each year. There are no proposed changes to the mayor or council salaries for the
219 upcoming fiscal year.

220

221 Chairman Daines opened the meeting to a public hearing.

222

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

224

225 **ACTION.** Motion by Councilmember Olsen seconded by Councilmember Ward to
226 **approve Res. 13-40** as presented. Motion carried unanimously.

227

228 **PUBLIC HEARING - Consideration of a proposed resolution approving Member**
229 **Contributions to the Utah Retirement Systems Contributory Retirement Plan FY**
230 **2013-2014 – Resolution 13-41.**

231

232 The proposed resolution states that the City formally agrees to fund "pick-up" 100% of
233 the required member contribution for all eligible employees to contribute to the Utah
234 Retirement Systems Contributory Retirement Plan for the 2013-2014 Fiscal year effective
235 July 1, 2013 according to the applicable Utah Retirement Systems Retirement
236 Contribution Rates. The amount is 16.4% of the employee's salary.

237

238 Chairman Daines opened the meeting to a public hearing.

239

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

241

242 **ACTION.** Motion by Councilmember Ward seconded by Councilmember Quayle to
243 **approve Res. 13-41** as presented. Motion carried unanimously.

244

245 **PUBLIC HEARING – Consideration of a proposed resolution approving the**
246 **Revenues and Expenditure Budgets for FY 2013-2014 in the amount of \$129,141,787**
247 **– Resolution 13-45.**

248

249 Finance Director Richard Anderson addressed the council and stated the proposed budget
250 is presented as a balanced budget with projected revenues and requested expenditures in
251 the amount of \$129,141,787. The budget document on file in the office of the City of
252 Logan Director of Finance contains details of revenues and expenditures and is
253 considered to be part of the proposed resolution. There were a few minor changes to the
254 final amount: CDBG went up slightly from the estimate which changed the final amount,
255 property tax estimates were received June 8 and they went down from what was
256 originally estimated. The budget did not increase or change but rather funding was
257 reprioritized to accommodate the council's request for \$10,000 to go toward the purchase
258 and planting of additional trees.

259

260 Chairman Daines stated she talked with City Forester Joe Archer and requested that trees
261 be planted in major arterials areas. She also talked with Environmental Director Issa
262 Hamud and he agreed to rearrange his budget for the \$10,000. This did not increase the
263 budget.

264

265 Councilmember Ward feels it's important to mention that in the resolution it states, "The
266 budget is presented as a balanced budget".

267

268 Chairman Daines opened the meeting to a public hearing.

269

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

271

272 **ACTION.** Motion by Councilmember Ward seconded by Vice Chairman Jensen to
273 **approve Res. 13-45** as presented. Motion carried unanimously.

274

275 **PUBLIC HEARING – Consideration of a proposed resolution approving the**
276 **Certified Tax Rate for FY 2013-2014 – Resolution 13-46.**

277

278 Mr. Anderson stated the proposed 2013 adopted tax rate is 0.002247 and we are not
279 increasing our tax rate, our tax rate is actually decreasing because property values are
280 going up slightly. If someone's property taxes are going up it's not because of Logan City
281 but could be because of the School District or Cache County. We are not increasing the
282 tax rate this year but he feels this is something the Council should consider in the future.
283 Because we are not raising our tax rate our revenue is not going up which we can only do
284 for so long with the same amount. There hasn't been a tax rate increase since 2008.

285

286 Councilmember Olsen said the council should consider incremental property tax
287 increases more often so there is a more moderate approach and not a large increase all at
288 once. He feels we are at that point and should consider a tax rate in the near future.

289
290 Chairman Daines opened the meeting to a public hearing.

291
292 There were no public comments and Chairman Daines closed the public hearing.

293
294 **ACTION.** Motion by Councilmember Quayle seconded by Councilmember Olsen to
295 **approve Res. 13-46** as presented. Motion carried unanimously.

296
297 **PUBLIC HEARING - Consideration of a proposed ordinance amending the Land**
298 **Development Code regulations regarding exterior lighting, in particular; allow pole**
299 **heights in the Commercial Zone to increase from 18' to 32' maximum – Ordinance**
300 **13-42.**

301
302 At the June 4, 2013 council meeting, Planner Russ Holley explained the proposed
303 amendment is a staff initiated code amendment to Exterior Lighting of the Land
304 Development Code. The proposed amendment increases the height of freestanding light
305 poles from 18' to 32' which will result in fewer overall numbers of poles on projects
306 while providing adjacent residential zones with step-down transition height requirement.
307 With many commercial properties containing pole heights of 40', including the Cache
308 Valley Mall, Home Depot and Shopko, the proposed maximum height of 32' will keep
309 light fixtures at a relative lower height. With fewer amounts of poles needed, relative
310 lower heights, concealed source fixture requirements and unchanged light levels of 0.5-
311 4.0 foot candles, the negative impacts of exterior lighting including sky glow, reflective
312 glare, and excessive illumination will be minimized.

313
314 Staff recommends that the Planning Commission recommend approval to the Municipal
315 Council.

316
317 On May 23, 2013, the Planning Commission, by unanimous vote, recommended that the
318 Municipal Council approve a request to amend the Land Development Code to allow 32'
319 tall exterior light poles in commercial areas with 18' tall light poles on the perimeter
320 adjacent to residential zones and to allow 18' tall exterior light poles in residential zones
321 and limit building exterior light fixtures to 18' in height.

322
323 Chairman Daines said she is not comfortable with 18' light poles in single family
324 residential zones, she would consider them in high density areas.

325
326 Mr. Holly said the current standard is 12' for light poles. He indicated this would apply
327 mostly to multifamily zones where there is a large parking area and fewer higher poles
328 are better than lower poles.

329
330 Vice Chairman Jensen said he is also concerned about the 18' light poles in residential
331 zones.

332

333 Chairman Daines suggested a conditional use permit for those wanting a tennis court or
334 something else that would need a higher pole.

335
336 Councilmember Olsen said if there was a bedroom window in a residential zone on the
337 second floor next to a 18' light pole is that an impediment to the homeowner.

338
339 Mr. Holley responded in a single residential zone the 18' would be a scale issue and
340 would not work for this zone but in an apartment complex area the 18' pole would be
341 appropriate.

342
343 Vice Chairman Jensen said there is a timing issue with the AI's Sporting Good project
344 which this ordinance would affect. He suggested that Standard D in Exhibit A should be
345 reviewed further which states, *Freestanding luminaries on private property in residential*
346 *zones shall be no taller than 18 feet.* It is proposed that the 18' go back to 12' as
347 originally proposed at the June 4, 2013 council meeting.

348
349 Mr. Housley said this is only on private property and essentially the council could adopt
350 the proposed ordinance eliminating Standard D and Community Development can come
351 back to the council with another proposal for this particular Standard.

352
353 Chairman Daines opened the meeting to a public hearing as to the amended ordinance of
354 Exhibit A, Standard D to go back to the original 12' and Standard I to remain with the
355 original wording which states, *Exterior building lights affixed to buildings on street-front*
356 *elevations shall be mounted between 6' and 14' above adjacent grade.*

357
358 There were no public comments and Chairman Daines closed the public hearing.

359
360 **ACTION.** Motion by Vice Chairman Jensen seconded by Councilmember Ward to
361 **amend Ord. 13-42** as presented. Motion carried unanimously.

362
363 **WORKSHOP ITEM.**

364
365 **Budget Adjustment FY 2012-2013 appropriating: \$450,000 to cover unanticipated**
366 **medical costs in the Health Management Fund – Resolution 13-48 – Richard**
367 **Anderson.**

368
369 Mr. Anderson stated Logan City is quasi self insured, and it appears that our federally
370 required Cobra benefits went up over \$200,000 for the month of May due to a serious
371 medical event that occurred with a Cobra participant. The proposed budget adjustment
372 would adjust the medical budget up to \$450,000 to come from the reserves of that
373 internal service fund. Without this budget adjustment we could exceed the budget and
374 this is a "housekeeping" item to make sure that does not happen.

375
376 This will be an action item and public hearing at the June 25, 2013 council workshop.

377
378 **OTHER CONSIDERATIONS.**

379
380 No further considerations from the Mayor or Council.

381 **ADJOURN to meeting of the Logan Redevelopment Agency.**

382

383 **ACTION ITEM.**

384

385 **PUBLIC HEARING – Consideration of a proposed resolution approving the**

386 **Redevelopment Area Budget for FY 2013-2014 in the amount of \$4,371,097 –**

387 **Resolution 13-47 RDA.**

388

389 Chairman Daines opened the meeting to a public hearing.

390

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

392

393 **ACTION.** Motion by Councilmember Quayle seconded by Councilmember Olsen to

394 **approve Res. 13-47 RDA** as presented. Motion carried unanimously.

395

396 There being no further business to come before the council, meeting adjourned at 6:40

397 p.m.

398

399

400

401

Teresa Harris, City Recorder