

2
3 Minutes of the meeting of the Logan Municipal Council convened in regular
4 session on Tuesday, August 20, 2013 at 5:30 p.m. in the Logan City Municipal Council
5 Chamber, 290 North 100 West, Logan, Utah. Vice Chairman Tom Jensen conducting.
6

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

12
13 **OPENING CEREMONY.**

14
15 Kathy Chuoba from St. Thomas Aquinas gave the opening thought and led the audience
16 in the pledge of allegiance.

17
18 Vice Chairman Jensen welcomed those present. There were approximately 22 citizens in
19 the audience at the beginning of the meeting.
20

21 Vice Chairman Jensen welcomed Scout Troop 272 from the Logan Cache West Stake
22 who were in attendance at tonight's meeting.
23

24 **Meeting Minutes.** Minutes of the council meeting from August 6, 2013 were
25 reviewed and approved with minor changes.
26

27 Councilmember Quayle asked about pedestrian flags crossing 400 North 500 East and are
28 we going to move forward with placing the flags.
29

30 Logan City Public Works Director Mark Nielsen responded that UDOT probably won't
31 object as long as Logan City accepts the liability of the flags. He said if there is a painted
32 crosswalk at 400 North 500 East then UDOT will approve the flags.
33

34 Logan City Attorney Kymber Housley said this is an administrative decision and the
35 council can make the decision to place the flags at this location. He will work with Mark
36 Nielsen and City Engineer Bill Young on this issue.
37

38 Councilmember Olsen said he still supports the flags being placed at 400 North 500 East.
39

40 **Meeting Agenda.** Vice Chairman Jensen announced there will be eight public
41 hearings at tonight's council meeting.
42

43 **Meeting Schedule.** Vice Chairman Jensen announced that regular council
44 meetings would be held the first and third Tuesdays of the month at 5:30 p.m. The next
45 regular council meeting is Tuesday, September 3, 2013.
46
47
48

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

50

51 Country Manor and Logan resident Aaron Pyfer addressed the council regarding the
52 issues in his neighborhood. He thanked Logan City employees Lance Houser, Mark
53 Nielsen, Jed Al-Imari and others who have helped with flooding issues over the years and
54 he said everyone at the city has been very good to work with. He has nothing but the
55 utmost appreciation and admiration for Logan City employees and wants to reiterate the
56 positive impact they have made in the Country Manor neighborhood. He also thanked the
57 city council for their support.

58

59 Country Manor Home Owners Association President Casey Ringer addressed the council
60 and also thanked the council and Logan City employees for all the help given in his
61 neighborhood.

62

63 Country Manor resident Kristie Cooley thanked those who helped with the financial
64 issues regarding the Home Owner's Association in Country Manor. Everything went well
65 with the appraisals being completed and she also thanked the City for their help over the
66 last 17 years.

67

68 Logan resident Dallas Arnell, 500 North 373 East. He said regarding placing pedestrian
69 flags on 400 North, he feels the flag carriers are mostly empty because the flags go
70 missing. He doesn't think the flags are a permanent solution unless the flags are
71 continuously supplied. He suggested that a light be placed at this location rather than
72 flags and he does not feel the flags are a viable solution.

73

74 Logan resident and Council Candidate Jess Bradfield addressed the council regarding the
75 interim council position replacing Tom Jensen. He feels one thing the City has struggled
76 with is communication and he would like to see information regarding the interim
77 position posted on the City website, Twitter, Facebook and through other media sources.
78 He also addressed the issue that in the past the city council has refrained from taking
79 applications for an interim position from those who are currently running for office. He
80 feels this year is different and only two citizens were willing to file for the two open
81 council seats. He feels this requirement should be overlooked and the council should
82 consider allowing those candidates running for office to be allowed to submit an
83 application for the interim council seat.

84

85 **MAYOR/ STAFF REPORTS.**

86

87 **Proclamation: CROP Hunger Walk – Mayor Randy Watts and Kathy Chudoba,**
88 **Cache Community Connections.**

89

90 *Proclamation*
91 *CROP Hunger Walk Day*
92 *September 2013*

93

94

95

96 *WHEREAS, at the end of World War II many people wanted to share our country's*
97 *abundance with European war victims; and Church World Service and CROP's first*
98 *purpose was to gather wheat and other crops from U.S. farms for shipment to Europe;*
99 *and,*

100
101 *WHEREAS, today, locally-organized, Church World Service-sponsored CROP Hunger*
102 *Walks are an important part of community life for more than 2,000 towns and cities in*
103 *the United States, bringing together people of different faiths, diverse cultures, and all*
104 *age groups; and,*

105
106 *WHEREAS, in the last 15 years alone, CROP Hunger Walks have raised over \$200*
107 *million to bring help and hope to people in need around the world and in the U.S.; and,*

108
109 *WHEREAS, each year CROP Hunger Walks help more than 3,200 local food pantries,*
110 *food banks, and meal sites in the U.S. provide food to neighbors in need, including our*
111 *own Cache Community Food Pantry in Logan Utah.*

112
113 *WHEREAS, the Annual CROP Hunger Walk will be held on Saturday, September 28,*
114 *2013 to help our community become aware of and concerned about hunger and its*
115 *causes; and,*

116
117 *WHEREAS, the CROP Hunger Walk will raise funds to help stop hunger both locally*
118 *and globally;*

119
120 *NOW, THEREFORE, I, Randy Watts, Mayor of Logan, Utah and I, M. Lynn Lemon,*
121 *County Executive of Cache County, Utah, do hereby proclaim September 28, 2013 as*
122 ***CROP HUNGER WALK DAY IN Logan and Cache County, Utah** and do urge citizens*
123 *to support this CROP Hunger Walk.*

124
125 CROP representative Kathy Chudoba added that 25% of donations from the CROP Walk
126 will go to the Cache Valley Food Pantry and the remaining money will go towards
127 hunger issues locally and around the world.

128
129 **Canal Update – Mark Nielsen, Public Works Director.**

130
131 Logan City Public Works Director Mark Nielsen introduced Zan Murray, JUB
132 Engineering who gave an update on the canal project. Mr. Murray showed the council
133 and audience member's photographs of the canal project as it nears completion. The
134 project is due to be completed November 2013. Final contracts and paperwork will be
135 completed by February 2014. The project was completed one year ahead of schedule and
136 2 million dollars under budget.

137
138 Councilmember Olsen asked will the 2 million dollar under budget amount be translated
139 into any reduced contributions by the various municipalities.

140
141 Mr. Murray responded those savings will be translated into a reduced amount of cost
142 participation of the entire project.

143

144 Mr. Nielsen added the filling in of the canal was not originally part of the project, Logan
145 City will be providing 25% of the cost match and all of that will come from the savings
146 mentioned so Logan City will not get all of that money back.

147

148 Vice Chairman Jensen asked about seepage loss in the newly placed pipe.

149

150 Mr. Murray responded once the water gets inside the box culvert or in the diversion
151 structure there is no leakage in the pipe and it has been tested. They anticipated 40%
152 losses with 20% of that occurring between the point of diversion and 1500 North, that
153 amount has been reduced by half.

154

155 Mayor Watts complimented Mark Nielsen, MWH, Whitaker Construction and JUB
156 Engineering for the work that has been done on the canal project. Those involved have
157 been very patient and professional explaining the process of the project and answering
158 any and all questions from those citizens living in the canal project area. He feels this
159 project is aesthetically pleasing to look at and he is very happy with the outcome.

160

161 Mr. Murray added that water will be placed in the canal and they will be doing testing
162 beginning Tuesday, September 3, 2013.

163

164 Vice Chairman Jensen said he is impressed with how the entire project has been handled
165 and how well everyone has worked together.

166

167 **COUNCIL BUSINESS.**

168

169 **Process for appointing Interim Council Member to replace Tom Jensen – Kymber** 170 **Housley.**

171

172 City Attorney Kymber Housley explained the process of replacing Tom Jensen as he
173 resigns from his position on the City Council. In the past there was a different process to
174 fill an interim position and the law was changed in 2012 which took away the option of
175 any discussion of a midterm vacancy during a closed session. The law now states that any
176 discussion regarding a midterm council vacancy be held in a public meeting and all
177 applicant interviews should also take place in a public meeting. The interim appointment
178 is required to be published and the public meeting cannot be held any sooner than two
179 weeks after initial publication. The council can decide how much they want to advertise
180 the interim position. It does require that an interview of every eligible applicant take
181 place in a public meeting. It does not indicate how elaborate the interviews need to be,
182 that is something the council needs to decide. The council can also solicit comments from
183 the public on their decision. He recommends the council hold the interviews in a separate
184 meeting and not during a regular council meeting. He suggested that first notice be posted
185 this Friday, August 23, 2013 with an application deadline of Friday, September 6, 2013.
186 He said regarding those who can apply for the interim position, the council can make this
187 decision on who can apply including those who are currently running for office. The
188 applicant interviews and voting for who is selected must all be done publicly and cannot
189 be done in a closed session. All discussions regarding the selection must be done in a
190 public meeting. The council can create a short list if there are a large number of

191 applicants and can hold another public meeting to re-interview and make a selection from
192 a smaller number of applicants.

193

194 Mr. Housley recommended the council meet on Tuesday, September 10, 2013 in a public
195 meeting to conduct interviews of the applicants. The council can decide how they want to
196 conduct the interview process whether they give the applicants several minutes to speak
197 or have the applicant make a brief opening statement. The council can accept public
198 comment or they can also require the comments be made in writing. Each candidate will
199 need to attend the September 10, 2013 meeting.

200

201 Councilmember Ward suggested an application form be designed that can be attached to
202 a resume so there is consistency. He also expressed his concern about public voting on a
203 candidate for the interim position. He asked can it be a silent vote in front of the public.

204

205 Mr. Housley responded the statue does not allow for a silent vote and all interviews and
206 voting must be done in a public meeting. His legal advice is the council should make a
207 decision publicly. The mayor has no vote on the interim appointment. If there is a tie vote
208 then it can be handled with a coin toss.

209

210 Chairman Daines joined the meeting via telephone at this time.

211

212 **ACTION ITEMS.**

213

214 **PUBLIC HEARING - Budget Adjustment FY 2013-2014 appropriating: \$72,392 for**
215 **the 2013 RAPZ Tax Municipal Population Allocation for the 2013 Freedom Fire**
216 **event and 1800 South 100 West trail project; \$40,000 for the 2013 RAPZ Tax**
217 **Municipal Population Allocation for Phase Two Dog Park/Emergency Site; \$130,073**
218 **for the 21st Century Grant to support After School Programs in the Logan City**
219 **School District; \$12,000 for funds awarded to the Logan City Police Department**
220 **from the Internet Crimes Against Children (ICAC) Task Force of Utah; \$4,442 for**
221 **the State Asset Forfeiture Grant awarded for FY2014; \$8,649 reimbursement to the**
222 **Logan City Fire Department for the Wildflower Wildland Fire deployment –**
223 **Resolution 13-67.**

224

225 Vice Chairman Jensen opened the meeting to a public hearing.

226

227 There were no public comments and Vice Chairman Jensen closed the public hearing.

228

229 **ACTION.** Motion by Councilmember Ward seconded by Councilmember Olsen to
230 **approve Res. 13-67** as presented. Motion carried by roll call vote.

231

Ward: yes

232

Daines: yes

233

Quayle: yes

234

Olsen: yes

235

Jensen: yes

236

237 **PUBLIC HEARING - Budget Adjustment FY 2013-2014 appropriating: \$300,000**
238 **for the purchase of property to be used for a trail head and park property (20 acres**
239 **located at approximately 1500 South 1600 West in unincorporated Cache County.)**

240 **(\$134,700 to be used from existing Parks & Recreation Capital appropriation and**
241 **an additional \$300,000 to be seller financed over 3 years at 3% interest) –**
242 **Resolution 13-66.**
243

244 At the August 6, 2013 council meeting, Logan City Parks & Recreation Director Russ
245 Akina addressed the council regarding the proposed resolution. He stated that the Parks &
246 Recreation Department is seeking approval from the council to purchase land from willing
247 owner/seller, Val Egbert, located in unincorporated Cache County for the purpose of
248 public trail and park development. The location of the property is significant to future
249 trail plans to link the 1000 West Trail along the Logan River to yet-to-be developed City
250 park property located at 1900 West 600 South in Logan. This property contains twenty
251 (20) acres located at approximately 1500 South 1600 West in unincorporated Cache
252 County, and the property is currently maintained by the owner which is irrigated for hay
253 production as well as recreational use, and the property is located along the south bank of
254 the Logan River. The owner's purchase price for the property is \$20,000 per acre and
255 \$34,700 for the purchase of equipment currently used by the owner for maintenance of
256 the property which will continue to be used by the Department for maintenance of the
257 property.
258

259 It is proposed that payment of the land is to be spread over a four-year period beginning
260 this year (2013) with purchasing terms being agreeable to the owner, specifically includes
261 an initial payment upon council approval in the amount of \$134,700 from the Department
262 capital fund: \$100,000 for the first-year land purchase and \$34,700 for specific
263 maintenance equipment followed by subsequent payments in the amount of \$100,000
264 annually plus 3% interest payable in August 2014, 2015, and concluding with a final
265 payment in 2016.
266

267 Vice Chairman Jensen opened the meeting to a public hearing.
268

269 Kent Souter, President of the Logan River Blacksmith Fork Irrigation Company
270 addressed the council. The Irrigation Company currently has an irrigation system running
271 through the proposed property and adjacent to the property. The Irrigation Company is
272 not opposed to Logan City purchasing the property but they are concerned with liability
273 situations that could come with Logan City purchasing the property. They are a small,
274 nonprofit Irrigation Company and they have not had to worry about people being around
275 their head gates and weirs. They are also concerned about easements and having
276 easement access to the irrigation. They would like the City to consider doing a fencing
277 project to protect the City's property and also the Irrigation Company from future
278 problems. They do not have the funds to put in a fence and they would like the City to
279 consider the potential liability. Also, the road going into this property was a project that
280 Cache County completed when flood waters went through this area. This road is a critical
281 piece for high water levels so the water does not go into the canal system. He also asked
282 who will maintain this road and will the road be paved and maintained by Logan City. He
283 is not opposed to the sale of the property but feels the liability issues should be addressed.
284

285 Parks & Recreation Director Russ Akina responded he will meet with the Irrigation
286 Company regarding their concerns.
287

288 Mayor Watts said before the public is allowed into this area, the concerns from the
289 Irrigation Company will be addressed.

290
291 There were no further public comments and Vice Chairman Jensen closed the public
292 hearing.

293
294 **ACTION.** Motion by Councilmember Olsen seconded by Councilmember Quayle to
295 **approve Res. 13-66** as presented. Motion carried by roll call vote.

296 *Ward: yes*
297 *Daines: yes*
298 *Quayle: yes*
299 *Olsen: yes*
300 *Jensen: yes*

301
302 **PUBLIC HEARING - Consideration of a proposed ordinance amending Sections**
303 **17.13.040, 17.17.030, 17.21.040 and 17.45 of the Land Development Code regarding**
304 **Telecommunications Facilities – Ordinance 13-59.**

305
306 At the August 6, 2013 council meeting, Planner Russ Holley addressed the council
307 regarding the proposed ordinance. He stated the proposed amendments will better
308 consolidate wireless facilities and make them easier to manage and permit. Because
309 wireless telecommunication facilities are protected by federal laws, communities can not
310 entirely prohibit wireless facilities. These amendments create reasonable limitations and
311 design requirements that do not contradict federal laws and result in a proactive approach
312 that channels future facilities into areas away from large populations with less visual
313 value. By allowing taller poles in the industrial and commercial service zones and lower
314 poles in the industrial and commercial service zones and lower poles in the town center
315 and residential zones, it will result in visually less intrusive poles in areas of town that
316 have unique community characteristics and where people typically live. The additional
317 stealth requirements will result in more creative applications that blend with Logan's
318 unique characteristics.

319
320 Staff recommends that the Planning Commission recommend approval to the Municipal
321 Council for the proposed amendment to the Land Development Code.

322
323 On July 11, 2013, the Planning Commission, by unanimous vote, recommended that the
324 Municipal Council approve a request to amend the Land Development Code concerning
325 wireless and telecommunication facilities.

326
327 Vice Chairman Jensen opened the meeting to a public hearing.

328
329 There were no public comments and Vice Chairman Jensen closed the public hearing.

330
331 **ACTION.** Motion by Councilmember Quayle seconded by Councilmember Ward to
332 **adopt Ord. 13-59** as presented. Motion carried by roll call vote.

333 *Ward: yes*
334 *Daines: yes*
335 *Quayle: yes*
336 *Olsen: yes*
337 *Jensen: yes*

338 **PUBLIC HEARING - Consideration of a proposed ordinance repealing Ordinance**
339 **13-30; Section 17.37 of the Land Development Code to include new infill and flag lot**
340 **development standards – Ordinance 13-61.**

341

342 At the August 6, 2013 council meeting, Community Development Director Mike
343 DeSimone addressed the council regarding the proposed ordinance. He stated the
344 Planning Commission recommended a moratorium on new infill and flag lot
345 developments that has since been adopted by the Logan Municipal Council on May 20,
346 2013. The approach covered in Section 17.37.170 is to break residential infill into three
347 separate categories, each with its own unique set of standards (infill development creating
348 one additional lot; infill development creating two – eight lots; and, infill development
349 creating nine or more lots). The goal was to create larger lots with the smaller projects,
350 maintain existing setbacks, and require City road improvements on all infill larger than
351 one additional lot.

352

353 Mr. DeSimone said the proposed ordinance will encourage cooperation with the incentive
354 to build at the inner line base zone. They are responding to complaints against infill
355 where a home is backed up to another home that is behind them. They are also dealing
356 with a historic grid system that has half acres lots in the middle.

357

358 Vice Chairman Jensen opened the meeting to a public hearing.

359

360 Logan resident and Adams Neighborhood Chair Marilyn Griffin addressed the council.
361 She complimented the committee that worked tirelessly with this proposal. Regarding the
362 6,000 square ft. lot size, the Adams Neighborhood would like to see the lot size increased
363 and she would like the council to consider this in the future.

364

365 Councilmember Quayle asked does Logan City have very many 6,000 square ft. lots.

366

367 Mr. DeSimone responded that base zoning in Logan City is typically a 6,000 square ft.
368 lot. This is approximately .7 of a one acre lot size. The issue of lot size will be addressed
369 and brought before the council at a future meeting.

370

371 Councilmember Olsen said the notion of infilling and densifying within the City will
372 preserve open space and agricultural land outside the City.

373

374 Councilmember Quayle commented that we want to create a living area where people are
375 interested in buying a home and staying.

376

377 Mr. DeSimone said what is driving the proposed ordinance is infill and people want to
378 maximize their return. The infill projects his department is seeing are not well designed.

379

380 There were no further comments and Vice Chairman Jensen closed the public hearing.

381

382

383

384

385 **ACTION.** Motion by Councilmember Quayle seconded by Councilmember Ward to
386 **adopt Ord. 13-61** as presented. Motion carried by roll call vote.

387 *Ward: yes*
388 *Daines: yes*
389 *Quayle: yes*
390 *Olsen: yes*
391 *Jensen: yes*

392
393 **PUBLIC HEARING - Consideration of a proposed ordinance amending the Land**
394 **Development Code Section 17.60 to modify the administrative enforcement**
395 **provisions regarding civil fees – Ordinance 13-62.**

396
397 At the August 6, 2013 council meeting, Community Development Mike DeSimone
398 addressed the council regarding the proposed ordinance. He stated that based on council
399 direction, he is proposing to raise the Civil Penalty Fees from \$50.00 to \$100.00 to help
400 deter lack of compliance with provisions in the Land Development Code. The \$50 we are
401 charging now doesn't cover the costs of the time and energy to write an enforcement
402 order. His ultimate goal is compliance with what the law requires. The proposed increase
403 from \$50.00 to \$100.00 is a start.

404
405 Staff recommends that the Planning Commission recommend approval to the Municipal
406 Council for the following amendment to the Land Development Code: Chapters 17.60.

407
408 Vice Chairman Jensen opened the meeting to a public hearing.

409
410 There were no public comments and Vice Chairman Jensen closed the public hearing.

411
412 **ACTION.** Motion by Councilmember Olsen seconded by Councilmember Quayle to
413 **adopt Ord. 13-62** as presented. Motion carried by roll call vote.

414 *Ward: yes*
415 *Daines: yes*
416 *Quayle: yes*
417 *Olsen: yes*
418 *Jensen: yes*

419
420 **PUBLIC HEARING - Consideration of a proposed ordinance amending Section**
421 **17.46 and 17.27 of the Land Development Code to clarify the project review process**
422 **for Certificate of Appropriateness and Design Review in the Historic District –**
423 **Ordinance 13-63.**

424
425 At the August 6, 2013 council meeting, Community Development Director Mike
426 DeSimone addressed the council regarding the proposed amendment. He stated the
427 proposed amendments to the Land Development Code Chapter 17.27 is to clarify when a
428 Certificate of Appropriateness is required, when a formal design review is required and to
429 clean up the language and formatting in the Chapter. Also, to amend Table 17.46.020 to
430 include the Historic Preservation Commission and Certificate of Appropriateness in the
431 list of decision makers.

432
433 Staff recommends that the Planning Commission recommend approval to the Municipal
434 Council for the proposed amendments.

435 Vice Chairman Jensen opened the meeting to a public hearing.

436

437 There were no public comments and Vice Chairman Jensen closed the public hearing.

438

439 **ACTION.** Motion by Councilmember Quayle seconded by Councilmember Olsen to
440 **adopt Ord. 13-63** as presented. Motion carried by roll call vote.

441 *Ward: yes*

442 *Daines: yes*

443 *Quayle: yes*

444 *Olsen: yes*

445 *Jensen: yes*

446

447 **PUBLIC HEARING - Consideration of a proposed ordinance amending Sections**
448 **17.18 and 17.50 of the Land Development Code to clarify design standards in**
449 **commercial, industrial, mixed use and commercial service zones. The amendment**
450 **also clarifies Planning Commission review authority in the design review process –**
451 **Ordinance 13-64.**

452

453 At the August 6, 2013 council meeting, Community Development Director Mike
454 DeSimone addressed the council regarding the proposed amendment. He started this set
455 of proposed text amendments to the Land Development Code are categorized into two
456 parts. The first component of the amendment includes language in 17.18 and 17.50 which
457 should provide greater flexibility in the Design Review process for commercial and
458 industrial projects. The purpose of these modifications is to recognize that a written
459 standard does not necessarily take into consideration the circumstances unique to a site or
460 a previous decision, and may sometimes not fit as uniformly as we would like. It also
461 helps to formalize those decisions where the application of standards is potentially
462 unclear or conflicting. It is important to make sure all understands that the intent is to not
463 open the door “quasi-variances” where all standards are just thrown out nor open the door
464 for the inclusion of public clamor into the design review process. The sole purpose is to
465 give the Planning Commission enough discretion in applying seemingly competing or
466 conflicting standards to make the best decision possible based on the site conditions, the
467 code, the General Plan, and adequate and defensible findings.

468

469 The proposed amendment to Chapter 17.18.010.B to provide flexibility in applying
470 Chapter 17.18 standards to all commercial or industrial projects based on unique site
471 conditions. Amend Chapter 17.50.080.C.5 to provide flexibility in applying design
472 standards during the design review process provided specific findings are met.

473

474 The second component of the amendment is to clean-up some of the language in the
475 Commercial design standards to make it consistent with other parts of the Code and to
476 read easier. It also includes a specific reference to parking location in project design and
477 review. The base standard is to require the placement or parking to the side or rear of new
478 structures. In most, especially downtown, this design fits with the historical pattern of
479 development. In other situations, especially those involving more suburban types of
480 commercial development or commercial redevelopment, this standard can be a little more
481 challenging to implement. Changes to 17.18.010.D.4a provide some additional flexibility
482 to the Planning Commission to consider various factors when reviewing a project’s
483 design.

484 Staff recommends that the Planning Commission recommend approval to the Municipal
485 Council for the proposed amendments to the Land Development Code: Sections 17.18
486 and 17.50.

487
488 Vice Chairman Jensen opened the meeting to a public hearing.

489
490 There were no public comments and Vice Chairman Jensen closed the public hearing.

491
492 **ACTION.** Motion by Councilmember Ward seconded by Councilmember Quayle to
493 **adopt Ord. 13-64** as presented. Motion carried by roll call vote.

494 *Ward: yes*
495 *Daines: yes*
496 *Quayle: yes*
497 *Olsen: yes*
498 *Jensen: yes*

499
500 **PUBLIC HEARING - Consideration of a proposed code amendment and zone**
501 **change. Amend the Land Development Code Section 17.30 to add a Hospital**
502 **Overlay – Ordinance 13-65.**

503
504 At the August 6, 2012 council meeting, Community Development Mike DeSimone
505 addressed the council regarding the proposed ordinance. He stated the Hospital Overlay
506 Zone is intended to identify lands within the City that are appropriate for Regional
507 Medical Centers and/or Hospitals, and to promote quality design consistent with General
508 Plan policies and Land Development Code requirements by allowing for modifications to
509 the base zone's building height standards. The Hospital Overlay Zone may be applied to
510 any zone except the Neighborhood Residential Zones.

511
512 Staff recommends that the Planning Commission recommend approval to the Municipal
513 Council for the proposed amendment to the Land Development Code: Section 17.30.

514
515 Vice Chairman Jensen said he has concerns about the proposed height of 120'.

516
517 Mr. DeSimone responded the height transition standards will still apply.

518
519 Councilmember Ward said the current hospital project is only proposed to 80' and not
520 120'. He asked what is the reasoning for the proposed height of 120'. He said this will be
521 a very tall building for the surrounding neighborhood.

522
523 Mr. DeSimone responded it's anticipated that in the future there will be an addition to the
524 hospital. The proposed addition to the hospital at this time is on the southwest side of the
525 Budge Clinic.

526
527 Vice Chairman Jensen opened the meeting to a public hearing.

528
529 Logan resident and Adam Neighborhood Chair Marilyn Griffin addressed the council.
530 The feels the proposed 120' height is too high and the overlay should not be approved
531 because it will affect the neighborhood.

532

533 Logan resident Dennis Arnell said he seconds what Mrs. Griffin stated and he also feels
534 120' is too high.

535
536 There were no further public comments and Vice Chairman Jensen closed the public
537 hearing

538
539 Vice Chairman Jensen said the proposed ordinance is only specific to the hospital zone
540 and would not apply to other areas in Logan City.

541
542 Brandon McBride from Logan Regional Hospital said the existing Women's Center is
543 three stories with a penthouse for a total height of 60' feet.

544
545 Vice Chairman Jensen said he still has concerns about the 120' limit and he does not see
546 a compelling case for the height of 120'.

547
548 Adam Jensen from Intermountain Health Care addressed the council. He said yes, 120'
549 seems tall at this time but as they look at future growth of Logan and the capacity that
550 Logan Regional Hospital can handle they need to make plans now. The hospital site is
551 somewhat contained and looking at future needs the only way to build is to go vertical.
552 The current building being proposed is approximately 75' and is four stories.

553
554 Vice Chairman Jensen said it would seem to him that a 75' or 80' building is enough and
555 120' feet is too tall.

556
557 Councilmember Ward said he would be more comfortable adopting an ordinance that
558 impacts the future development of a site that is adjacent to residential neighborhood at
559 80' rather than 120'. He proposed the ordinance be amended to 80' rather than 120'.

560
561 **ACTION.** Motion by Councilmember Ward seconded by Chairman Daines to **amend**
562 **Ord. 13-65 from the proposed 120' to 80' maximum height allowed under the**
563 **Hospital Overlay Zone** as presented. Motion carried by roll call vote.

564 *Ward: yes*

565 *Daines: yes*

566 *Quayle: yes*

567 *Olsen: yes*

568 *Jensen: yes*

569

570 **WORKSHOP ITEMS.**

571

572 **Budget Adjustment FY 2013-2014 appropriating: \$88,749 funds for the State Task**
573 **Force Grant (SFTG). These funds will be used to investigate and prevent drug use;**
574 **\$10,000 for fire department equipment reserves for the purchase of a fire vehicle –**
575 **Resolution 13-68 – Richard Anderson, Finance Director.**

576

577 Finance Director Richard Anderson addressed the council and explained the proposed
578 budget adjustments.

579

580 This will be an action item and public hearing at the September 3, 2013 council meeting.

581

582 **Unspent Appropriations FY 2013 – Carry Forwards:**
583 **PUBLIC WORKS - \$156,728 for 200 East Improvements; \$6,276 for roof**
584 **consultant services; \$58,724 for funds to be combined with FY2014 funds for**
585 **roofing City Hall.**
586
587 **PARKS & RECREATION - \$2,198 for construction staking for 1000 West Trail;**
588 **\$11,804 for Rendezvous Park fencing.**
589
590 **WATER & SEWER - \$112,130 for Pressure Reducing Valve upgrades to Cache**
591 **Valley Mall and Cal Ranch; \$26,732 for Taskmaster Grinder; \$78,807 for the**
592 **River Park Well Project; \$18,310 for flow meters/pilot controls; \$180,582 for the**
593 **Smithfield Lift Station Phases 3 & 4; \$27,500 for the Providence Lift Station**
594 **vault installation; \$2,219,119 for the Smithfield Lift Station; \$2,944 for the**
595 **Smithfield Lift Station Geotechnical Services.**
596
597 **STORM WATER - \$144,324 for LC-4 Logan/Blacksmith Fork River debris**
598 **removal; \$177,682 for Total Flood Control Phase I Study.**
599
600 **ENVIRONMENTAL - \$6,187,909 for the Environmental Department Transfer**
601 **Station and Building.**
602
603 **INFORMATION TECHNOLOGY – \$40,000 for Document Management**
604 **Software.**
605
606 **Unspent Appropriations FY 2013 – Restricted:**
607 **PUBLIC WORKS - \$36,200 for Class C One-Way Couplet Study; \$881,916 for**
608 **Class C UDOT 200 East; \$315,000 for Class C Land purchase on 200 East.**
609
610 **POLICE DEPARTMENT - \$83,000 for Police Alcohol Enforcement.**
611
612 **Carry Forward of Capital Projects - \$2,602,291 for curb, gutter, sidewalk and**
613 **street improvements.**
614
615 **Carry Forward of Reimbursement Grants:**
616 **FEDERAL GRANTS - \$253,087 CDBG Grants; \$823 Youth Alcohol Grant #69;**
617 **\$13,006 Distracted Driving Grant #68; \$3,632,891 Logan River Dredging**
618 **(ARRA) #228.**
619
620 **STATE GRANTS - \$21,588 21st Century Grant #69.**
621
622 **MISC. GRANTS - \$3,100,000 County Road Tax Grant: 200 East, 450 North to**
623 **1250 North; \$330,410 RAPZ 1000 West Trail, Jones Park, Majestic Park, 1700**
624 **South Park, Bridger Park, Logan Canyon Trail, Bonneville Trail, Aquatic**
625 **Center; \$8,021 RAPZ 09 Deer Pen Property - Resolution 13-69 – Richard**
626 **Anderson.**
627
628
629

630 Finance Director Richard Anderson addressed the council and explained the proposed
631 Unspent Appropriations and Carry Forwards in fiscal year 2013.

632

633 Councilmember Quayle asked about the status of the one-way couplet study.

634

635 Public Works Director Mark Nielsen responded the one-way couplet study is still in
636 progress. In September 2013, he will present the public comments regarding the one-way
637 couplet to the council. He said there are pieces and phases that will be evaluated at that
638 time. The public meetings regarding the one-way couplets were well attended and there
639 was a lot of public comment.

640

641 The proposed resolution regarding the Unspent Appropriations and Carry Forwards will
642 be an action item and public hearing at the September 3, 2013 council meeting.

643

644 **Consideration of a proposed resolution approving the Program Year 2012**
645 **Consolidated Annual Performance and Evaluation Report (CAPER) in accordance**
646 **with the entitlement community requirements of the U.S. Department of Housing**
647 **and Urban Development (HUD) for the receipt of Community Development Block**
648 **Grant (CDBG) Funds – Resolution 13-60 – Mike DeSimone, Community**
649 **Development Director.**

650

651 Community Development Director Mike DeSimone addressed the council regarding the
652 proposed resolution. This is a required report that goes back to the U.S. Department of
653 Housing and Urban Development (HUD).

654

655 This will be an action item and public hearing at the September 3, 2013 council meeting.

656

657 **Consideration of a proposed zone change from Neighborhood Residential Core**
658 **(NRC) to Town Center (TC) at 142 West 200 North; TIN: 06-021-0021 – Resolution**
659 **13-43 – Amber Reeder, Planner.**

660

661 Vice Chairman Jensen announced that the applicant on the proposed zone change has
662 requested that this item be withdrawn from tonight's council agenda.

663

664 **Consideration of a proposal to complete the Logan City Trail from 1600 West to**
665 **First Dam in FY2015 – Russ Akina, Parks & Recreation Director.**

666

667 Parks & Recreation Director Russ Akina addressed the council regarding the proposal to
668 complete the Logan City Trail from 1600 West to First Dam in FY2015. The Trail
669 Completion Proposal is the following:

670

671 **Project**

| | | | |
|-----|---|--|---------|
| 672 | 1 | Canyon Road First Dam Section | 326,000 |
| 673 | 3 | Canyon Road Trail Design (625 E to USU Ropes Course) | 14,000 |
| 674 | 4 | Canyon Road Trailhead construction (625 E 400 N) | 40,000 |
| 675 | 5 | Canyon Road Trail construction (625 E 400 N to 1420 Canyon Road) | 344,875 |
| 676 | 6 | 1000 West Parking Lot (across from ICON) | 35,000 |
| 677 | 7 | Trail Crossing at Union Pacific & Hwy 89-91 | 100,000 |
| 678 | 9 | Rendezvous North design & construction | 70,000 |

| | | |
|-----|---|------------------|
| 679 | 2, 8, 19 Property Purchases | 410,000 |
| 680 | 10 Lundstrom Park trail completion | 45,000 |
| 681 | Other Landscape & Sidewalks by tunnels, trail kiosk signs | 35,000 |
| 682 | Other Complete section from Boulevard Trail to 400 North | 10,000 |
| 683 | Other Pay off property at 1600 West | 300,000 |
| 684 | TOTAL | 1,729,875 |

685

686 Mr. Akina said generally in the capital budget, which is approved by the council each
687 year, there is approximately \$355,000 to address capital needs in the Parks & Recreation
688 Department. There are always a lot of capital needs and he asked for direction from the
689 council on how they would like to proceed and how the trail completion proposal will be
690 funded in the future.

691

692 Councilmember Ward said one of his primary needs in order to evaluate this proposal is
693 to look at the entire capital project list and prioritize which is the most important and
694 which will be used by the most people. One of his concerns with the trail project itself is
695 trying to determine, other than they are nice to have, but is this a "need to have" and will
696 the majority of the population use the trail system. This is something he would like to
697 look at further and feels there are higher priorities for capital projects throughout the city
698 other than trails. Some of those projects would be a cemetery irrigation system and
699 cemetery road replacement.

700

701 Chairman Daines said we need to remember that the city has things such as the Logan
702 River Golf Course that is an option and can be used by a percentage of the population and
703 actually costs money to use. The trail system is something that any citizen can use free of
704 charge. It can be used by a wide cross section of the population and will also leverage
705 trail pieces we already have by connecting them together. By making connections we can
706 really increase usage of the trails. She received a couple of studies regarding trail use that
707 she will send to the council members. Again, she feels this is a recreation facility that will
708 have broad usage, is free to everyone and a benefit to Logan City. The trails can also be
709 used to attract new businesses.

710

711 Vice Chairman Jensen said trail connectivity is very important for it to all work tougher.

712

713 Logan City Finance Director Richard Anderson commented the way to fund the trails is a
714 loan from our capital projects fund. It would be repaid from a combination of impact fees
715 that we are collecting which would be approximately \$30,000 to \$75,000 per year and
716 capital money that the Parks & Recreation Department receives. We have designed those
717 capital projects funds for necessary infrastructure and have designated infrastructure as a
718 major concern for the city. Repaying those funds, sets a precedent for future council's
719 that money is set aside for the most critical capital projects. Trails are an important thing
720 to Logan City and are a nicety and not necessarily a need. Therefore, we can take the
721 funding for the trails from a loan and not take it out of the capital project fund.

722

723 Councilmember Olsen said he supports connecting the trails and feels we need to move
724 forward and connect the trails. He does have concerns about not moving so quickly that
725 we leave other important projects that also need funding.

726

727 Vice Chairman Jensen feels we need to balance the funding of capital needs.

728 Councilmember Quayle asked Mr. Akina if he would be willing to forgo other needs
729 within his department such as improvements at the cemetery and other areas.

730
731 Mr. Akina responded the council was given a list of cost estimates for the completion of
732 the trails. What the department receives in capital funding would not require the entire
733 allotment on an annual basis to be committed to the list the council has on the trail
734 completion project proposal. He feels it's prudent to have a cost estimate with the trail
735 proposal based on what could be done without having to commit the entire allotment.

736
737 Councilmember Ward said his major concern is the roads at the cemetery and the
738 irrigation system needs to be replaced. The cost for both of these would be approximately
739 one million dollars.

740
741 Mr. Akina said what is not included are other grant funds such as RAPZ tax which is not
742 included in the calculation the council received.

743
744 Councilmember Quayle said the concept is very good but he is not sure if we want to
745 sacrifice other capital projects to complete the trails.

746
747 **Consideration of a proposed rate adjustment for compost facility products – Carl**
748 **Francis, Environmental Department Landfill Manager.**

749
750 Carl Francis, Environmental Department Landfill Manager addressed the council. He said
751 the Green Waste Facility operations are currently subsidized by the Landfill and revenues
752 generated from the disposal of refuse. Although we have made significant strides in
753 diverting green waste materials from the landfill and promoting the sale of products that
754 are produced at the facility, it is the desire of the Environmental Department to continue
755 moving the Green Waste Facility towards financial sustainability. The more financially
756 sustainable a program is the more likely it will weather broader local and national
757 financial downturns. For this reason and with years of analyzing related product value the
758 proposal is to raise the fee on the products as follows:

759 **Existing Product Price Adjustment**

| <u>Product</u> | <u>Old Fee/yard</u> | <u>New Fee/yard</u> |
|------------------------|---------------------|---------------------|
| 760 Compost | \$17.00 | \$20.00 |
| 762 Premium Wood Chips | \$12.00 | \$15.00 |
| 763 Medium Wood Chips | \$10.00 | \$12.00 |
| 764 Fire Wood | \$5.000 | \$10.00/cord |

765
766 **New Product**

| <u>Product Type</u> | <u>Proposed Fee</u> |
|------------------------|---------------------|
| 768 Bagged Compost | \$1.50/bag |
| 769 Colored Wood Chips | \$30.00/yard |

770
771 Mr. Francis continued stating that last year he experimented with selling compost. They
772 sold 831 bags of compost in 2012. He would like to make bagged compost a permanent
773 part of the product list and sell it at \$1.50 per bag. He recognized the need to add to the
774 product list a wood chip that will hold its color and aesthetic appeal for a long period of
775 time. He proposed coloring some of the wood chips and selling them at \$30.00/yard. He

776 said the Green Waste Facility is a huge success in our ability to divert refuse from going
777 into the landfill.

778

779 Councilmember Ward said he has always had concerns with a government enterprise
780 competing with the private sector and is something we need to careful with. He feels the
781 proposed increase in fees will help cover our costs of providing the service and it also
782 puts our costs closer to the private sector. He supports the proposed increase and he also
783 supports the new colored chip product.

784

785 Councilmember Olsen asked does the proposed rates give us a break even on being
786 subsidized or avoid being subsidized by the landfill. Are we making money or are we
787 losing money with the proposed fee increase.

788

789 Mr. Francis responded the proposed fees and the revenue generated will not get us
790 anywhere close to a break even. But, there are a number of other things operationally that
791 the landfill is doing to come close. The idea behind the Green Waste Facility is to divert
792 materials from going into the landfill. He has not received any complaints from the
793 private sector about the landfill selling these materials.

794

795 Mr. Housley added that we do not go out and sell these materials in the market place. We
796 only sell at the landfill and no other locations. The items have to be priced right so they
797 don't go back in the landfill.

798

799 Mr. Francis said these products are commercially available. If he grinds a product, stock
800 piles it and it doesn't sell, there is State regulation that after two years it has to go back
801 into the landfill so it's in our best interest to sell the product. We can also consider
802 wholesaling unused items as it gets closer to the two years.

803

804 This will be an action item and public hearing at the September 17, 2013 council
805 meeting.

806

807 **OTHER CONSIDERATIONS.**

808

809 At the September 3, 2013 council meeting, Mark Nielsen will give an update on the 10th
810 West project.

811

812 **ADJOURN.**

813

814 There being no further business to come before the council, meeting adjourned at 7:35
815 p.m.

816

817

818

819

820

Teresa Harris, City Recorder