

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, September 19, 2017 at 5:30 p.m. in the Logan City Municipal Council Chamber, 290 North 100 West, Logan, Utah. Chairman Holly H. Daines conducting.

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

Chairman Daines welcomed those present. There were approximately 64 citizens in the audience at the beginning of the meeting.

OPENING CEREMONY:

Council Candidate Amy Anderson gave the opening prayer. The Logan Fire Department Honor Guard led the audience in the pledge of allegiance.

Meeting Minutes. Minutes of the Council meeting from September 5, 2017 were reviewed and approved with one change.

ACTION. Motion by Councilmember Olsen seconded by Councilmember Simmonds to **approve the September 5, 2017 minutes and approve tonight's agenda.** Motion carried unanimously.

Meeting Agenda. Chairman Daines announced there are four public hearings scheduled for tonight's Council meeting.

Meeting Schedule. Chairman Daines announced that regular Council meetings are held the first and third Tuesdays of the month at 5:30 p.m. The next regular Council meeting is Tuesday, October 3, 2017.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL:

Logan resident Amy Anderson invited the Council and public to attend an event on Friday, October 6 from 7:00 – 9:00 p.m. in the Logan Tabernacle. The Council of Mexico for Utah will be in Logan to meet with various business leaders, legislators regarding immigration issues. Mexican Consul Jose Borjon will speak at this event which is sponsored by Cache Community Connections.

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

MAYOR/STAFF REPORTS:

Updates on Projects/Issues – Mayor Craig Petersen

Mayor Petersen addressed the Council regarding the following Projects/Issues:

1. Construction - 1000 North from 600 East to 850 East construction will not impede traffic for the September 29 USU/BYU Game.
2. The pickleball courts at Bridger Park have been poured and must now cure for 30 days.
3. The decorative lights on the East side of South Main have been installed.
4. Logan City has been recognized by Governor Gary Herbert for its efforts in becoming idle free and the Governor has designated the 2017-2018 Winter Season as “Idle Free in Utah.”
5. There will be an Employee Appreciation Lunch on Monday, October 2 from 11:30 a.m. – 1:00 p.m. at the Logan River Golf Course. Council members are invited to attend.
6. The Council of Government (COG) met on Monday to hear road project presentations, a total of 11 requests were reviewed. Logan City submitted two proposals: a. Right-of-way acquisition for the 100 West project extending North from Highway 89/91 in the amount of \$725,000.

b. Road extension from 1000 West to 600 West on 1800 North and an improved, signalized intersection at 1800 North and 600 West in the amount of \$2.5 million dollars.

Oath of Office for Logan City Fire Chief Brad Hannig – Teresa Harris, City Recorder

City Recorder Teresa Harris gave the Oath of Office to newly appointed Logan City Fire Chief Brad Hannig.

Board Appointments (Land Use Appeals and Power Board) – Mayor Craig Petersen

Mayor Petersen asked for ratification of John Kerr (new appointment) to serve on the Land Use Appeals Board which is a five year term and Mike Taylor to serve on the Power Advisory Board which is a three year term.

ACTION. Motion by Vice Chairman Jensen seconded by Councilmember Simmonds to **approve ratification of John Kerr and Mike Taylor** as presented. Motion carried unanimously.

Library Update – Mayor Craig Petersen

Mayor Petersen announced the next two phases regarding the library are land acquisition which will be discussed at a future council meeting and the second phase is a process

called programming which involves citizen involvement to determine what should go into a new library. This process has started and a public meeting was held to gather input.

Library Director Karen Clark said the recent public meeting consisted of library consultants, architects and over 100 community members. Those attending talked about what they want to see, have and do in our new library. Those interested in providing additional input can go to library.loganutah.org.

Mayor Petersen thanked the Herald Journal and said they have been a wonderful partner in terms of articles written about the library. He also said there is a lot of enthusiasm and momentum regarding the library project and he is very pleased with how well attended the meetings have been.

Councilmember Olsen commented that he recently visited to the library in Henderson, North Carolina and said it was a beautiful. He feels a new library is an opportunity to make a statement for our community.

ULCT Conference Update – Mayor Petersen, Councilmember Simmonds and Vice Chairman Jensen

Mayor Petersen said that he, Councilmember Simmonds and Vice Chairman Jensen recently attended the Utah League of Cities and Towns Conference in Salt Lake. The new director of the ULCT is Cameron Diehl and Mayor Petersen feels he will do a great job as director.

Councilmember Simmonds commented that she too feels that Mr. Diehl will be a great asset to the ULCT. She also commented about the demographic presentation that the University of Utah made and what the State of Utah can anticipate between now and 2065, adding 100 residents per day. She really enjoyed the conference and felt it was worthwhile to attend.

Vice Chairman Jensen added the ULCT has been a great asset to Logan and have been a great legislative resource when there have been issues regarding Logan and Cache County. He was impressed with the presentations made by the Captain of Apollo 13. Also, presentations regarding density and accessory dwellings.

COUNCIL BUSINESS:

Planning Commission Update – Councilmember Simmonds

Councilmember Simmonds announced she was not able to attend the last Planning Commission meeting and there was only one agenda item regarding a proposed preschool.

Open & Public Meetings Act Update – Kymber Housley, City Attorney

Logan City Attorney Kymber Housley addressed the Council and gave an update on the Open and Public Meetings Act. He stated the Open and Public Meetings Act was enacted upon the premise that the state, its agencies, and its political subdivisions exist to aid in the conduct of the people's business. As such, a public body should deliberate and take action openly. The Open and Public Meetings Act requires that members of a public body be provided with annual training on the requirements of the Open and Public Meetings Act.

2017 Amendments to the Open and Public Meetings Act are the following:

S.B. 97 – Public Meeting Minutes Amendments – Allows a public body to satisfy a requirement that its minutes include the substance items discussed in the meeting by publishing minutes online that provide links to the recording for each matter discussed at the meeting. Modifies a provision relating to the availability of approved minutes and public materials that are available to the public at the meeting.

The definition of a meeting is a convening of a public body or a specified body with a quorum present to discuss, receive public comment about, or act upon a matter over which the public body or the specified body has jurisdiction or advisory power. A meeting does not include a chance or social gathering, a convening of a public body that has both legislative and executive responsibilities. The Council cannot deliberate as a body outside of a public meeting.

Mr. Housley said the main issue is whenever discussing Council business, do so in a public setting and not discuss Council business with more than two Councilmember's if not in a public setting. This also applies to electronic correspondence. Meeting does not mean a chance or social gathering but he advised the Council to err on the side of caution and when in doubt it should be noticed as a public meeting. More information regarding the Open and Public Meetings Act can be found in Utah Code Section 52-4-102.

Discussion regarding \$30,000 for BMX Park Design and \$60,000 for Pickleball Project – Chairman Daines

Chairman Daines stated that Mayor Petersen and Parks & Recreation Director Russ Akina requested that an allocation be made from the City's restricted fund (trails) for projects that are recreation but not necessarily trail projects. The reason for doing this is the Parks Department is able to get a number of RAPZ grants which will move the trail projects further along and they have seen significant progress. The request to the Council is to spend \$30,000 from the fund for a BMX Park Design and \$60,000 for the Pickleball Project. She expressed her support for the allocation of these two projects.

All councilmember's expressed their support of the allocation for the BMX Park Design and the Pickleball Project.

Calendar Item: Council Workshop with Power Board and RECAB, Tuesday, October 10, 2017, 5:30 p.m. Logan City Hall Conference Room – Chairman Daines

Chairman Daines announced that a Workshop will be held on Tuesday, October 10, 2017 at 5:30 p.m. in the Logan City Hall Conference Room. Topics to be discussed are the Small Scale Nuclear Reactor and the proposed RECAB Roadmap.

No further Council business items discussed at this time.

ACTION ITEMS:

***(Continued from September 5, 2017)* – PUBLIC HEARING – CODE AMENDMENT – Consideration of a proposed code amendment to the Logan Municipal Code Section 5.20 regarding Mobile Food Vendors – Ordinance 17-09**

At the September 5, 2017 Council meeting, Community Development Director Mike DeSimone addressed the Council regarding the proposed code amendment. He stated the State Legislature adopted new rules regarding how local municipalities may regulate and license mobile food vendors (food trucks) through S.B. 250. The Council initially workshopped this in June, and at that time, directed staff to notify all of the food trucks currently licensed in Logan of the pending changes. He presented the proposed changes:

- Distinguishes between a food truck and ice cream truck. Ice cream trucks drive around the neighborhoods selling prepackaged frozen product while food trucks move around to private property (and even public) selling made to order food.
- Changes the nature of the license from licensing a specific location to licensing a specific food truck/vehicle. This gives a food truck the flexibility to move around the City wherever they perceive a market to exist, provided they are licensed and have permission from the property owner. Also eliminates the maximum time to operate on one parcel per calendar year.
- Eliminates the requirement to provide a BCI background check when obtaining a license.
- Allows for the flexibility of licensing and inspections between jurisdictions. A food truck can be licensed in one jurisdiction and operate in another, provided it submits proof of licensing, health inspection and fire life/safety inspections.
- Clarifies the expectation that a mobile food vendor/food truck is temporary in nature and not a permanent fixture. The current Code (LMC 5.20) requires that a mobile food vendor shall not remain on-site overnight. The proposed Ordinance adds additional specificity to this requirement. We have not rigidly enforced this provision unless we receive complaints on a specific food truck or specific location.

The one issue that was raised during the June workshop revolved around whether we should require that food trucks be removed every night, or should they be allowed to remain parked onsite overnight. The Logan Municipal Code 5.20 was amended in July of

2013, and it already contains the requirement that food trucks are temporary in nature, and are not to remain overnight. We have merely included additional provisions into this proposed amendment that requires a food truck operator to inform the City on where the food truck would be moved to and where it would be cleaned, refueled, restocked and the waste water dumped.

Councilmember Olsen stated at the last meeting, he had an assignment to meet with Community Development Director Mike DeSimone and other stakeholders regarding Mobile Food Vendors and he was not able to have this meeting. He proposed this ordinance be continued.

Chairman Daines opened the meeting to a public hearing.

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

Vice Chairman Jensen commented that he noticed today there were semi trucks parked in the “Y” location to eat at the mobile food vendor who is parked in this area. He felt this was an unsafe situation with the trucks parked along the roadway.

ACTION. Motion by Councilmember Olsen seconded by Vice Chairman Jensen to **continue Ordinance 17-09 to the October 3, 2017 Council meeting as a public hearing and action item** as presented. Motion carried unanimously.

PUBLIC HEARING - Consideration of a proposed resolution of the City of Logan approving the Program Year (PY2016) Consolidated Annual Performance and Evaluation Report (CAPER) in accordance with the entitlement community requirements of the U.S. Department of Housing and Urban Development (HUD) for the receipt of Community Development Block Grant (CDBG) Funds – Resolution 17-41

At the September 5, 2017 Council meeting, CDBG Coordination Aaron Smith addressed the Council regarding the proposed resolution.

Infrastructure Projects during PY2016

- 1800 South Sidewalk - \$57,949.50
- Rendezvous Park Railroad Crossing - \$30,000
- 300 South Sidewalk - \$494,474 (awaiting final drawdown) Completed 9/1/2017

PY2016 Amendment 1

- Cancelled 400 North Median, 200 West 1700 North Sidewalk
- Applied funding to 300 South Sidewalk

PY2016 CAPER

Service Provide Projects during PY2016

- Whittier Center Windows Phase 1 - \$20,000
- Common Ground Roof - \$14,047
- Bridgerland Literacy - \$2,200
- The Logan Family Center (Family Information & Resource Center) - \$15,556.59

PY2016 Planning Projects

- Woodruff Plan – Ongoing, anticipated completion winter/spring 2018
- Access Mobility Plan – Ongoing, anticipated completion fall/winter 2017

Funding and Resources

PY2016 projects expenses to date

- \$103,631

PY2016 Projects Remaining

- \$170,749 – 300 South Sidewalk (Finished)
- \$48,000 – 400 East Center Sidewalk (Being October 1)

Other Program Year expenses during PY2016

- \$8,575 – PY2014 Neighborhood Infrastructure (500 North Sidewalk)
- \$57,949.50 – PY2015 1800 South Sidewalk
- \$30,000 – PY2015 Rendezvous Park Railroad Crossing

Chairman Daines opened the meeting to a public hearing.

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

ACTION. Motion by Councilmember Simmonds seconded by Councilmember Needham to **approve Resolution 17-41** as presented. Motion carried unanimously.

PUBLIC HEARING - Consideration of a proposed amendment to Subsection (C) to 8.04.045 of the Logan Municipal Code Regulating Recreational Fires – Ordinance 17-24

At the September 5, 2017 Council meeting, Acting Fire Chief Craig Humphreys addressed the Council regarding the proposed code amendment. He stated a discussion regarding recreational fires came about when a resident complained about their neighbor having recreational fires and felt it was harmful to the health of their children and other concerns. In 2010, the Council added Subsection (C) to Logan Municipal Code 8.04.045 Regulating Recreational Fires. He proposed the Council consider changing the Code to reference the Utah Division of Air Quality Index when determining whether a property owner is allowed to have a recreational fire.

A. Recreational fires, as defined by the International Fire Code and adopted by this Chapter, are prohibited when the Utah Clearing Index for Airshed #4 is below 500 or when the Utah Division of Air Quality air quality index (AQI) is other than “Good” for Cache County.

B. A property owner may not have or allow on their property more than 2 recreational fires per week.

Chairman Daines opened the meeting to a public hearing.

Logan resident David Welch addressed the Council and asked them to approve the proposed amendment.

Logan resident Michelle Welch thanked the Interim Logan City Fire Chief for making the proposed change to the ordinance and she asked the Council to approve.

Logan resident Leo Erickson also thanked the Interim Logan City Fire Chief and asked the Council to approve.

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

Vice Chairman Jensen suggested that the air quality indicator be posted on the Logan City website where it can be easily located.

ACTION. Motion by Councilmember Olsen seconded by Councilmember Simmonds to **adopt Ordinance 17-24** as presented. Motion carried unanimously.

PUBLIC HEARING - Budget Adjustment FY 2017-2018 appropriating: \$180 for donations received toward the Bridger Pickleball Project; \$78,836 for the State Task Force Grant the police department received to be used to reduce, prevent, and investigate drug use; \$2,984 for a grant the Communications Center was awarded for this fiscal year from the State of Utah. These funds will be used for certification, training, and continuing medical education for the Communication Center; \$5,000 funds HUD reallocated back to Logan City's CDBG Program – Resolution 17-42

At the September 5, 2017 Council meeting, Finance Director Richard Anderson addressed the Council regarding the proposed budget adjustments.

Chairman Daines opened the meeting to a public hearing.

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

ACTION. Motion by Councilmember Simmonds seconded by Councilmember Olsen to **approve Resolution 17-42** as presented. Motion carried unanimously

WORKSHOP ITEMS:

Budget Adjustment FY 2017-2018 appropriating: \$91,468 library funds for programming architectural services in anticipation of building a new library; \$12,000 for a grant the Police Department was awarded from the Internet Crimes Against Children (ICAC) Task Force of Utah; \$1,250 funds for a grant the Police Department received from the State of Utah to purchase and maintain drug task force equipment; \$2,600 fund for a grant for a grant the Police Department received from the State of Utah to purchase and maintain drug task force equipment – Resolution 17-45 – Richard Anderson, Finance Director

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

The proposed resolution will be an action item and public hearing at the October 3, 2017 Council meeting.

Consideration of a proposed resolution recommending a Preferred Alternative for improving the Traffic Flow at 1000 North and 1200 East – Resolution 17-46 – Mark Nielsen, Public Works Director

Logan City Public Works Director Mark Nielsen, Preston Stinger and Seishi Yamagata with Fehr & Peers addressed the Council regarding the proposed resolution. The offset intersection located at 1000 North and 1200 East has conflicts and challenges to both traffic flow and pedestrian crossings. Many alternatives to improve the situation have been discussed for several years. Utah State University and the City have studied the alternatives and how each will improve safety and traffic flow at this intersection. The following alternatives were evaluated in the analysis:

1. Ovalabout (oval-shaped one-lane roundabout)
2. Hi-T (northbound traffic is free flow, southbound traffic stops occasionally for eastbound left turns, eastbound left-turns use acceleration lane to merge into northbound traffic lane)
3. Roundabout on northern end and stop controlled on southern end with restricted westbound left-turns from 1000 North to 1200 East. This would be a one-lane roundabout.
4. 1000 North Realigned (assumes a 50/50 split in terms of land acquisition on the east and west side of 1200 East) with a signal

Mr. Nielsen said there is not a timetable for this intersection being completed and if USU were to participate it could happen sooner. The biggest issue USU will have is the property needed to make the improvements and the City will have the same concerns taking property from the cemetery. There was an extensive process going through an analysis of this property and the next step would be to determine how much property is needed.

Chairman Daines asked if there is a way to get information out to people who live on 1000 North regarding the proposed change to this intersection.

Mr. Nielsen responded that door hangers can be placed on those living in the affected area and by other means such as social media.

Councilmember Needham stated that he lived in this neighborhood for 15 years and he never felt there was a problem with traffic.

Councilmember Simmonds commented that when the housing development begins in the area of 1200 East 1400 North there will be more traffic along 1200 East and road improvements will most likely need to be made.

The proposed resolution will be an action item and public hearing at the October 17, 2017 Council meeting.

Consideration of a proposed resolution supporting one-time funding for the Utah Festival Opera and Musical Theatre (UFOMT) – Resolution 17-43 – Mayor Craig Petersen

Mayor Craig Petersen addressed the Council regarding the proposed resolution. He said it may not be hyperbole to suggest that this issue could be the most complex and controversial issue that the Council will deal with this year.

Mayor Petersen said he strongly believes that it's extremely important that the opera continue. He feels if it were to go away, there would be serious consequences to Logan and Cache Valley. There would be impacts to four hotels in the amount of \$250,000 lost per year. There would also be an impact to restaurant usage and the number of summer citizens coming to Logan would be diminished without the opera. We have spent a lot of time branding Logan City and not having the opera would have an impact on our image. There would also be an impact on our local citizens and their quality of life. This is a time sensitive issue and it deserves a fair hearing. He referred to the proposed resolution that each of the Council received and is a starting point for a more in depth discussion.

He continued stating that, the Utah Festival Opera and Musical Theatre (UFOMT) have, for 25 years provided a high quality summer cultural series which has a significant impact on summer hotel occupancy and restaurant utilization in Logan City. The UFOMT is an important factor for many Summer Citizens in deciding to live in Logan City during the summer and the continuance of UFOMT is important to the image of Logan City and the economic well-being of City businesses. The UFOMT is facing an immediate and serious cash flow problem and the future economic viability of UFOMT will require changes in operating procedures. One of the provisions listed is the Cache County Council would approve one-time funding of at least \$80,000. The County is uncomfortable being locked into a set amount and they will discuss further at their next County Council meeting. Mayor Petersen welcomed suggestions and changes from the Council at this time.

Mayor Petersen requested from Chairman Daines that members of the UFOMT Board and Michael Ballam be allowed to speak to this issue. They have also submitted a resolution and would like the Council to consider it as well.

Mayor Petersen asked the Council to consider supporting the UFOMT by providing them one-time funding in the amount of \$150,000 if the following conditions are met:

1. The UFOMT Board of Directors approves a balanced budget 2018 performance season that includes significant reductions in operating expenses.
2. The UFOMT Board of Directors approves changes in UFOMT bylaws that provide assurance of improved financial and operational policies.
3. The UFOMT Board of Directors develops a plan demonstrating long-term viability of the organization.
5. The Cache County Council approves one-time funding of at least \$80,000.

UFOMT Board Chairman Marc Ensign addressed the Council and stated the UFOMT Board along with Michael Ballam drafted a resolution as well. It captures the resolution presented by Mayor Petersen with the exception of the one-time contribution from Cache County. Mr. Ensign read the following:

Resolution of the Board of Directors of the Utah Festival Opera and Musical Theatre

WHEREAS: the Board of Directors of the Utah Festival Opera and Musical Theatre (UFOMT) desires to ensure the perpetuity of UFOMT so that it can continue to provide the many artistic, cultural, and economic benefits that it has provided for the past 25 years, and

WHEREAS: the Board and the organization's leadership team desire to continue to be good stewards of funds entrusted to the organization from patrons, donors, government and private organizations, and others, and

WHEREAS: the UFOMT is the major contributor to the \$31.3 million economic impact of the performing arts to the economy of Cache County (as reported by the 2015 economic impact study conducted by Americans for the Arts), and

WHEREAS: the company is very appreciative of past support from local government entities but is currently experiencing a temporary shortfall of cash needed to sustain operations, the Board approves making a request of \$150,000 from Logan City.

PURSUANT TO RECEIVING SAID FUNDS, THE BOARD RESOLVES TO CONTINUE TO PROVIDE LOCAL COMMUNITIES WITH A SUBSTANTIAL RETURN ON INVESTMENT AND IMPLEMENT THE FOLLOWING MEASURES:

- Approve the season of productions and associated balanced budget as proposed by founding General Director, Michael Ballam, and staff. These shows being:
 - The Barber of Seville
 - Into the Woods
 - The Secret Garden
 - Amazing Grace, and
 - You Are a Good Man, Charlie Brown (at the UTAH Theatre.)
- Make the UTAH Theatre available as community resource for both public and private events,
- Establish a special Endowment Committee of the Board (including Board members and interested members of the community and region) to pursue vigorously development of a \$5M endowment fund, the annual gains of which will be used to support company operations,
- Continue to seek increased patron attendance and support, especially from local residents

- Continue to seek increased financial support from government and private organizations, donors, and other sources,
- Request the Executive Committee develop (for subsequent Board approval) a “Continuity and Succession” plan that ensures that UFOMT will continue to have strong artistic and executive leadership for coming years and decades.
- Reinstate the monthly financial “Dashboard” that provides to the Board a summary of both current and future expected status of income and expenses,
- Request the Budget and Audit Committee of the Board provide quarterly reviews of income and expenses (both current and forecast) for the purpose of alerting the Board as soon as possible to unforeseen changes to future expected expenses or income,
- Include a representative designated by the Logan City Mayor and Cache County Executive to the UFOMT’s Budget and Audit Committee,
- Amend the UFOMT Bylaws to state that expenditures over \$10,000 and below \$100,000 be approved by both the Founding General Director and the Board Chairman (or his or her designee)

Mr. Ensign clarified that any expenditures over \$100,000 has to be approved by the Board.

Logan Finance Director Richard Anderson asked about the \$150,000 for operations and is that an annual request.

Mr. Ensign responded they would love to have \$150,000 as an annual amount but for now is just a one-time request. The \$150,000 is to fund a shortfall that occurred this year and is not an advance to help with expenses next year. He received a balanced budget from Mr. Ballam and his staff and the Board is in the process of reviewing the budget at this time which is their normal procedure.

Vice Chairman Jensen asked for more detailed information about the “shortfall” mentioned by Mr. Ensign.

Michael Ballam responded there were two donors whose bylaws changed and their financial situation was altered. With that happening there was less from development than the UFOMT hoped to have.

Councilmember Simmonds said she spent a lot of time reviewing the financial statements of the UFOMT. She believes the opera is important to the community and provides an amazing opportunity for Logan citizens and others who travel to Logan. She is concerned that the trend lines of the 2012-2016 audit, are heading downward. Although \$150,000 is not a lot of money to some people, she represents all of Logan and she feels it’s important

that we have transparency and that we understand we are not just putting a \$150,000 in a dike that is going to burst. Personally, she would like to have Logan City Finance Director Richard Anderson and someone from Cache County look through the financial situation of the UFOMT and to determine whether this is something that we can help with and really make a difference or if this is a larger concern that we need to address. She feels ticket sales are not going up, they are going down. Expenses are going up and she doesn't know how and if that can remain sustainable for the long term.

Mr. Ensign said in regards to the reference of declining tickets sales, the Board's information shows the opera company is growing and two of their best seasons were within the past four years. From what he has seen, sales are increasing; the opera company is thriving and growing. He said the last two years have not been their best years but prior to that they had three of their best years ever. He feels the long term trend is not downward and tickets sales are increasing.

Chairman Daines said Councilmember Simmonds has suggested that a task force be organized to look at the specific financial statements of the UFOMT.

Mr. Ensign suggested the Council also put together additional questions they might have and the Board will respond.

Chairman Daines said that in fairness to the Council, they need time to look at the financial information and to represent our taxpayers.

Councilmember Simmonds said she is not unwilling to support the opera; she just wants to make sure that the City is creating a scenario where the opera can succeed from this point forward. If this process takes time, she feels it's the Council's obligation to take the time needed to complete a full review.

City Finance Director Richard Anderson stated when Cache County Executive Craig Buttars came before the City Council he talked about RAPZ and Restaurant Tax. Those two taxes were passed in Cache Valley for the support of arts and tourism which are the very two things which the UFOMT brings into our Valley. He feels these are two perfect funding sources for the UFOMT entity. Mr. Buttars also mentioned at the same time, that the County is not interested in looking at their general fund budget and even mentioned that it would be "reckless" for them to do so. He also feels this is good advice for Logan City. He said, our general fund is where we pay for things such as public safety, public works, parks and recreation, in that order. We are underfunding in all of these areas which are supported by tax dollars, not RAPZ and Restaurant Tax. Mr. Anderson said he is very supportive of RAPZ and Restaurant Tax, but if we are looking beyond that, he would like to throw a lot of caution toward the Council. He stated that we do have 18% reserves in the general fund that we have fought for and we have ultra conservative and probably far too frugal than we should have been. We are not funding things such as the fire department restroom which, is only about 30 years past due for renovation. He feels we need to be very, very careful that we are not sending mixed messages to our citizenry as well as our own obligations that we are incurring in the departments mentioned. He feels that before we give any money, we have to make sure that whatever brought on these problems has been identified and then corrected. He knows there is a cash crunch

and we have to understand it. The UFOMT Board has offered some solutions in their resolution that he feels are very helpful. If the UFOMT can provide information to a designated group of people such as himself, Cameron Jensen from Cache County and others they can maybe review the information in four to six weeks.

Michael Ballam stated that every year the UFOMT has an audit completed by Cook, Martin and Poulsen and the Council and anyone else is welcome to that information.

Mr. Anderson responded that would be very important information but an audit only shows that you've spent and not necessarily what it was spent on or whether it was advisable. In his opinion, what they are looking for goes well beyond an audit and getting all the information and understanding where the problems are coming from.

Mr. Ballam stated they are not exactly problems and the UFOMT for 25 years has balanced their budget. He said they are not in that kind of trouble and they've had a shortfall from two donors and they hope to rectify the situation and move forward. He feels they are a very sound company.

Mr. Anderson said he has reviewed the audits and he has a lot more questions than he has answers. He referred to Note 18 in the 2016 Financial Statements which is the one that he is most concerned about. He said the language in Note 18 is the last thing that an auditor ever wants to see.

Councilmember Simmonds said the information provided by the UFOMT was good and she spent a lot of time reviewing it but there is no information for this current fiscal year.

Chairman Daines suggested that a group consisting of Richard Anderson, Cameron Jensen from Cache County and others meet and review the financial information from the UFOMT and then come back to the Council with their findings and recommendations.

Councilmember Simmonds said she feels this would be very helpful.

Councilmember Needham said he would like to help the opera in any way we can and it needs to be done sooner than later. He also thanked the Ballam Family and the UFOMT Board for their talents.

Mayor Petersen asked Mr. Ballam to explain the stipends that are paid to performers here in Logan relative to what they might receive elsewhere.

Mr. Ballam explained their expenditures are approximately half of what the Utah Opera spends and the UFOMT does four times as much. The performers are not coming to Logan for the money, they are coming because they believe in the vision we have here and they know they will have a wonderful experience. They are coming very far under the market price. They like Logan and what is being done at the UFOMT.

Vice Chairman Jensen said he loves the opera and appreciates what they do for the community. He also realizes that the Council has a responsibility to the citizens and feels we need to study this further.

Councilmember Olsen said he does not want to jeopardize the survivability of the opera and he is in favor of further financial review but asked about timing for the UFOMT.

Mr. Ballam said they are not comfortable announcing a 2018 season if they cannot be fiscally sound as they go into the next season. They are already months beyond what they have done before. They often fund this part of the season with advanced ticket sales which they do not have at this time. The longer they wait to announce a season, the more challenging it will be for them to meet their operational needs.

Mr. Ensign said mid October is their deadline to announce the 2018 Opera season.

Chairman Daines asked Mayor Petersen to talk with County Executive Craig Buttars and schedule a time for a group to meet and evaluate the financial situation of the UFOMT. This group will include Logan Finance Director Richard Anderson and Cache County Finance Director Cameron Jensen

The proposed resolution will be an action item and public hearing at the October 17, 2017 Council meeting.

OTHER CONSIDERATIONS:

ADJOURN TO MEETING OF THE LOGAN REDEVELOPMENT AGENCY

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

WORKSHOP ITEM:

Consideration of a proposed resolution approving Agency Assistance for the City of Logan’s Housing Rehabilitation Assistance Program, in an amount not to exceed \$40,000 – Resolution 44 RDA – Mike DeSimone, Community Development Director

Community Development Director Mike DeSimone addressed the Council regarding the proposed resolution. He stated the City of Logan Redevelopment Agency (hereinafter “Agency”) is authorized by U.C.A. §17C-1-411 and §17C-1-412 to use tax increment for affordable housing projects within Logan City. The Housing Rehabilitation Assistance Program, administered by the City of Logan’s Community Development Department, qualifies as affordable housing as defined by U.C.A. §11-38-102 (1), with said definition being adopted by the City of Logan in its Land Development Code §17.62 and by the Agency for the administration of its affordable housing funds.

The program provides grants of up to \$5,000 per eligible household, or exceeding \$5,000 when approved by the City’s Affordable Housing Committee, for minor home repairs, excluding repairs to and replacements of appliances and other unattached personal property, that if neglected, pose a potential health and safety threat, such as roof repairs, bathroom repairs, correction of faulty electrical systems, individual utility hook up repairs, which repairs are made to correct hazardous situations and to keep dwellings in a safe, livable condition. The program may also provide assistance for certain home

beautification projects on single family dwellings, such as siding repair, doors, windows, paint, etc., all which are designed to enhance the surrounding neighborhood.

The Economic Development Committee has reviewed the requested assistance and recommends its approval. He asked the Council to approve an allocation from the Agency's affordable housing reserves, in an amount not to exceed \$40,000, to provide funding for the City of Logan's Housing Rehabilitation Assistance Program, administered by the Community Development Department, to be used for emergency home repairs, livability upgrades, or rental conversion projects on existing, owner-occupied, single-family dwellings occupied by low-to-moderate income households. Grants to eligible households will not exceed \$5,000 unless approved by the Affordable Housing Committee.

The proposed resolution will be an action item and public hearing at the October 3, 2017 Council meeting

ADJOURNED. There being no further business to come before the Council, the meeting of the Logan Municipal Council adjourned at 7:30 p.m.

Teresa Harris, City Recorder