

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, January 7, 2014 at 5:30 p.m. in the Logan City Municipal Council Chamber, 290 North 100 West, Logan, Utah. Chairman Karl B. Ward conducting.

Council members present at the beginning of the meeting: Chairman Karl B. Ward, Vice-Chairman Jeannie F. Simmonds, Councilmember S. Eugene Needham, Councilmember Herm Olsen and Councilmember Holly H. Daines. Administration present: Mayor H. Craig Petersen, Finance Director Richard Anderson, Public Works Director Mark Nielsen, City Attorney Kymber Housley and City Recorder Teresa Harris.

OPENING CEREMONY.

The Logan City Police and Fire Honor Guard provided the flag ceremony and Logan Police Assistant Chief Jeff Curtis led the audience in the pledge of allegiance. Councilmember Olsen gave the opening thought and prayer.

Oath of Office. Judge David C. Marx administered the Oath of Office to Mayor Elect H. Craig Petersen, Council Member Elect S. Eugene Needham, and Council Member Holly H. Daines.

Chairman Ward welcomed those present. There were approximately 86 citizens in the audience at the beginning of the meeting.

Meeting Minutes. Minutes of the council meeting from December 3, 2013 were reviewed and approved with minor changes.

ACTION. Motion by Councilmember Olsen seconded by Vice Chairman Simmonds to **approve the December 3, 2013 minutes as amended and approve tonight's agenda.** Motion carried unanimously.

Meeting Agenda. Chairman Ward announced there will be three public hearings at tonight's council meeting.

Meeting Schedule. Chairman Ward announced that regular council meetings would be held the first and third Tuesdays of the month at 5:30 p.m. The next regular council meeting is Tuesday, January 21, 2014.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL.

Logan resident Shawn Bennell addressed the Council. He lives at 54 North 500 West and has lived in Logan for the past 8 years. He is a dog owner and as he walks his dog he has observed two dogs that have been tethered for the past two years. The two dogs have food, a dog house and straw to keep warm. He recently noticed that one of the dogs has a limp so he contacted the Logan City Animal Control and asked about the City ordinance regarding tethering. He was told by Animal Control there is currently no ordinance against tethering as long as the dogs have food and shelter. The current Logan ordinance

says the owners should provide humane care and he feels that tethering a dog should not be considered as humane care. He asked the Council if they would consider amending the ordinance to include tethering and said the Council can refer to online articles regarding tethering and how it can cause a dog to be more aggressive.

Chairman Ward thanked Mr. Bennell for his comments and said this issue will be referred to Logan City Police Chief Gary Jensen for further review.

Vice Chairman Simmonds said she received an email from Mr. Bennell regarding this issue and she will forward this email to the other council members.

Logan resident Rick Mayer addressed the Council. Mr. Mayer lives at 27 Canterbury Lane. He is very pleased to see the agenda item of the One-Way Couplet Study. He has traveled around the country and feels that one-way couplets address traffic concerns and he supports this moving forward.

No further comments from the audience.

MAYOR/ STAFF REPORTS.

Board Reappointments – Mayor Craig Petersen.

Mayor H. Craig Petersen asked the Council for ratification of the reappointment of Rod Hunter to serve on the Logan River Golf Advisory Board which is a three year term.

ACTION. Motion by Councilmember Olsen seconded by Councilmember Daines to **approve ratification** of Rod Hunter as presented. Motion carried unanimously.

Mayor Petersen addressed the Council and audience and said he is humbled and excited for the opportunity to be here tonight and has a deep and long standing commitment to Logan City. He feels this is an unusually competent City Council and he is looking forward to working together.

COUNCIL BUSINESS.

Air Quality Discussion – Josh Greer, Bear River Health Department.

Josh Greer from the Bear River Health Department addressed the Council regarding air quality issues. He said that air quality is a hot topic with the implementation of the new emissions program and the air quality we've currently been having. Official emission testing began January 1, 2014 and at this time 334 emissions tests have been completed. There are 39 stations that are set up and do the testing at this time. A lot of public education has been done leading up to the emissions testing program beginning this month. An Air Quality Summit was held in 2013 and speakers from around the State on air quality and health effects. He said emissions is the most talked about program but when it comes to air quality itself, its more than vehicles and there are a lot of other factors which the State of Utah defines as "area source". These include things such as wood burning stoves, auto refinishing shops and other related sources. In Cache County

all of these control strategies in an “area source” level estimate a reduction of 1,737 pounds per day and 165 pounds are direct PM2.5.

Councilmember Olsen said he was told that Cache County contributes to Box Elder air quality issues due to the meteorological component of the wind.

Mr. Greer responded that based on Randy Martin’s research that was completed at Utah State University, when inversions occur here in Cache Valley the pollution is all ours.

Councilmember Daines said if we are aware of people who use wood burning stoves on red air days and observe smoking vehicles, how do we report this and how does the Health Department respond to these complaints and enforce.

Mr. Greer responded wood burning stoves are a State of Utah program and they have an electronic reporting form for wood burning violations. This is an anonymous format and the complainant needs to include the day, time and address when the burn occurs. The complaint is then forwarded to the Health Department and they will go the address listed and verify that a violation has occurred on a red, no burn day. They will then report back to the State for enforcement purposes. As far as smoking vehicles, this program is still in the works but there is a law in the Motor Vehicle Code that prohibits a gas vehicle from having visible emissions and if diesel it is 20% opacity. Law enforcement has the ability to ticket people with visible emission violations and it’s usually a fix-it-ticket and the person has the opportunity to correct the problem and have an officer sign off on the ticket once the problem is corrected. The Health Department is still working on putting a hotline in place to report smoking vehicles and this will be available on their website along with other air quality information. The wood burning stove information is listed on the State Division of Air Quality website.

Vice Chairman Simmonds said there are homes in Logan that only have wood burning stoves as their sole heat source.

Mr. Greer responded there is a sole source exemption if the only heat source is a wood burning stove and they need to be registered with the State. The current State code does not allow wood burning stoves on a mandatory no burn day.

Mayor Petersen said there was an incentive program offered of converting to a lower emission wood burning stove for Franklin, Idaho residents.

Councilmember Olsen asked out of the 336 vehicles that have gone through the emission testing what percentage passed and what vehicles need repairs?

Mr. Greer responded that he does not have the exact number but he feels it’s around 20% on failures but that includes vehicles that are not ready for testing and did not necessarily fail.

Councilmember Needham commented that in 1951 he lived on the hill and the wind blew every morning and seemed to clean the air but there was a cloud over the valley. At that

time he determined this was from the coal being used. It disappeared when gas came and then it became a problem again this past 15 to 20 years.

Councilmember Olsen responded that the chemical composition from the smoke and fog from 1951 would be very different from the chemical composition we have today.

Councilmember Daines asked about the education campaign and is there anything being done to encourage people to drive less, carpool, etc.

Mr. Greer responded the Bear River Health Department isn't doing anything at this time but Cache County is working with a group called *Travelwise* on educating people to drive less and carpool.

Councilmember Daines asked has Salt Lake City had any success with their anti-idling ordinance in terms of it having an impact on air quality.

Mr. Greer said regarding the campaigns this is something they can do and he does not have any information regarding Salt Lake City and their efforts.

Logan City Attorney Kymber Housley added there probably won't be any data from the Salt Lake City ordinance because just after they adopted an anti-idling ordinance the State Legislature adopted an anti/anti idling ordinance for the State of Utah. Cities are very limited in what they can do. If a City does have an anti-idling ordinance they cannot issue a citation unless three warnings have been given and a citation cannot be given on private property.

Dr. Ed Redd from the Bear River Health Department addressed the Council and said air quality is not only controversial but it's also misunderstood. Letting a car warm up in the morning is a problem as far as pollution is concerned. When a vehicle idles it cools the catalytic convertor and puts pollutants in the air. He said there needs to be an educational process for the community to understand that idling their vehicle is a problem. There are people who drive without warming up their vehicles but then their windows are iced over and their visibility is decreased, then the concern is for those walking and riding a bicycle. All of this information should also be included in the education of anti-idling.

Mayor Petersen asked how many vendors are doing emission testing and how does this meet up with the expectation and the requirement of how many are needed. Also, how many are in Logan and how does this compare to the number of stations that do safety inspections and do we have enough stations?

Mr. Greer responded there are currently 39 emission stations and half are in Logan City. There are 79 safety inspection stations and there are enough emission stations at this time.

Mr. Greer said that 2008 is the newest car that is being tested.

Logan Municipal Council Board & Committee Assignments 2014 – Chairman Karl B. Ward.

**LOGAN MUNICIPAL COUNCIL
2014 COUNCIL CHAIR AND VICE CHAIR
BOARD AND COMMITTEE ASSIGNMENTS**

KARL B. WARD:

Council Chair (January-December)

RDA Chair (January-December)

**CDBG

Audit Committee

CCEMS Board - *Ambulance*

Citizens Compensation Advisory Committee (Mayor Appoints)

Economic Development Committee (Mayor Appoints)

Light and Power Advisory Board (Mayor Appoints)

Water and Sewer Board (Mayor Appoints)

Meeting Schedule

As needed

As needed

2nd Tues., 3:30 pm

As needed annually

2nd Wed., 10 am

2nd Wed., 7am

3rd Thurs, 4 pm

JEANNIE F. SIMMONDS:

Council Vice Chair (January-December)

RDA Vice Chair (January-December)

**CDBG

Cache Valley Center for the Arts Board (CVCA Board of Trustees Appoints)

Golf Course Advisory Committee (Mayor Appoints)

Logan-Cache Airport Authority Board (Mayor Appoints)

Renewable Energy Board

Storm Water Advisory Board (Mayor Appoints)

Youth City Council

As needed

2nd Thurs., 5:30 pm

3rd Thurs., 5:00 pm

1st Tues., 8 am

1st Wed., 7:30 am

As needed

1st and 3rd Mon., 5:30 pm

HOLLY DAINES:

**CDBG

Audit Committee

Cache Metropolitan Planning Organization (Mayor Appoints)

Economic Development Committee (Mayor Appoints)

Light and Power Advisory Board (Mayor Appoints)

Neighborhood Council Chair Committee

Parks and Recreation Board (Mayor Appoints)

As needed

As needed

1st Mon., 5 pm

2nd Wed., 10 am

2nd Wed., 7am

As needed

3rd Thurs., 9:30 am

S. EUGENE NEEDHAM:

**CDBG

Downtown Alliance

Fine Arts Committee (Mayor Appoints)

Forestry Board (Mayor Appoints)

Historic Preservation Committee (Mayor Appoints)

Library Board (Mayor Appoints)

Neighborhood Council Chair Committee

As needed

2nd Tues., noon

As needed annually

As needed

As needed – 1st/3rd Mon., noon

2nd Tues., 5:30 pm

As needed

HERM OLSEN:

**CDBG

**ASUSU Board

**Regional Council

**Solid Waste Advisory Board (County Exec. Appoints)

CCEMS Board - *Ambulance*

North Park Interlocal Cooperative

Renewable Energy Board

As needed

Tuesdays

Monthly

Quarterly

2nd Tues., 3:00 pm

Quarterly

1st Wed., 7:30 am

Approved: January 7, 2014
****Non-City Committees**

Councilmember Olsen asked that the Bicycle & Pedestrian Advisory Committee (BPAC) be added to the list under his name as a Non-City Committee.

It was also noted that the Solid Waste Advisory Board should be listed as a non-city committee.

Council Agenda and Packet – Chairman Karl B. Ward.

Chairman Ward proposed that the Logan City Council consider using an Ipad or other tablet as an alternative to the current hard copy agenda and packet that the Council is receiving every two weeks. He spoke with Finance Director Rich Anderson and proposed that up to \$400 be available to each council member for the purchase of an Ipad or tablet. He asked the Council for their thoughts on this proposal.

Councilmember Daines said that she would be willing to receive the Council agenda and packet electronically. She would like more training on editing documents on an Ipad.

Chairman Ward suggested that an analysis be completed on the costs involved for copying and delivering the Council packet. Several council members already have an Ipad they are currently using.

Councilmember Olsen and Vice Chairman Simmonds both agreed they would be willing to go to a tablet.

Mr. Anderson commented that the Council can use their budget for this purpose as a one-time reimbursement. Training would be a little more difficult because the individual council member would be able to choose what they would like to purchase. There are difficulties with an Ipad with editing and requires an “app” to be used.

Logan resident Jason Labrum addressed the Council. He supports greater accessibility of information online and cutting the costs of printing. He is opposed to using tax payer dollars for the purchase of an Ipad/tablet.

Public Works Director Mark Nielsen addressed the Council and gave an update on the Logan River project on Riverside Drive/Canyon Road. He stated the NRCS, through the County, is working along the Logan River. They have found that between Center Street and 100 North and with the flood of 2011, the channel incised down deeper. They are now trying to stop the erosion which is also affecting the Center Street Bridge and some of the footings are now exposed.

Councilmember Daines asked did they have to remove all the trees along the Logan River and what is the future plan for this area.

Mr. Nielsen said all of the trees had to be removed to pass the flow for this channel. At this time it will be left as a dirt shoulder and eventually there will be sidewalk, curb and

gutter. Planting of trees in the future will be considered and would be done by the City. Bridge footings are an NRCS flood project and any work above the footings will be the City.

Chairman Ward asked about road and sidewalk work being done on 100 North, West of Main Street.

Mr. Nielsen responded this is part of the Downtown Plan to make this area more pedestrian friendly. The work being done is a bulb-out which is a traffic calming measure primarily used to extend the sidewalk, reducing the crossing distance and allowing pedestrians to cross and approaching vehicle drivers to see each other when vehicles parked in a parking lane would otherwise block visibility. The South side of 100 North will also be part of this project and improvements will be made to the West of 100 North. Cache Valley Bank is paying for a portion of the improvements made to the West and have paid for all other improvements that have been done at this time. There will not be a dedicated right turn lane for drivers. There will be a combined right and straight traffic lane which will work because the roadway is not heavily traveled.

Councilmember Daines said according to the Downtown Specific Plan it's also proposed there will be two mid-block crossings between Main Street and 100 West on 100 North to try and make the street more pedestrian friendly and connect corridors.

Mr. Nielsen said he would be happy to meet with anyone who has questions regarding the project on 100 North or the Logan River project.

Logan resident Jack Peterson asked about 200 East going North and said there is no dedicated right turn lane and asked if there will be a dedicated lane added to this roadway.

Mr. Nielsen responded the striping is temporary and when the work is completed the striping will be redone and there will be a dedicated right turn lane added.

ACTION ITEMS.

PUBLIC HEARING - Budget Adjustment FY 2013-2014 appropriating: \$5,000 funds donated to the Logan City Cemetery for improvements; \$14,000 for the Distracted Driving Grant awarded to the Logan City Police Department; \$235,000 for the reimbursement of Rocky Mountain Power at Substation 7; \$1,000,000 for the purchase of a replacement substation transformer at Substation 3 – Resolution 13-96.

At the December 3, 2013 Council meeting, Finance Director Richard Anderson explained the proposed budget adjustments.

\$5,000 – Private donation to the Logan City Cemetery to be used for fencing improvements around the cemetery and repairing leaning headstones.

\$14,000 – This is an ongoing grant that Logan City receives.

\$235,000 – Substation 7 was built and a portion was for Rocky Mountain Power and a portion for Logan City. We are reimbursing Rocky Mountain Power for their portion and for accounting purposes it was handled this way.

\$1,000,000 – This amount is from fund balance to replace one transformer at Substation 3 and we are getting ready to bid out another transformer which has already been approved by the Council.

Chairman Ward opened the meeting to a public hearing.

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

ACTION. Motion by Councilmember Olsen seconded by Vice Chairman Simmonds to **approve Res. 13-96** as presented. Motion carried unanimously.

PUBLIC HEARING - Consideration of a proposed amendment to the Land Development Code Sections 17.24 (Airport), 17.25 (Aquifer/Wellhead Protection), 17.26 (Historic Landmark), and 17.29 (Greenfield) to clarify overlay zone standards and requirements – Ordinance 13-94.

At the December 3, 2013 Council meeting, Community Development Director Mike DeSimone addressed the Council and stated the proposed text amendments to the Land Development Code amend the Overlay Zones and are generally clean-up types of modifications. They include the following:

Modifications to Chapter 17.24 (Airport Limitation Overlay) to include clarifying the applicability of this overlay, clarifying the list of permitted uses, removing the reference to the conditional use permitting process and clarifying the regulation section.

Modifications to Chapter 17.25 (Aquifer/Wellhead Protection Overlay) just added clarifying language. Probably should re-label 17.25.020 as “Applicability” rather than “Introduction.”

Modifications to Chapter 17.26 (Historic Landmark Overlay) just added clarifying language.

Modifications to Chapter 17.29 (Greenfield Overlay) including clarifying the applicability, intent, application and requirements of this overlay.

Staff recommended that the Planning Commission recommend approval to the Logan Municipal Council.

On November 14, 2013, the Planning Commission, by unanimous vote, recommended that the Municipal Council approve a request to amend the Land Development Code.

Chairman Ward opened the meeting to a public hearing.

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

ACTION. Motion by Vice Chairman Simmonds seconded by Councilmember Daines to **adopt Ord. 13-94** as presented. Motion carried unanimously.

PUBLIC HEARING - Consideration of a proposed amendment to the Land Development Code Sections 17.20 (Public Zones), 17.21 (Uses), and 17.22 (Development Standards) to clarify language within the Code – Ordinance 13-95.

At the December 3, 2013 Council meeting, Community Development Director Mike DeSimone addressed the Council and stated the proposed text amendment to the Land Development Code amends the three Chapters dealing with Public Zones (17.20), Uses (17.21) and Development Standards (17.22). The changes in 17.20 and 17.22 are generally just clean-up in nature. The changes in 17.21 streamlines the list of uses by limiting the table to those uses most appropriate in the public zones and removing others.

Staff recommends that the Planning Commission recommended approval to the Logan Municipal Council.

On November 14, 2013, the Planning Commission, by unanimous vote, recommended that the Municipal Council approve the request to amend the Land Development Code, Public Zones (17.20), Uses (17.21) and Development Standards (17.22).

Chairman Ward opened the meeting to a public hearing.

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

ACTION. Motion by Councilmember Daines seconded by Vice Chairman Simmonds to **adopt Ord. 13-95** as presented. Motion carried unanimously.

WORKSHOP ITEMS:

Budget Adjustment FY 2013-2014 appropriating: \$1,600 donated funds for the Employee City Santa Program – Resolution 14-07 – Richard Anderson, Finance Director.

Finance Director Richard Anderson addressed the Council and explained the proposed budget adjustment. These are donated funds from City employee's paychecks for the purpose of the City Santa Program.

The proposed resolution will be an action item and public hearing at the January 21, 2014 Council Meeting.

Consideration of a proposed resolution supporting Long-Term Evaluation of One-Way Couplets – Resolution 14-06 – Mark Nielsen, Public Works Director.

Public Works Director Mark Nielsen addressed the Council and explained the proposed resolution. He said the City of Logan and the Cache Metropolitan Planning Organization (CMPO) has performed a feasibility study of one-way couplets in Logan and the study recommends a one-way couplet system may be beneficial in moving traffic through

Logan in the future. The implementation of a one-way couplet system required regional coordination with the Utah Department of Transportation and other cities. The implementation of 100 East and 200 East as a one-way couplet does not provide mobility advantages over a roundabout at 500 North for the next 15 to 20 years. He asked that the Council further evaluate the one-way couplet system through the CMPO long range planning process in the future and the proposed roundabout at 500 North should be implemented as part of the 200 East project. Each council member was given a copy of the One-Way Couplet Feasibility Study prepared by Stanley Consultants.

Mr. Nielsen introduced Brad Humphries with Stanley Consultants who addressed the Council. Mr. Humphries stated that a public open house was held on July 17, 2013. The project team received eight comments and of these comments three were positive, four were negative and one was neutral. In addition, the Herald Journal published two editorials on the project during the month of July. Comments on these editorials were added to the comment summary in order to capture the input of community members.

Logan City is studying the feasibility of converting from a two-way road system to a one-way couplet system, for either a portion or the entire length of the Main Street corridor. The intent of this study is to determine the feasibility of one-way couplet scenarios for meeting the future traffic capacity requirements of the Main Street corridor. This study evaluated the five couplet scenarios identified in the Transportation Master Plan (2011) in greater detail to determine which, if any, are feasible and beneficial to the city. This study also evaluates traditional two-way street options and the improvements, planned as part of the 2040 Regional Transportation Plan projects, to compare the potential solutions for addressing future congestion. The study area, including the Main Street corridor, begins near the “Y” intersection of Highways 165 and 89-91 to 1500 North between 300 East and 300 West.

The findings of this feasibility study conclude that Scenario E, three lanes should be retained as the best performing scenario. This alternative best meets the project goals and objectives with good congestion relief and a small impact to the neighborhood and environmental resources. Input from public involvement activities indicated that the community is concerned about additional traffic on 100 West, project cost, and which amenities would be incorporated into a new Main Street design.

Short term decisions to make are the following:

- Roundabout at 500 North or one-way couplet?
- Main Street and 100 West one-way system is 10 to 15 years out at the earliest.
- 100 East and 200 East one-way system could be implemented within one year.
- Staff is concerned about an isolated limited extent one-way system for 100 East/200 East rather than a roundabout.

The next steps are the following:

- Regional extent of couplets needs to be evaluated.
- If one-way couplet benefits region, push project to the CMPO Long Range Planning.

- A National Environmental Policy Act (NEPA) analysis is needed.
- Economic evaluation of potential impact to downtown businesses.
- Micro simulation analysis of the preferred couplet scenario.
- Signal warrant studies for 100 East and 200 East.
- Public Outreach.

Councilmember Daines asked how are bike lanes and pedestrians affected if we were to implement a roundabout at 500 North.

Mr. Nielsen responded there would be a pedestrian activated hawk signal and a yellow flashing light. There will be peak periods where there will be more pedestrians and a crossing guard can be used for school children. Regarding bike lanes, on a roundabout the bicyclist takes the lane and there is not a separate bike lane. If the bicyclist is inexperienced they should access the roundabout as a pedestrian. The experienced bicyclist will take the lane along with vehicles.

Mr. Nielsen asked the Council to consider, do we leave 500 North as a roundabout or move forward with a one-way couplet.

Councilmember Olsen asked if there has been input from the neighborhood committees that are impacted with the one-way couplets.

Mr. Nielsen responded yes, they have met with the neighborhoods.

Councilmember Needham asked why the 100 West couplet is 10-15 years from implementing.

Mr. Humphries responded the budget for the couplets is estimated at 80 million dollars and a study needs to be completed first which could take 3-5 years.

Mr. Nielsen also added that we want UDOT to help pay for the 100 West project. We also need to do more research on what the impact will be on businesses with a one-way couplet.

Mayor Petersen asked is most of the cost involved will be the rebuilding of 100 West.

Mr. Nielsen responded yes, and condemnation of homes is also a possibility.

Mayor Petersen clarified that the primary costs for 100 and 200 East are relatively insignificant. For 100 West it's the cost of bringing the road to UDOT standards and he asked what is the construction cost to implement the couplets on Main Street.

Mr. Nielsen responded the cost is mainly restriping and the actual construction costs will be on 100 West along with property. The other question is how far North do we go?

Councilmember Needham said as a resident of Logan, his concern is we are a residential City but allowing for vehicles and traffic. He would like some kind of barrier between what is commercial and what is residential.

Mr. Nielsen responded there are different directions this can could go and one of the key factors of a one-way system is you can get three lanes of traffic on an existing width road which will eliminate purchasing property. There are a lot of questions that still need to be answered.

The proposed resolution will be an action item and public hearing at the January 21, 2014 Council Meeting.

Consideration of proposed fee adjustments in the Parks & Recreation Department (City Park Field Use Fee, Cemetery Deed Transfer Fee and Golf Course Green Fee – Resolution 14-01 – Russ Akina.

Parks and Recreation Director Russ Akina addressed the Council and explained the proposed resolution. He stated that the City of Logan owns and operates public facilities where fees for services are charged by the Parks and Recreation Department, specifically field use fees in City parks; a fee for requests to transfer deed ownership of plots at the City Cemetery; and a greens fees and golf passes at the Logan River Golf Course as proposed. He provided the following comparisons to the Council.

<u>City Park Field Use Fee</u>	
Soccer Field/Day	\$60.00 – Current \$39.00
Soccer Field/ Block	\$40.00/4-Hour Block
Soccer Field Practice	\$10.00/Hour – Practice Only
Baseball Field/Day	\$60.00 – Current \$39.00
Baseball Field/ Block	\$40.00/4-Hour Block
Baseball Field Practice	\$10.00/Hour – Practice Only
Softball Field/Block	\$40.00/4-Hour Block
Softball Field Practice	\$10.00/Hour – Practice Only

Vice Chairman Simmonds asked would it be appropriate for the half day use to be higher than \$40.

Mr. Akina responded that he will take that question back to Staff for consideration.

<u>Cemetery Fee</u>	
Deed Transfer	\$50.00/Request – New fee

Mr. Akina said he is proposing a new fee of \$50.00 for the deed transfer of cemetery spaces to a new owner. In 2012 there were 78 transfers and in 2013 there were 65 transfers completed. Staff reviewed what other cemeteries in the State of Utah are doing and what fees they are charging for a transfer. They range anywhere from \$25.00 to \$50.00. The proposed fee would be per request and not per space. Of the 13 cities surveyed there are 9 that currently have a fee in place.

Councilmember Olsen asked should we consider increasing other cemetery fees such as burial fees.

Mr. Akina responded he will look at increasing other cemetery fees and will report back to the Council after talking with Staff.

Councilmember Daines suggested rounding up of some of the cemetery fees to better cover costs and to put money into the perpetual care fund. Also, consider increasing the cost of the opening and closing burial fee.

Councilmember Olsen said he doesn't mind the fee increases as long as the money goes toward road and other repairs at the cemetery.

Mr. Akina said there are approximately 200 burials per year and the number of spaces sold is approximately 80-100 per year.

Golf Course

Adult 18-Hole Greens Fee	\$28.00 – Current \$26.00
Adult 9-Hole Greens Fee	\$14.00 – Current \$13.00
Adult Punch Pass	\$235.00 – Current \$220
Adult Season Pass	\$830.00 – Current \$800.00
Senior 18-Hole Greens Fee	\$22.00 – Current \$20.00
Senior 9-Hole Greens Fee	\$11.00 – Current \$10.00
Senior Punch Pass	\$195.00 – Current \$185.00
Senior Season Pass	\$775.00 – Current 725.00
Junior 18-Hole Greens Fee	\$18.00 – Current \$16.00
Junior 9-Hole Greens Fee	\$9.00 – Current \$8.00
Junior Punch Pass	\$150.00 – Current \$140.00
Junior Season Pass	\$300.00 – Current \$275.00

Councilmember Daines referred to the Birch Creek Golf Course comparison and asked why they have two costs listed?

Mr. Akina responded Birch Creek has a charge for slow time and peak time and that is something we are considering as well.

Councilmember Daines suggested that the 9-Hole Green Fee be increased slightly and also look at a different fee for peak time.

Mr. Akina responded this is something that can be considered and he will take all suggestions back to the Golf Advisory Board.

Councilmember Olsen said the proposed Logan River season pass costs are significantly higher than Birch Creek. He asked should we bring this in line with Birch Creek but then add the peak time use fee which would offset the difference. He feels we will lose a lot of season pass purchases if the cost is higher than Birch Creek.

Councilmember Daines said she likes the idea of offering lower prices for juniors to get them interested in playing golf.

Mayor Petersen suggested that Mr. Akina also consider the cost for time of day for juniors.

Vice Chairman Simmonds asked how much revenue is generated from season pass holders as opposed to walk in play.

Mr. Akina responded he does not have the exact number but if we keep the same number of those playing from this past season and if the proposed increases were instituted, it is projected the amount would be \$30,000 to \$40,000.

The Parks and Recreation Department has presented the proposed fees respectively to the Parks & Recreation Advisory Board and the Golf Advisory Board and periodic fee adjustments are deemed necessary for the continued operation and maintenance of these facilities and the services desired by the patrons. Mr. Akina proposed that if approved by Council, the adjustment of fees as stated would go into effect beginning April 1, 2014.

The proposed resolution will be an action item and public hearing at the January 21, 2014 Council Meeting.

Consideration of a proposed zone change. Logan City requests to rezone eight properties located at the northeast corner of 1000 North 600 East from Campus Residential (CR) to Mixed Residential Low (MR-12); TIN 05-028-0005, 05-028-0001, 05-028-0007, 05-028-0008, 05-028-0010, 05-028-0009, 05-028-0011, 05-028-0006 – Ordinance 14-02 – Russ Holley, Senior Planner.

Community Development Planner Russ Holley addressed the Council regarding the proposed ordinance. This area was zoned to Campus Residential (CR) in January of 2011 and a Design Review Permit was issued to John Brandley on January 12, 2012 for Independent Student Living, a 108 multi-dwelling student housing project. The project includes the allowance for up to 11,804 square feet of ground floor commercial space and 324 parking stalls. A one year extension letter was granted for the project, allowing for an additional year rather than the standard one to obtain a building permit. This particular site in the City has been the subject of controversy, as it's located in a transition area between high density student housing to the East and single family low density to the West. Neighboring residents to the West vocalized opposition to the project over a three month Planning Commission review primarily based on overall density, bulk and height of the structure.

The Land Development code describes the MR-12 zone as providing a range of housing options for all stages of life and levels of income. Structures in this zone will range from townhouse to apartments developed at 12 units to the acre. New development will have a mix of housing types to avoid repetitious rows of the same housing type. The maximum building height is 35'.

Staff recommends that the Planning Commission recommend approval to the Municipal Council for a rezone of eight (8) parcels totaling approximately 2.7 acres from Campus Residential (CR) to Mixed Residential Low (MR-12) at approximately 1000 North 600 East.

On December 12, 2013, The Planning Commission recommended that the Municipal Council approve a request to rezone approximately 2.7 acres at 1000 North 600 East from Campus Residential (CR) to Mixed Residential Low (MR-12). The Planning Commission voted unanimously.

Mr. Holley said Mr. Brandley has until this Sunday, January 12, 2014 to submit an application and construction drawing set and as of today, nothing has been submitted. There are also plans to revamp the corner of this property that involves two homes that will be impacted with the realignment on 600 East (Northern half.)

Public Works Director Mark Nielsen added that the owner of the home, Mary Fiske was given three years to move out of the home.

Logan City Attorney Kymber Housley said this is something we need to look at because the lease states that if the owner vacates for more than six months the agreement would terminate. It's his understanding that the home has been vacated for longer than six months.

Councilmember Daines said if we do have access to this home this is something we might want to move up on the priority list during the budget process.

Vice Chairman Simmonds said she read all the comments and she believes this is a change that is more in line with what the neighborhood had envisioned. She asked if they support this change.

Mr. Holley responded yes, in theory. The neighborhood would like a park but this is a transition area. There is high density housing on the East and single family housing on the West. The maximum height limit is 55 ft in the CR zone today. The project was approved with a height bonus of 68 ft.

The proposed ordinance will be an action item and public hearing at the January 21, 2014 Council Meeting.

Consideration of a proposed code amendment. Logan City requests to amend the Land Development Code (LDC) Section 17.41 (General Development Standards; Residential) to amend the lot variety standards – Ordinance 14-04 – Mike DeSimone, Community Development Director.

Community Development Director Mike DeSimone addressed the Council regarding the proposed ordinance which is initiated by Staff. This proposed text amendment to the Land Development Code eliminates the lot width variety requirement contained in Section 17.14.020.C.1.

Staff recommends that the Planning Commission recommend approval to the Municipal Council for the following amendment to the Land Development Code, Section 17.14.

On December 12, 2013, the Planning Commission recommended that the Municipal Council approve a request to amend the Land Development Code, Section 17.14.020,

General Development Standards, to eliminate the lot width variety standard for residential subdivisions. This is a challenge to meet because it results in depths that are not consistent.

Vice Chairman Simmonds commented doing this will make these lots “cookie cutter” and developers will try and build as many homes as they can in an acre.

Mr. DeSimone responded this is being done anyway at this time.

Vice Chairman Simmonds said it was always her understanding that our objective was not to have “cookie cutter” subdivisions.

Mr. DeSimone responded, there are eight features within the code that people choose from and they have to meet four of the eight features before it goes through design review.

Mr. Housley said there are also practical problems and because they had to stagger the lot width up front the back of the lot was zig zagged and it just didn’t look right. If the intent is to have a larger lot size we should just do it.

Councilmember Needham asked when did the standard of lot size change.

Mr. DeSimone responded this occurred in 1950.

The proposed ordinance will be an action item and public hearing at the January 21, 2014 Council Meeting.

Consideration of a proposed zone change. Request to rezone two (2) parcels totaling approximately 20 acres along 1200 East 1250 North from Mixed Residential Medium (MR-20) to a mixture of eight (8) acres of MR-20 and twelve (12) acres of NR-6. The proposed rezone would retain the current multi-family zoning (MR-20) and density on the westerly eight (8) acres with a maximum density of 20 units per acre, while changing the zoning and density on the easterly 12 acres to a single family residential (NR-6) with a maximum density of 6 units per acre. This rezone request is a result of the 20125 citywide zoning project. TIN 05-011-0004; 0005 – Ordinance 14-03 – Mike DeSimone.

Mr. DeSimone addressed the Council regarding the proposed ordinance and zone change at 1250 North 1200 East. On December 12, 2013, the Planning Commission, recommended that the Municipal Council deny a request to rezone a 20 acre site into approximately 12 acres of Neighborhood Residential (NR-6) and 8 acres Mixed Residential Medium (MR-20), and instead recommended the entire 20 acres be rezoned to Neighborhood Residential (NR-6). The proposal, as submitted by Logan City, was to rezone the site into two zoning designations: NR-6 on the easterly and 12 acres and MR-20 on the westerly 8 acres. This proposal was generated from the working group comprised of members from the City Council, Planning Commission, staff, neighborhood representatives, and the landowner. This group was put together by the City to evaluate the zoning on this site in response to uses and concerns raised by the neighborhood and

the landowner during the 2012 Zoning Project, and to develop a consensus based solution. The working group recommended a 12/8 zoning split while the landowner's representative prepared a project comprised of single family residential on the easterly, 12 acres and multi-family housing on the westerly 8 acres reflective of that split. The proposed project was presented to the Hillcrest Neighborhood in September of 2012. Sometime in 2013, we were made aware that the current developer has pulled out and the conceptual project was not moving forward. Regardless of the specific project plans, the zoning had not yet been changed and it's still Mixed Residential (20 units per acre). Staff felt that it was important to continue with rezoning the site as agreed upon by the working committee and submitted for the rezone.

The Planning Commission Members who recommended denial of the rezone as submitted and approval of the alternative rezone: Amanda Davis, Angela Fonnesebeck, and Garrett Smith. Recommended approval of the rezone as submitted: Russ Price. Abstained: Steve Stokes.

The vote at the Planning Commission meeting raised a procedural issue the Council should be aware of. There were six Planning Commission members present – 5 regular members and the Chair. The Chair did not vote in this situation as the by-laws state the Chair only votes to break a tie. The bylaws further state:

6. Quorum. Four members of the Commission shall constitute a quorum for the transaction of business. Any member disqualified because of a conflict of interest shall not be considered when determining whether a quorum is constituted. Members abstaining from a vote, however, shall count toward consideration of a quorum. Except as otherwise specifically provided in these rules, a majority vote of the Commission members present at a meeting shall be required and shall be sufficient to transact any business before the Commission.

The Commission had a quorum as they had four members. The rules stated that a "majority vote of the Commission members present shall be required". In the case of this specific vote, there were 6 members present and 5 were able to vote; however, the majority of members present was not realized in this vote as there were only 3 members who voted in the majority to deny the proposal and approve the alternative vote. The Planning Commission should have had a vote of at least 4 members to deny the proposal and approve the alternative vote in order to meet the requirement that "a majority vote of the Commission members present". The bylaws were incorrectly interpreted to read a majority vote of the Commission members voting. As a side note, the Planning Commission bylaws will be amended to clarify this requirement and to have the Chair vote on all items.

Councilmember Daines commented that from the time the Council originally voted on this and discussed breaking it up into multi family, single family or doing higher density, several things have changed. The lot to the North has been zoned back to single family, we've increased the campus residential zone on 600 East and USU has changed their Masterplan although it hasn't been formally approved. Councilmember Daines spoke with Jordy Guth in the USU Planning Office and according to her; the North core area was originally high density housing and is now designed as a recreation area. There is no immediate funding and the Masterplan could change but as of now it's planned to be a

green open recreation space and she feels this is more desirable to live next to. They are also planning housing and will remove the towers and rebuild. In 20 years Aggie Village could be high density. She feels the Council needs to look at this in a different light than has previously been done.

Mr. Housley said technically, Logan City is the applicant so we can withdraw. If there is no support for the proposed 12/8 split then it would be better for Staff to withdraw and start a new process for this zoning, whatever that might be such as six units per acre. There was confusion at the Planning Commission that it would come to the City Council as all residential but the way our code is written and State law requires, there is a proposal and the Planning Commission either gives a favorable recommendation or a non favorable recommendation. The problem is we didn't have enough votes for the affirmative and it came to the Council with no favorable recommendation and three of the Planning Commission members said it should be zoned single family. If this goes forward he doesn't want the City Council to think during the public hearing, they can at that time make it all single family because it hasn't been noticed that way. If the City Council is certain they are not going to approve as proposed he would recommend the process start over.

Mr. Housley also stated we can "tweak" boundaries which is not something we need to renote but if the zoning designation is changed then it will need to be renoted.

Mayor Petersen asked does the fact that the Council previously had before them a recommendation from the Planning Commission to rezone this 20 acres at NR-6, have any relevance to the project going forward.

Mr. Housley responded this is an entirely new application and the process is tied to this specific application.

Councilmember Daines said there are not many building lots left in Logan for nicer homes and this area is one of the few chances we have to allow single family homes. Initially, she voted to approve the higher density but with the new information she discovered she feels there might be a chance for single family to work in this area.

Chairman Ward said there are three things for the Council to consider. 1. The protection of the residents in the neighborhood. 2. A decision that we are going to move all high density student housing to the Adams Neighborhood and eliminate any high density housing in any other neighborhood. 3. Property rights of the owner and what their desires and needs are. We need to balance all three of these factors. This is a very controversial issue with the residents in this area. When the committee met he felt they worked out a very reasonable solution that met all three of these needs. As far as protecting the existing neighborhood there is a 12 acre buffer so anyone living there is not impacted at all. Offering additional student housing space will also be a possible way to return some of the homes in the Hillcrest area that are student rentals and turn them into single family. It will also relieve additional pressure on the Adams Neighborhood for student housing. All of these things are "if's" but he feels they are all reasonable.

Vice Chairman Simmonds commented when she served on the committee that everyone felt the comprise was fair and reasonable.

The proposed ordinance will be an action item and public hearing at the January 21, 2014 Council Meeting.

OTHER CONSIDERATIONS.

No other considerations for the Mayor and Council.

ADJOURN to meeting of the Logan Redevelopment Agency.

WORKSHOP ITEMS.

Logan Redevelopment Agency Annual Report – Kirk Jensen, Economic Development Director.

Economic Development Director Kirk Jensen addressed the Council regarding the RDA Annual Report. Each year, the Logan Redevelopment Agency is required to submit a written, annual report to the Utah State Tax Commission, the State Board of Education, the Cache County Auditor and each of the participating taxing entities. He provided each council member with a copy of the Annual Report. Within the report, is a one-page financial summary. It provides a snapshot of the overall financial condition of each of the RDA project areas and collectively as well. Fund balances, affordable housing reserves, revenues, expenditures, and liabilities are shown, except for the development agreement obligations which are shown on the detailed report.

600 West EDA

Fund Balance	\$1,586,235
Affordable Housing	\$ 421,391
Long Term Debt	\$ 783,211 (expected payouts on development agreements)
Tax Increment Revenue	\$ 681,389
Expiration	2016

Downtown RDA

Fund Balance	\$312,436
Affordable Housing	\$203,509
Long Term Debt	\$359,623
Tax increment revenue	\$213,027
Expiration	2022

Active projects: Entertainment District, Facade Program, Wayfinding System.

Logan North Retail RDA

Fund Balance	\$(351,441)
Affordable Housing	-backloaded-
Long Term Debt	\$115,269
Tax Increment Revenue	\$506,674
Expiration	2017

The negative fund balance is due to the fact that there were two incentive agreements associated with the Cache Valley Mall expansion that were being paid out of this fund, one a sales tax incentive and the other a property tax incentive. Both of those were paid out this year, so the fund balance rapidly improves at this point.

The affordable housing component is back loaded, meaning that the statutory set asides for housing were reserved for the later years of the project area's life. These housing monies begin to be allocated in 2014.

Logan River RDA

Fund Balance	\$1,111,562
Affordable Housing	N/A
Long Term Debt	\$1,855,000
Tax Increment Revenue	\$ 571,387
Expiration	2015

North Main RDA

Fund Balance	\$(265,671)
Affordable Housing	\$ 53,367
Long Term Debt	\$0
Tax increment Revenue	\$ 94,984
Expiration	2016

The North Main RDA, while successful from a sales tax standpoint, in that it was instrumental in retaining auto dealerships in Logan, struggles from a property tax revenue standpoint. Currently there is a negative fund balance of (265,671), actually compounded in that an additional \$53k is reserved for affordable housing. Assuming no further development prior to the expiration of the project area, there is a projected \$222,000 exposure.

Northwest RDA

Fund Balance	\$791,080
Affordable Housing	N/A
Long Term Debt	\$0
Tax increment Revenue	\$351,805
Expiration	2022

South Main RDA

Fund Balance	\$1,413,398
Affordable Housing	N/A
Liabilities	\$4,670,169
Tax Increment Revenue	\$ 987,786
Expiration	2022

Aggregate

Fund Balance \$4,597,600

Active Projects: Branding Cache Valley

Affordable Housing \$ 679,883

Active Projects: City of Logan Home Rehabilitation Program, Neighborhood Nonprofit Housing Welcome Home Own in Logan Program.

Vice Chairman Simmonds asked for an explanation on the project expiration dates.

Mr. Jensen responded when they expire if there is a cash fund balance and no outstanding obligation those monies are redistributed back to the taxing entities.

Mr. Anderson added that the expiration stops the revenue from coming into the project area but does not stop the project itself.

Councilmember Needham said he would like to know where the money goes and is there an explanation of what the money is used for on a certain project.

Mr. Jensen responded that historically everything is documented as to where the money goes and the Redevelopment Agency gives authorization for all expenditures.

Councilmember Needham said he would like to see a historical list of where the money has been spent.

Mr. Jensen offered to meet with Councilmember Needham to answer his questions.

Councilmember Daines added that the City Council is the Redevelopment Agency and the Economic Development Committee consists of two council members, Chamber of Commerce, City staff, school district and all projects go through this committee.

Consideration of a proposed resolution approving Agency assistance for a road median landscaping project in the South Main Redevelopment Project Area (RDA) – Resolution 14-05 – Kirk Jensen.

Mr. Jensen addressed the Council regarding the proposed resolution. The property is located at the “Y” on Main Street and he showed a proposed design of the property. This is a Community Development concept to beautify the South end of Main Street by proposing to beautify the existing asphalt median with low-maintenance plant material that conforms to UDOT safety standards. The landscape includes ornamental grasses, dwarf mugo pines and other small plants. It was suggested that the bark mulch ground cover be replaced with a colored gravel ground cover that wouldn’t be blown away by wind. The estimated costs for the project are \$25,000 for project construction which includes site preparation (excavating the asphalt), topsoil, the installation of irrigation, plant & other landscape materials. \$3,600 or \$1,200/year for up to three years for contracted maintenance services to be provided by a landscape contractor. It was felt that it would be a good idea to outsource this initially before having the Parks & Recreation Department take it over to minimize manpower impact. While the maintenance might be the highest while the vegetation is taking hold and also while the protocol is being

learned regarding the coordination of lane shutdowns in order to do maintenance. There is a cost of \$4,000 for construction drawings for a total estimated cost of \$32,600. The Economic Development Committee has reviewed the project and recommends approval.

Subsequently, Logan City Senior Planner, Russ Holley, is proposing the addition of some sculpture to enhance the South Main median planting and has come up with a concept showing trout swimming in a river bed. The metal would need to be steel or something similar so that it wouldn't be stolen. UDOT seems to be okay with the concept. They may need to have breakaway bases or equivalent. Mr. Jensen said that he personally liked the idea and would prefer the fish to be brown as to the block color. The additional cost would be around \$2,500 or maybe a little more depending on the bases required.

Mr. Jensen provided the Council with a rendering of both a black and brown fish option. If the sculpture were included, it would adjust the estimated total cost to about \$35,000.

Councilmember Daines said when deciding what vegetation should be planted in this area, it has to be something that is salt and snow tolerant. UDOT will not allow trees or anything tall to be planted and they will not allow a Wayfinding sign.

Councilmember Needham said he would prefer grass in this area.

Mr. DeSimone said there are a lot of challenges to plant because of maintenance issues. The idea is to create a focal point rather than concrete.

The proposed resolution will be an action item and public hearing at the January 21, 2014 Council Meeting.

Chairman Ward asked what is being done with the Niederhauser property that is just North of the "Y". He realizes the problem in this area is access.

Mr. Nielsen said UDOT would like to prohibit any access in this area. One option is the City can work with a developer to put in a road behind the "Y" which is what UDOT would prefer. The other option would be right in and right out turn lanes. The area is approximately 21 acres. The Niederhauser's are willing sellers with the right developer.

There being no further business to come before the Council, the meeting adjourned at 8:45 p.m.

Teresa Harris, City Recorder