

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, December 1, 2020, at 5:30 pm via ZOOM Webinar at this link: <https://us02web.zoom.us/j/82133701105> or Webinar ID: 821 3370 1105. Instructions for downloading and using ZOOM can be found at <https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>. Logan Municipal Council Meetings are televised live as a public service on Channel 17, City of Logan Facebook page: <https://www.facebook.com/cityoflogan> or KSL live at <https://live.ksl.com/> To listen to the meeting by phone call: US: +1 669 900 9128.

In compliance with Utah Code Ann. §52-4-207, Chair, Amy Anderson read the following determination in order to hold an electronic meeting without an anchor location:

*Based on the rising cases of COVID-19 in the Bear River Health District and State Public Health Order 2020-18 'Adopting COVID-19 Transmission Area Restrictions' categorizing our county designation as a High Transmission Area, it is determined that gathering in-person for the regular City Council meeting is a risk to the health and safety of those present. According to [corona.Utah.gov](http://corona.Utah.gov), people at higher risk for severe illness include: Older adults, people of all ages with certain underlying medical conditions, and pregnant people might also be at increased risk of severe illness from COVID-19. Long-standing systemic health and social inequities have put many people from racial and ethnic minority groups at increased risk of getting sick and dying from COVID-19. Given that members of the Council and community who are required to be in attendance or may choose to attend have these risk factors, a virtual meeting (without an anchor location) will be held via Zoom. Logan Municipal Council Meetings are televised live as a public service on Channel 17, City of Logan Facebook page: <https://www.facebook.com/cityoflogan> or KSL live at <https://live.ksl.com/> To listen to the meeting by phone call: US: +1 669 900 9128*

Council Members present at the beginning of the meeting via Zoom: Chair Amy Z. Anderson, Vice Chair Tom Jensen, Councilmember Mark A. Anderson, Councilmember Jeannie F. Simmonds, and Councilmember Ernesto López. Administration present: Mayor Holly Daines, City Attorney Kymber Housley, Finance Director Richard Anderson, City Recorder Teresa Harris, and Deputy City Recorder Esli Morales.

### **OPENING CEREMONY:**

Logan City Poet Laureate Shanan Ballam addressed the Council and thanked them for their service, and the opportunity to be the Logan City Poet Laureate. As Poet Laureate, she conducts free workshops for community members across the state. There is also an online project called, "A Celebration of Cache Valley Voices" which invites all local poets to submit poetry for publication on the website. Further instructions for poetry submission is available at <https://www.shananballam.org/a-celebration-of-cache-valley-voice>

## Spring Hollow, Thanksgiving Day 2020

By Shanan Ballam

*The pains you feel are messengers.  
Listen to them. Turn them to sweetness.*  
—Rumi

*Wet scent of fallen leaves,  
bronze and copper gleam.  
Snow clouds crown Logan peak.  
In the stream, emerald moss  
softens boulders, and ice  
on branches that bend  
into water are stems and petals of ice,  
peace lilies made of glass.  
There, in the center,  
a slate-gray dipper dives  
into cold silk water, emerging dry,  
fattened with insects  
that nestle under rocks.*

*How lonely it has been for us all,  
how strange, as we live inside this fragile year  
as if we are living inside an egg,  
waiting to be born, turning  
slow circles as the days turn  
into winter, the pandemic circling us.*

*But here is the Oregon Grape, a wildflower  
that bloomed yellow frills back  
in early March, and here it is still,  
in twenty-four degrees, still growing  
its dark green leaves, brilliant blossoms replaced  
with blue grapes, food for grouse  
who explode in clumsy  
flight when we step too close.*

*And here is the juniper.  
Rub its ferny leaves between  
your fingers to release its spice,  
see its dusty berries blue like dull stars,  
food for the solitaire who perches high  
in the evergreens, its voice like a single small bell  
ringing once, calling out to the others, who perch  
alone in their own evergreens,  
and they are not unlike us, isolated*

*but resilient in the exquisite world,  
our bright voices calling out  
to one another in the dark.*

The Council thanked Ms. Ballam for her poetry.

**Meeting Minutes.** Minutes of the Council meeting held on November 17, 2020, were reviewed and approved with no changes.

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

**ACTION. Motion by Councilmember Simmonds seconded by Councilmember M. Anderson to approve the November 17, 2020 minutes as presented and approve tonight's agenda. Motion carried unanimously.**

**Meeting Schedule.** Chair A. Anderson announced that regular Council meetings are held on the first and third Tuesdays of the month at 5:30 pm. The next regular Council meeting is Tuesday, January 5, 2021. She announced that the Council meeting on December 15, 2020, has been canceled.

#### **QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL:**

Chair A. Anderson explained that the Questions and Comments portion of the agenda is suspended until we can once again have in-person meetings. In the meantime, comments can be emailed to City Recorder Teresa Harris [teresa.harris@loganutah.org](mailto:teresa.harris@loganutah.org), who will distribute them to the Mayor and Councilmembers.

#### **MAYOR/STAFF REPORTS:**

##### **Board Appointments (Parks & Recreation Advisory) – Mayor Daines**

Mayor Daines asked the Council for ratification to reappoint Cody Hansen and appoint Rachel A. Behm to serve on the Parks & Recreation Advisory Board.

**ACTION. Motion by Vice Chair Jensen seconded by Councilmember Simmonds to approve ratification of Cody Hansen and Rachel A. Behm as presented. Motion carried unanimously.**

Chair A. Anderson and Mayor Daines thanked Laura Sawyer for her service on the Parks & Recreation Advisory Board for the past 6 years.

## **2020 Utah PGA Superintendent of the Year Award – Mayor Daines.**

Mayor Daines announced that Logan River Golf Course Superintendent Randy Oldham received the 2020 Utah PGA Superintendent of the Year Award. There will be an official awards ceremony in February, and the hope is that it will be a public recognition in person dependent on current conditions..

## **American Festival Chorus and Orchestra Event – Mayor Daines**

Mayor Daines announced that the American Festival Chorus and Orchestra will provide a Free Online Virtual Event titled *Christmas from Home*. The premiere begins December 17 at 7:30 p.m. and the concert will remain available through January 3, 2021. For more information go to [americanfestivalchorus.org](http://americanfestivalchorus.org).

No further Mayor/Staff Reports were presented.

## **COUNCIL BUSINESS:**

### **Planning Commission Update – Councilmember Simmonds**

Councilmember Simmonds reported that there had not been a Planning Commission meeting since the last Council meeting. The next Planning Commission meeting will be held on December 10, 2020. She will update the Council at the next council meeting which will take place on January 5, 2021.

### **Other Committee Updates – Council**

Vice Chair Jensen stated that the Stormwater/Sewer Committee leaf cleanup took place and was executed accordingly. The Crockett Pressurized Irrigation System received a \$20 Million Dollar Federal Grant. The next phase is the Environmental assessment commencing on Friday, December 4 ,2020. There was also a tour given of the new sewer treatment plant.

Regarding the Cache Valley Arts at present seven concerts are scheduled. The purpose is to accustom the public to returning and attending the theatre. They are also allowing performing artists to earn monetary wise?? to stay in practice. The great news is that most of the performances are almost sold out.

The Ellen Eccles Theatre facade has been completed thanks to several members of the community including that of Mayor Holly Daines. With how things are progressing, the backstage may proceed as scheduled, but for now, is on hold.

Mayor Daines interjected that regarding Random Acts that only a certain number of tickets are sold, and the groups are spaced out in the theatre. With the CARES funding, the air cleaning equipment was purchased which cleans the air, and a walk-through temperature reader for patrons was purchased as an added safety feature.

Councilmember Simmonds stated that the City owns the Theatre, and as such could appropriate some of the CARES funding to facilitate a better and safe quality experience for the public.

Mayor Daines added that the City is fortunate to have the Cache Valley Center for the Arts, a non-profit organization that runs the facility and takes care of all of the maintenance. The City did contribute some with the capital campaign to help replace a very old, aging roof. She also commended the organization for keeping the facility running in top condition to benefit the community.

Vice Chair Jensen summarized that in addition to the roof of the Theatre being redone, there was a complete change of the mechanical system, painting, and so forth.

Changing topic, Vice Chair Jensen spoke about the Logan River Golf Course. The committee is planning to do additional signage to help the community be aware of the location of the golf course. Also, an intern will be hired with the intent to do a flyover of the golf course to create a visual drone footage for visitors or those participating in tournaments and for sponsors. In surprising news, the golf course revenue is up this year, when in comparison to other years despite the lack of tournaments and the pandemic.

Mayor Daines alluded that the staff worked hard to involve the community inviting them to play and maximizing revenue. The staff is commended for the ability to address the problem of the past of going from \$50,000 in the red to gaining enough monetary gains to put into the reserve account.

Vice Chair Jensen eagerly applauded the staff and Mayor Daines for her foresight and implementation of a balanced budget.

Councilmember M. Anderson did not have anything in addition to report.

Councilmember López stated that he will be meeting with Wendy Hassan from the Cache Valley Center for the Arts on Thursday, December 10, 2020.

Councilmember Simmonds said that the first meeting with the architectural team for the new library was held. It was a review, but it was a good start on the process. There is a timeline in place, and they began meeting regularly via Zoom.

Chair A. Anderson stated that Councilmember M. Anderson and Councilmember Simmonds had been requested by Mayor Daines to attend and be part of the Library Advisory group. In addition, Councilmember Simmonds has been a long advocate of creating and building a new library for the city.

Vice Chair Jensen inquired as to what stage the planning was at or if it was mere semantics.

Councilmember Simmonds answered that they were barely commencing the entire process.

Chair A. Anderson reminded the Council that a meeting will be held on Friday, December 4, 2020, to discuss integrating elements of the *Clean Air and Climate Consortium* that Mayor Daines signed onto on behalf of the City several months ago. They will be meeting to review the existing Work of RECAB and renewable energy and integrating with those ideas of what we can do to better protect our air and environment here in Cache Valley. There will be further news to report in January or February depending on how the meeting goes.

The Public Arts Plan which was approved by the Council is in the process of putting together its committee structure. So, as we look forward to the new year 2021, there will be a new Council assignment for one of the City councilmembers. Just like the library, there is a lot of enthusiasm for this new aspect of the City. However, if any of the councilmembers are interested in serving on that committee, they should submit their names to Mayor Daines or Mike DeSimone, Community Development Director.

Chair A. Anderson announced that Cache Community Connections, which is a Civic and Interfaith group unfortunately, could not hold their Thanksgiving event in the Tabernacle so they created in conjunction with the Utah Public Radio, a Thanksgiving Program which aired this past Sunday at 5:00 p.m. She invited those in the public that wished to listen to the civic and community leaders' message to access the program on [upr.org](http://upr.org).

In addition, for those already not aware since the tragic events of September 11, 2001, Cache Community Connections has been meeting regularly to try to identify ways in which the community can interconnect closer together via civic and religious groups.

### **Council Chair and Vice Chair for 2021 – Chair Anderson**

Chair A. Anderson stated that at the beginning of each new year a new Council Chair and Vice Chair are selected. The councilmembers briefly discussed the momentous year and thanked Chair A. Anderson for her service especially with the still ongoing pandemic.

**ACTION. Motion by Chair A. Anderson seconded by Vice Chair Jensen to nominate Councilmember M. Anderson to serve as the Council Chair for 2021 as presented. Motion carried unanimously.**

**ACTION. Motion by Vice Chair Jensen seconded by Councilmember M. Anderson to nominate Councilmember Simmonds to serve as the Council Vice Chair for 2021 as presented. Motion carried unanimously.**

No further Council Business items were presented.

**ACTION ITEMS:** Chair A. Anderson explained due to meeting restrictions because of COVID-19 precautions, there were two options for those wanting to make a public comment:

- 1. Email comments to [teresa.harris@loganutah.org](mailto:teresa.harris@loganutah.org), who distributed them to the Mayor and Councilmembers. Although you may send email questions and comments during the public hearing portion of the meeting, to guarantee they will be distributed to the Council before the meeting, submit by Monday, November 30 at 5:00 p.m.**
- 2. Join the meeting via ZOOM Webinar ID: 821 3370 1105. A host will monitor the online meeting. When we get to the agenda item where you wish to comment, use the “Raise your Hand” feature to indicate you want to speak, and the host/or Chair will recognize you in turn. As always, comments are limited to three minutes per person. \*\*\*NOTE: Facebook Live comments are not part of the official meeting or public comment.**

**ACTION ITEMS:**

**PUBLIC HEARING - Budget Adjustment 2020-2021 appropriating: \$4,053 additional funding Logan City will receive from the State of Utah to replace vehicles in the Water Department which are part of the Targeted Air Shed Grant – Resolution 20-48**

At the November 17, 2020, Council meeting, Finance Director Richard Anderson addressed the Council regarding the proposed budget adjustment.

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

Vice Chair Jensen asked if Air Shed was for more environmentally friendly vehicles such as Electric or Hybrid?

Finance Director Richard Anderson responded yes, to replace older vehicles with better, newer functional vehicles. The vehicles would run on clean diesel as opposed to dirty diesel.

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

**ACTION. Motion by Vice Jensen seconded by Councilmember M. Anderson to approve Resolution 20-48 as presented. Motion carried unanimously.**

**PUBLIC HEARING - Consideration of a proposed resolution adopting Fire Standby Fees and EMS Billing Rates – Resolution 20-49**

At the November 17, 2020, Council meeting, Logan City Fire Chief Brad Hannig addressed the Council regarding the proposed resolution. The resolution is necessary for two reasons as it has been many years since they have adjusted the fire standby rate, which needs to be adjusted with the dissolution of the Cache County Emergency Medical

Services (CCEMS) forcing Logan City to create our own billing rates. He has reviewed billing rates from the past and compared to similar emergency sized departments. The billing comparison of various cities to the proposed rate can be seen on the City website. He went on to clarify that the Initial Transport Fees are set by the State and the only ones we set are supplies related to procedures but comparable to like or other surrounding areas such as Brigham, Ogden, and Draper City.

Finance Director Richard Anderson interjected that he had asked Chief Hannig to specify the top 5 rates which are set by the State. In the resolution, it reads as set at the maximized State rate. However, he is uncertain if the intended purpose was achieved as the purpose is that as the State changes those rates the City's rates will automatically change in compliance.

He addressed City Attorney Kymber Housley, and asked if that language was sufficient or if a different terminology needed to be used to specify the fact that those five rates are set by the State, and that as the State changes those rates, those five rates for the City will change in compliance. Otherwise, his concern is that with each change made by the State, they will have to bring the subject to the Council each time via the agenda, workshop it, etc. He further stated that where this is a cost-sensitive business, he would prefer to be as up to date as possible.

Mr. Housley said in the previous discussion with Mr. Anderson and if said the resolution stated as approved by the State that the language would be sufficient to fulfill those requirements.

Mr. Anderson read what the current line in question read as "set at max State rate."

Mr. Housley agreed that the line in question was not sufficient to fulfill the requested requirements. He said there needs to be a set of specific language that reads as "set by the State."

Councilmember Simmonds inquired as to why those City services are set at the max rate.

Fire Chief Brad Hannig responded that the State is conservative about how they set the rate and that he is not aware of a party whose rate is not set at the max rate.

Vice Chair Jensen proposed if it would be possible to amend that specific line in the resolution so the Council would not have to revisit the resolution again.

Mr. Housley said that the language could be amended if the Council felt comfortable enough to do, however, he generally preferred not to perform such an abrupt action. But it all depended on the Council, and that would be fine by him.

Councilmember M. Anderson said that he was in favor of an amendment.

Chief Hannig asked what the proper language should be, "as set by the State."

Mr. Housley requested to know which agency of the State sets the amount for those offered services.

Chief Hannig replied that it was the Bureau of EMPS, (the Utah Bureau of Emergency Medical Services and Preparedness), the organization sets the rate based on reporting from statewide agencies reporting the actual cost of business. The Bureau of EMPS considers that before raising a rate, and which was raised just last year by 4 percent.

Councilmember Simmonds asked if it would it be more efficient to not set a rate, but rather “the rate as set by this Bureau.”

Mr. Housley concurred and advised that a specific number should not be placed within the resolution. An acceptable alternative would be “the maximum set by the Bureau-,” whichever organization that might be.

Chair A. Anderson supplemented that it would not be in the rating schedule just that the wording would be placed therein.

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

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

Councilmember López inquired as to where the EMS fee table was published for the public to view.

Chair A. Anderson answered that the table is available on the City's website. She asked for confirmation from the City Attorney or Finance Director.

Mr. Housley replied that the table is available on the City Website, the annual budget or through the City Recorder, and Library.

Councilmember López further pressed if the State changes the fee within a few months period, who was in charge of making said changes to the table and republishing that information.

Chair A. Anderson said that the table would not change. As for the notification of that change, it would be up to the Fire Chief to present the information to the Council. However, any changes would be included in the annual budget estimation.

Mr. Housley added that if a citizen wished to inquire further into the matter, they would have to go to the State website to see what the current maximum fee is at the time.

Chief Hannig commented that the fees are available on the State EMPS website, <https://bemsp.utah.gov/> .

**ACTION Motion by Councilmember Simmonds seconded by Councilmember M. Anderson to approve Resolution 20-49 as amended with a change that the table is removed and replaced with the language, “These first 5 procedures are set at the maximum allowable rate, as set by the Utah Bureau of Emergency Medical Services (rates available at bemsp.utah.gov).”. Motion carried unanimously.**

**Consideration of an amendment to the effective date of an ordinance Enacting Title 8 Chapter 36 of the Logan Municipal Code Prohibiting the Distribution of Disposable Plastic Bags – Ordinance 20-31**

Environmental Director Issa Hamud addressed the Council and stated that when the original ordinance was enacted it did not involve the pandemic. With the ongoing pandemic, the ordinance was delayed along with the request of stores for the safety of the public to use clean plastic bags for purchases. After discussing with Cache County Executive Craig Butters who also serves on the Advisory Board, and others including an email from a concerned citizen and owner of Lee’s Marketplace, Johnathan Badger, who asked that the ordinance be delayed. Mr. Hamud is also requesting that implementation of ordinance be delayed until January 2022, due to the current concerns of citizens and business owners.

Vice Chair Jensen asked about the implementation on a county-wide basis by the Solid Waste Advisory Committee.

Mr. Hamud explained that the management plan is currently on hold due to the pandemic. However, at an opportunity given to provide education and assisting businesses if they can; especially businesses that produce high quantities of plastic bags due to their production process. But like other aspects of life affected by the pandemic, there has been only one board meeting since the pandemic began as well as postponing the meeting to occur in December. Unfortunately, everything at present is stalled until further notice.

Councilmember M. Anderson asked what some of the other communities like Park City that implemented the bag ban during the pandemic are addressing the issue.

Mr. Hamud explained that he has not asked that question but said that there is no such restriction at this time due to the pandemic.

Chair A. Anderson added that when she was in such a community those elected to bring a reusable bag to a store were requested to bag their own items for the protection of the store employees. Including locally, reusable bags are typically used at self-checkout aisles, but from a consumer standpoint it can dramatically slow down the line for those waiting in line.

In addition, the Kroger brand plans to eliminate plastic bag usage corporatewide by 2023. The Kroger brand is still identifying that date as a goal for their organization. She is not aware of any other national brand that has opted to create such a plan, but they do appear to be in the works. Nevertheless, the City's regional intent was to help push the plastic

management plan through and aided by the plastic bag ban. As a community, she believes it is important to stay committed to their goal, and personally, she still uses her reusable bag at self-checkout aisles. However, she does believe it is prudent with the ongoing pandemic to encourage members of the community for the time being to use clean disposable plastic bags.

Vice Chair Jensen clarified that he did not support the complete plastic bag ban as he felt that it was a fallback position. However, he is very much in favor of the plastic bag management plan. If and when the next vote occurs, he would like to see an option and preference for the management plan before voting on the ban. He believes that a management plan offers stores an opportunity for growth, creativity, and different means of implementation.

Councilmember Simmonds agreed with Vice Chair Jensen's position although she believes that the ban should not be entirely thrown out and be postponed at least for a year. She feels it gives a continued emphasis on the importance of the issue and continues to move forward in that regard.

Vice Chair Jensen clarified his prior statement and said that he agreed with Councilmember Simmonds request to postpone the voting of the ordinance for one year.

A member of the public raised their hand to comment via Zoom, Chair A. Anderson replied that this was not a public hearing and at this time the public could not speak. However, she did remind the public that they could email any comments and questions to the previously stated email.

Councilmember Simmonds interjected that on the emails received from organizations within the community, they had requested time to implement a management plan.

Chair A. Anderson specifically requested input from Councilmember M. Anderson, who is a local business owner.

Councilmember M. Anderson answered that currently they are working on a plan to address the plastic bag issue, but his line of business typically does not go through many plastic bags as other lines of business such as a retailer, and so forth. He would very much like to see other options for example a type of bag that is similar to plastic but is not plastic. He is enthusiastic to see what alternative technology might be developed or offered. He is also pleased to hear that the national chain Kroger is proceeding with their plastic bag management plan. He emphatically believes that only changes can occur when a large national brand like Kroger pushes for change leading at the forefront for change.

He added that he leans more toward the plastic bag management plan rather than the plastic bag ban. He would prefer for retailers and other entities and citizens to be permitted other options.

Councilmember López said that as a consumer it is certainly much simpler to use plastic bags when shopping. However, he does feel because of the pandemic which has put stresses both on the industry and community, he feels that providing disposable bags at this time would be best.

**ACTION. Motion by Councilmember Simmonds seconded by Vice Chair Jensen to adopt Ordinance 20-31 with an implementation date of January 1, 2022. Motion carried unanimously.**

**WORKSHOP ITEMS:**

There were no workshop items presented at tonight's Council meeting.

**OTHER CONSIDERATIONS:**

Vice Chair Jensen asked about the traffic issue on 200 North concerning parking in the Wilson neighborhood.

Chair A. Anderson replied that she had received an email yesterday, November 30<sup>th</sup> from Public Works Director Paul Lindhardt. In the email, it stated that he had only received three comments from the community, and they were supportive of having restricted parking on one side. She emphasized that the public commenting period regarding that subject ends this Friday, December 4, 2020.

For the public that was watching via zoom, Chair A. Anderson gave the location as 200 North between Canyon Road and Crockett Ave. The reason for the implementation is because it is a narrower street, the request is from EMS to restrict parking to one side of the street so that emergency vehicles can freely pass.

Councilmember M. Anderson added that the Wilson community member sent out a mass email to all their members to be aware of the proposed change and deadline for comments.

Chair A. Anderson clarified that the proposal would not be brought before the Council for approval, but that the Public Works Department likes to keep the Council informed which, they appreciate.

Vice Chair Jensen added that there is a concern with speeding in that area, and there are children at play in that area.

Mayor Daines said that she would ask Police Chief Gary Jensen to have some of his officers perform speed enforcement in that area by taking out the radar trailer, and then follow up with enforcement.

The Council wished each other good holidays and Chair A. Anderson reminded the community that despite no further council meetings being held that the Council is still available to answer their questions and concerns.

There were no further items to be considered by the Council.

**ADJOURNED.** There being no further business to come before the Council, the Logan Municipal Council meeting adjourned at 6:37 pm.

Esli Morales, Deputy City Recorder