

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, June 16, 2020 at 5:30 pm in the Logan Municipal Council Chambers located at 290 North 100 West, Logan, Utah following social distancing guidelines. The number of in-person attendees was limited based on social distancing of 6 feet which resulted in less than 50 people allowed in the Council Chambers. All guests were asked to sign in and it was strongly recommended that all those in attendance wear a mask. Overflow space was available with appropriate social distancing and video access. Logan Municipal Council Meetings are televised live as a public service on Channel 17, City of Logan Facebook page: <https://www.facebook.com/cityoflogan> and KSL live at <https://live.ksl.com/>.

Councilmember's present at the beginning of the meeting: Chair Amy Z. Anderson, Vice Chair Tom Jensen, Councilmember Mark A. Anderson Councilmember Jess W. Bradfield and Councilmember Jeannie F. Simmonds. Administration present: Mayor Holly H. Daines, City Attorney Kymber Housley, Finance Director Richard Anderson and City Recorder Teresa Harris.

### **OPENING CEREMONY:**

Councilmember Jeannie Simmonds gave the opening ceremony and led the audience in the pledge of allegiance.

**Meeting Minutes.** Minutes of the Council meeting held on June 2, 2020 were reviewed and approved with no changes.

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

**ACTION. Motion by Councilmember Simmonds seconded by Vice Chair Jensen to approve the June 2, 2020 minutes as presented and approve tonight's agenda.**  
**Motion carried unanimously.**

**Meeting Schedule.** Chair A. Anderson announced that regular Council meetings are held the first and third Tuesdays of the month at 5:30 pm. The next regular Council meeting is Tuesday, July 7, 2020 and will be a public meeting.

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

Chair A. Anderson explained that the Questions and Comments portion of the agenda is suspended at this time. She indicated that comments or questions can be emailed to: [teresa.harris@loganutah.org](mailto:teresa.harris@loganutah.org), who will distribute to the Mayor and Councilmembers. She stated that under Other Considerations on tonight's agenda the Council will be taking the time at the end of the meeting the Council will address any comments or questions that come to them during the open comment and question period as well as address any emails that are received. This is being done in order to better connect with the appropriate person to answer those questions and so the Council can react and include all those that might be impacted or affected.

## **MAYOR/STAFF REPORTS:**

Mayor Daines stated she and the Council have received emails regarding the police department's Use of Force Policy and does it comply with some of the national initiatives that are going forward. She and Police Chief Gary Jensen have reviewed the City's Use of Force Policy which is six pages and have decided that it will be further discussed at the July 7, 2020 Council meeting and will be added as an agenda/workshop item. Chief Jensen will report to the Council and to the public on the City's Use of Force Policy and how they comply. The policy will also be posted on the Logan City Website for the public to view ahead of the July 7 meeting.

### **Update: Main Street Corridor Study and Transportation Master Plan; Public involvement website launch – Paul Lindhardt, Public Works Director**

Public Works Director Paul Lindhardt addressed the Council and gave an update on the Transportation Masterplan and the joint study that the CMPO, UDOT and Logan City have funded on the Main Street Corridor for short- and long-term goals. With these two studies going on simultaneously, there was the potential for a lot of public comment so the goal is to combine the public comment effort into a website the City will be launching in the coming week. Once this is posted to the website, the public will have the opportunity to post comments, there will be an introduction video and details about the two projects. There will be a draft of the plan that will come to the Council at a later time. Typically, a public open house would have been held but because of the COVID situation that cannot happen so that is why the online video was made for people to view and make comments.

### **Firework Regulations – Logan Fire Chief Brad Hannig**

Chief Brad Hannig addressed the Council and showed a map of the restricted firework areas in Logan City that have not changed since last year. Because Logan will soon be covering North Logan as well, it will be consistent with Logan's and the entire bench area from North Logan to Providence is restricted. His concern this year is that because of the lack of firework shows being provided, that people will do their own fireworks at home and consumer fireworks sales will increase. At the current time, we have dry conditions and that makes for an increased risk for fire. Fireworks restriction signs will go up as of the date of sale of fireworks which is June 24. The Fire Department will rely heavily on the Logan City Police and the Sheriff's Office to enforce the firework restrictions this year. Firework sale dates are June 24-July 25 and fireworks can be discharged between the hours of 11:00 a.m. and 11:00 p.m. on the following: July 2-July 5 (July 4 hours extended to midnight), July 22-July 25 (July 24 hours extended to midnight).

Chief Hannig stated the State of Utah requires the governing bodies to approve and guide the restricted areas for fireworks. He feels the fire department has set the restricted areas conservatively and the areas where they truly have a concern.

No further Mayor/Staff Reports were presented.

## **COUNCIL BUSINESS:**

### **Planning Commission Update – Councilmember Bradfield**

Councilmember Bradfield reported on the Planning Commission meeting held on June 11, 2020. The Westfield Warehouse Rezone was a tie vote with the Planning Commission and will now move forward to the Council on July 7.

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

Councilmember Bradfield reported on an Economic Development Committee meeting he attended. The Logan Business Gateway requested a modification to their tax increment and time frame in which to complete their project which, was approved by the committee. The Economic Development Committee also discussed cleaning up buildings in the area between 321-325 North Main Street which Gene Needham owns.

Councilmember M. Anderson reported that the Parks and Recreation Advisory Board is meeting this week. The Library Board has postponed their meeting again but hope to meet soon. The Downtown Alliance met and discussed the proposed change to the Logan Municipal Code regarding liquor license consent that the Council will hear tonight. They also discussed the upcoming Logan Marathon. Unfortunately, all of the events that were planned for this summer have been cancelled or postponed.

Vice Chair Jensen reported that the Water/Wastewater and Sewer Advisory Committee was postponed as well as the Golf Course Advisory Board. The Cache Valley Center for the Arts Board met, and the façade is being completed and the new marquee/sign board will be working soon. The opera summer season has been cancelled and the rental expense has been covered by the Wasatch Foundation. Community theatre will be available with social distancing being observed.

Councilmember Simmonds said she also attended the Economic Development Committee meeting and Councilmember Bradfield already reported on what occurred. She attended an Airport Authority Board meeting where they discussed taxiways. The Board also learned that the RAPZ committee agreed to help with the small percentage they have to provide for the resurfacing of the main runway at the airport. She also attended the Solid Waste Advisory Board meeting and the entire meeting was spent discussing the greenwaste program. She stated that the Mayor's attending the Solid Waste Advisory Board meeting agreed to add \$1.50 per month to the utility bills pending County approval and for Logan City the fee increase will be 50 cents.

Chair A. Anderson announced that on July 9, 2020 at 6:30 p.m. the Logan Municipal Council will meet with the Nibley City Council to discuss a boundary adjustment. This is a public meeting and will be held at the Nibley City Offices.

## **Community COVID Response – Chair Anderson**

Chair A. Anderson reported with the sudden, rapid rise we've in had in regard to COVID cases in our community, especially in the Latino community. There have been a lot of grassroot, civic and nonprofit organizations that have convened in the Cache County Emergency Operation Center and have formed the Bear River COVID-19 Relief Coalition with Will Lusk who is the Cache County Emergency Response Team Leader along with Mike Weibel from the Bear River Health Department. She commented that many from the health department have worked very long hours and have not taken a day off during the pandemic. She stated that Lucas Martin who is the BRAG Director of Human Services, is spearheading the creation of a spreadsheet and matrix of organizations that are providing services so people can understand what their capacity is and what they are able to do. She read a list of organizations where people can donate items and where those in need can go for help. For a complete list contact Chair Anderson.

No further Council Business items were presented.

**ACTION ITEMS: Chair A. Anderson explained that those wishing to speak during the public hearing portion of the meeting must sign in and queue up with social distancing maintained. Masks are strongly encouraged.**

### **PUBLIC HEARING - Consideration of a proposed ordinance vacating a Public Right of Way located at approximately 1465 West 200 North Logan, Utah – Ordinance 20-14**

At the June 2, 2020 Council meeting, Logan City Engineer Sam Odd addressed the Council regarding the proposed public right of way vacation. He stated the City has received a request from the Division of Wildlife Resources (DWR) on a road alignment issue near their Fisheries Experiment Station located at 1465 West 200 North in Logan. Following discussion initiated almost three years ago with Logan City staff, it was mutually agreed that the DWR would purchase key lands that supply the City with a better future roadway alignment. The DWR promptly did that by purchasing more than sufficient replacement land from Cardall Properties One, LLC East of the Fisheries Experiment Station. The DWR intends to transfer portions of this parcel to Logan City, at no cost, in exchange for the City formally abandoning and vacating the right of way that appears to encroach on the hatchery. Robin Goodman, Assistant Director from the Division of Wildlife Resources sent a letter to Public Works Director Paul Lindhardt committing to him and the Logan City Council that the DWR will give Logan City all of the land needed for this future roadway, without real estate costs to the City, if the right of way is successfully abandoned. In addition, if Logan City requires additional acreage value to promote an even exchange with the Utah Department of Transportation (UDOT) to facilitate realignment of the future 1400 West interchange, the DWR may be willing to contribute surplus portions of their newly acquired lands. A letter from UDOT was also received in support of the 1400 West realignment.

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

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

**ACTION. Motion by Vice Chair Jensen seconded by Councilmember Bradfield to adopt Ordinance 20-14 as presented. Motion carried unanimously.**

**PUBLIC HEARING - Consideration of a proposed ordinance amending the Table of Contents and Article IV of Chapter 5.10 of the Logan Municipal Code Regulating Private Club Liquor License Consents – Ordinance 20-13**

At the June 2, 2020 Council meeting, Chair Amy Anderson addressed the Council regarding a proposed ordinance to amend Article IV of Chapter 5.10 of the Logan Municipal Code Regulating Private Club Liquor License Consents. She stated this is an ordinance that she brought to the City's Legal Department. Utah is one of 13 States that directly controls the sale of liquor at our wholesale and retail level and the purpose for that is for revenue generation, education enforcement and to promote moderation. There have been a lot of changes in the liquor laws since she has lived here particularly in 2009 when Governor Huntsman put forth an effort to change the law to remove club requirements. There have been additional changes over the years and any establishment with liquor beer sales falls underneath the State requirements. The issuing of liquor licenses is underneath the prevue of the Utah Department of Alcohol Beverage Control. The State decides the total number of licenses and who receives the licenses. The proximity restrictions are governed by the State and when sales can occur. The proposed ordinance mirrors the language and guidelines of the State and is proposed to remove the term "private club liquor license" and replace it with "bar establishment license" and also incorporate the State guidelines and amend the number of establishments based on population.

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

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

Chair A. Anderson said there were three emailed comments all in support of Ordinance 20-13. One comment was from Mark Lunt who focused on the vibrant downtown and the sales tax revenue, an email from Ray Lummel who focused on the fact that competition will improve if there are additional businesses that would force those who are in business now to make improvements. The third email was from the Downtown Alliance who were also in support of the ordinance.

Councilmember Simmonds stated that in regard to the comments received, it does not seem that we achieve our objective if we limit to one potential license. Her position is that we stay with what the State of Utah has decided.

Vice Chair Jensen said he would like to go with one license at this time.

Councilmember M. Anderson commented that he is fine with the potential of having three licenses. He likes the idea that we would be able to control who is getting a license if there are restrictions in place and it would be nice to know who is getting the license.

Chair A. Anderson said she asked for this ordinance to be drafted to parallel what the State language is to the idea of providing an economic incentive for our downtown because we are spending a lot of time looking at Center block and the downtown in general. She does not like the idea of a business coming to the City and petitioning to have an ordinance written to change for that specific business.

City Attorney Kymber Housley commented people come in all the time and ask for a rezone so it wouldn't be any different in this situation and someone could come in and request a change and decrease the population amount so more licenses could be issued which, is legal to do.

Councilmember Simmonds said she would like to be compliant with what the State has decided.

Vice Chair Jensen commented the Council is supportive, but it is a question of limitation. He feels that more bars do not make a better City or make our society better and sometimes having more bars can be harmful to our community. We do have control systems in place, and we can add another license if we need to and he feels the Council and the City need to go slow.

Councilmember Bradfield commented that if we go one at a time, we do not limit innovation, we do not limit the ability for people to bid for that bar and all we are saying is let's vote on one and if there are three people that want to apply for a bar license then three people have the opportunity to apply for the license just as if we opened it up to three. The Council were elected by the residents of Logan and there were four of five emails received in support of this ordinance but we all that is not the majority of the community. What the Council would be doing with his proposed amended ordinance is stating that we understand there are people who want to be able to have a bar. Let's open it up and allow one license. If someone else has a compelling case after we approve one license, its successful and the community wants another bar then the Council at that time could be open to the idea of allowing it. He wants to go one at a time, act in prudence and take it slow.

Councilmember Simmonds said she is concerned because this is a multi-stage process and the last piece of it is the City granting a business license. The person applying for the license has to fulfill all of the requirements with the State prior to coming to Logan so they cannot fulfill the requirements with the State if Logan does not allow anything. Because its such a multi-stage process what she does not want to do is say we are going to be the community that makes that decision.

Councilmember Bradfield stated that he is not against liquor but feels this has turned into an "us versus them" and having to say your either for liquor or you are against liquor. What he is saying is that he is for it but let's act in prudence and moderation because what is being said is that there are no bars in Logan and let's open it up to the potential of three. He wants to be an agreeable person and wants to make sure all aspects of the

community are represented. He looks at the community and 44% of our students are in poverty and upwards of 50% of our violent crimes can be correlated to alcohol.

Chair A. Anderson asked if there would be a willingness to consider one for every 10,000 in population and the potential for two licenses as opposed to three.

Mr. Housley stated there is no requirement that the vote by the Council is unanimous in regard to this ordinance.

Vice Chair Jensen asked are there other communities that have opted to use a different number.

Mr. Housley responded yes and there are many cities that do not have any bars and they are not allowed. Currently we do not allow a bar establishment as defined by the State, so the proposed ordinance is to expand the definition and change the population number. This is a local decision and the City does not get to pick and choose and if someone applies for a license and they meet the qualifications, we give consent then its up to the State to decide who gets the license.

Councilmember Bradfield said what we are saying is we want to possibly add three additional bars in Logan. He would like to use prudence and wait until someone comes to the City and requests a license rather than allow it now.

**ACTION. Motion by Councilmember Bradfield seconded by Councilmember Jensen to amend Ordinance 20-13 that the division may grant consent to a State license based on one license per 12,500 population.**

**ACTION. Friendly amendment made by Councilmember Simmonds that the division may grant consent to a State license based on two licenses per 10,000 population. Councilmember Bradfield did not accept the friendly amendment.**

**ACTION. Motion by Councilmember Bradfield seconded by Councilmember Jensen to amend Ordinance 20-13 that the division may grant consent to a State license based on one license per 12,500 population. Motion failed 3-2 (Simmonds, M. Anderson and A. Anderson voted nay).**

**ACTION. Motion by Councilmember Simmonds seconded by Councilmember M. Anderson to amend Ordinance 20-13 that the division may grant consent to a State license based on two licenses per 10,000 population. Motion carried 4-1 (Bradfield voted nay).**

**PUBLIC HEARING - Budget Adjustments FY 2019-2021 appropriating: \$6,157 funds received from CCEMS for standby overtime; \$2,226 reimbursable State funded police overtime shifts – Resolution 20-23**

At the June 2, 2020 Council meeting, Finance Director Richard Anderson addressed the Council regarding the proposed budget adjustments.

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

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

**ACTION. Motion by Vice Chair Jensen seconded by Councilmember Simmonds to approve Resolution 20-23 as presented. Motion carried unanimously.**

**PUBLIC HEARING – Budget Adjustment FY 2019-2020 appropriating \$4,596,033 Federal CARES Act funding for the COVID-19 Relief – Resolution 20-24**

Finance Director Richard Anderson addressed the Council and explained the proposed resolution. He stated that every City and County within the State of Utah received funding based on their population. There are some challenges with funding and one of the biggest challenges is finding and allocating the funding in a way that benefits the community, helps us recover from COVID and is in compliance with the stringent guidelines that we have. The only recommendation he has is that we consider bringing on either a consultant or a staff member or both in order to help the City administer these funds. The funds have to be used by November 30, 2020 and any unused funds have to be returned to the State by December 4, 2020. The grant will not allow funds to be used for lost revenue. It can fund overtime that is directly related to COVID. Because of the timeline we will not be able to have extensive public hearings so that is something the Council also needs to be aware of as things move along with the funding.

Vice Chair Jensen said he recently read an article that when dealing with this large amount of money there is the potential for corruption. He asked how we can make sure in that short amount of time that the money is getting to the right place and being used properly.

Mr. Anderson responded that it will be difficult to ramp up a program that quickly and there will be a lot of “eyes” on it and we are only going to spend the funds in accordance with the grant documents and the program that we develop. Frankly, he said that he would return the money rather than spend it. Some of the funding has been spent on areas where we have had to modify where we meet with the public with things such as plexiglass, built walls for protection, cleaning supplies, personal protection equipment and expenses for cleaning of playground equipment and mandated leave for employees. We cannot use these funds to prepare for future COVID events and it can only be used for current COVID expenditures.

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

Logan resident Gail Yost addressed the Council and asked if any of the funding will go toward businesses that might need assistance or those who are unemployed who have lost their job due to COVID.

Mr. Anderson responded that one of the federal guidelines is that we cannot use it for expenses that are covered by some other federal grant such as the expanded unemployment grant. Most people who were employed prior to COVID and then became

unemployed are actually at 100% of wage. There might be others who are impacted and who might be caught in the middle and that might be something that we can craft in order to respond to them. There are a lot of federal dollars out there right now and we need to be careful that we do not duplicate the efforts of that others are doing.

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

**ACTION. Motion by Councilmember Simmonds seconded by Vice Chair Jensen to approve Resolution 20-24 as presented. Motion carried unanimously.**

**PUBLIC HEARING – Consideration of a proposed resolution approving a Property Tax Rate of 0.001473 for Calendar Year 2020 and Fiscal Year 2020-2021 – Resolution 20-18**

Finance Director Richard Anderson addressed the Council and explained the proposed resolution and stated we are not raising the tax rate and technically the tax rate is declining.

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

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

**ACTION. Motion by Councilmember Bradfield seconded by Councilmember M. Anderson to approve Resolution 20-18 as presented. Motion carried unanimously.**

**PUBLIC HEARING - Consideration of a proposed resolution approving Elected Official's Wages FY 2020-2021 – Resolution 20-16**

At the June 2, 2020 Council meeting, Human Resource Director Greg Cox addressed the Council regarding the proposed resolution. He proposed that the wages for the Mayor be \$99,468 per year plus \$6,000 car allowance and Councilmembers wage to be \$15,606 per year plus \$300 car allowance. There is no proposed wage increase for elected wages. He stated that all full time benefited employees will get a 2.5% increase in July but the City will no longer match the employees 401K and will take the 2.5% and let the employee decide where they want the 2.5% to go either their wage or in their 401K.

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

Chair A. Anderson commented there was one comment emailed to the City Council from Dr. Rick Mayer who recommended that the vehicle allowance for the Council be increased from \$300 to \$1,000.

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

**ACTION. Motion by Vice Chair Jensen seconded by Councilmember Bradfield to approve Resolution 20-16 as presented. Motion carried unanimously.**

**PUBLIC HEARING - Consideration of a proposed resolution approving Member Contributions to the Utah Retirement Systems Contributory Retirement Plan FY 2020-2021 – Resolution 20-17**

At the June 2, 2020 Council meeting, Human Resource Director Greg Cox addressed the Council regarding the proposed resolution. He stated that the City contributes to the Utah Retirement Contributory Retirement plan and the City formally agrees to fund “pick-up” 100% of the required employee contribution for all eligible Tier 1 members who are required to contribute to the Utah Retirement Systems Contributory Retirement Plan for the 2020-2021 Fiscal Year (effective July 1, 2020) according to the applicable Utah Retirement Systems Retirement Contribution Rates. Tier 2 members are responsible for the employee contributions that are required for the 2020-2021 Fiscal Year (effective July 1, 2020).

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

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

**ACTION. Motion by Councilmember Bradfield seconded by Councilmember Simmonds to approve Resolution 20-17 as presented. Motion carried unanimously.**

**PUBLIC HEARING – Consideration of a proposed resolution approving the Final Revenues and Expenditures Budget for Fiscal Year 2020-2021 in the amount of \$166,117,879 - Resolution 20-19**

Finance Director Richard Anderson addressed the Council and presented the proposed resolution. He stated the final property tax numbers have been incorporated into the final budget and it did not change the amounts. It is an increase of 3.9% over the prior year when you reduce all of the double counting mechanisms that exist within the budget. However, when you reduce out the transportation tax of 1.2 million dollars that we received that was different from the prior year and reduce out the North Logan Fire contract which is separately funded it’s an overall increase of 2.1% and half of that percent is related to the sewer treatment fund and the built-in increases to fund that plant. The remaining is composed of a conservative revenue forecast while our population is growing in our enterprise funds. In the general fund specifically which, is usually the fund we discuss when we talk about taxes or the budget of the City, when you reduce out the additional transportation and the North Logan amount, our budget actually decreases by 2.6% because of the planned and the anticipated decrease in sales tax and he hopes that is enough. When you factor in the conservative nature of our revenue forecast for the previous year, he anticipates that it is an overall 5% drop in the general fund from where we would have been. He is relatively confident that will be enough but will see where the economy goes and there are some positive signs out there that things will improve.

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

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

Councilmember Bradfield stated that he met with Mayor Daines and Rich Anderson and offered his perspective and hope for the future and relayed the following to them. He stated in 2018 the Herald Journal published an article titled *Census Estimates* and the article stated that Logan has twice the poverty rates and is growing slower than Cache County. The poverty rate in Logan is 25.4%, the average for surrounding communities is less than half of that number. Logan School District is estimated to have 44% of students living in poverty and it's his understanding that 100% of Logan Schools are Title I. Regarding income, and if we adjust for inflation, the income in Logan in year 2000 was \$44,000 but the median income for households in Logan today is just above \$36,000. Higher income individuals and those with families are increasingly moving into the County where growth rate quadruples Logan's. We are a beautiful City with amazing trails and some of the most spectacular parks and views in the Valley. We are the hub that has always held Cache Valley together. We can build parks and other amenities but if we do not get our zoning and resident incomes to stabilize the City we will find ourselves in the difficult situation where the parks and community spaces will be a cost to Logan residents but more readily enjoyed by the residents of neighboring communities. He asked that Logan develops an aggressive economic development plan and he does not request a campaign but a plan specifically that actively pursues opportunities to grow a resident's wages and stabilize our neighborhoods. If the City needs another individual to assist with this perhaps a contingent based professional which would cost around \$75,000 to \$100,000 per year for the City and could be released later or converted to a full-time employee depending upon our success. But if we increase our median wage across the board and bring in more top talent companies any incurred costs would be worth the risk. We can allow our City's fields to be occupied by storage units or we can aggressively work to promote Logan. He knows we all care about Logan and he simply asks that the Council examine what funds would be necessary for an economic development plan that will ensure Logan's long-term prosperity.

Chair A. Anderson thanked Councilmember Bradfield for his comments.

Councilmember Jensen commented in regard to the budget, there is no effort to defund the police department.

Chair A. Anderson commented that she is hopeful that we are all mindful over the upcoming year and that we really pay attention to the training dollars and is something that the Council might need to look at in the police department's budget which at this time is .004% of their overall budget. We need to make sure we have dollars in place for descalation or other types of training and that we are willing to make an investment in the police department in regard to training.

Councilmember Bradfield commented that Logan is one of the top safest cities in America.

**ACTION. Motion by Councilmember Bradfield seconded by Vice Chair Jensen to approve Resolution 20-19 as presented. Motion carried unanimously**

## **WORKSHOP ITEMS:**

Chair A. Anderson said there are no workshop items scheduled on tonight's Council agenda.

## **OTHER CONSIDERATIONS:**

Chair A. Anderson read an email comment from Logan resident Tyler Riggs that was submitted:

*Mayor and Council,*

*Thank you all for the work you continue to put forth in service of our great community. In recent months I have been particularly impressed with the level of responsibility city services and programs have maintained with respect to COVID-19 and ensuring safety is a focus. It is truly appreciated.*

*The purpose of my comment today is to share not just what I, as a constituent, would consider a best practice, but what actually has been ruled as law as it pertains to public officials on social media. In 2019, the Fourth Circuit Court of Appeals ruled that the interactive portion of a public official's Facebook page is a "public forum". Public officials cannot block people or delete comments in these public forums.*

*(<https://www.aclu.org/blog/free-speech/internet-speech/court-rules-public-officials-cant-block-critics-facebook>)*

*The full ruling of Davison v. Randall and Loudoun County Board of Supervisors can be found here: <https://www.aclu.org/legal-document/fourth-circuit-court-decision-davison-v-randall>*

*My ask is that our elected officials be mindful of this. Some of you operate Facebook pages that are separate from your private Facebook profiles that are "swathed in the trappings of (your) office". These are public forums and as the right to criticize the government is at the heart of the First Amendment, I would ask that our public officials always be mindful.*

*Tyler Riggs  
[1009 S. 275 West](#)  
[Logan](#)*

Councilmember Bradfield commented there is a difference between presenting your ideas and absolutely seeking to destroy someone. Pressing an argument is presenting an argument and we do it everyday but seeking to discredit someone, calling them an idiot, calling them all kinds of names online and if people were not a City official and if they were not an elected official it would be called cyber bullying. The truth is that its harassment whether it is legal or not to simply attack people based on their point of view. He said that everyone that has disagreed with him on his Facebook page he has always offered to meet face to face and discuss in person. When he has done this, twice

people have accepted and more often than not people will not accept the offer to meet because they like to stay behind their keyboard and just send out hate. He wished people would take it upon themselves to actually, run for office and actually have to hold an opinion that other people could look at and criticize the way that they do. He feels that if everyone ran for office that people would be a little kinder to each other. There are laws that state you cannot harass and threaten people.

Chair A. Anderson reminded everyone to be civil with each other and reduce the rifts.

Chair A. Anderson stated there is some discrepancy on the implementation date of the Ordinance Prohibiting the Distribution of Disposable Plastic Bags so it will be an agenda item at the July 7 Council meeting. The current ordinance states that it becomes effective July 31, 2020.

Councilmember Simmonds said the Solid Waste Advisory Board has not been dealing with this issue since March and the time frame they had hoped to meet did not happen. They wanted to meet with business owners and develop a plan but because of COVID they have not been able to meet.

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

#### **ADJOURN TO MEETING OF THE LOGAN REDEVELOPMENT AGENCY.**

**ACTION ITEM: Chair A. Anderson explained that those wishing to speak during the public hearing portion of the meeting must sign in and queue up with social distancing maintained. Masks are strongly encouraged.**

#### **PUBLIC HEARING – Consideration of a proposed resolution approving the Final Redevelopment Area Budget for Fiscal Year 2020-2021 in the amount of \$2,815,000 – Resolution 20-20 RDA**

Finance Director Richard Anderson addressed the Council regarding the proposed resolution.

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

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

**ACTION. Motion by Councilmember Simmonds seconded by Councilmember M. Anderson to approve Resolution 20-20 RDA as presented. Motion carried unanimously**

**ADJOURNED.** There being no further business to come before the Council, the Logan Redevelopment Agency meeting adjourned at 7:20 pm.

Teresa Harris, City Recorder