

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, April 20, 2021, in the Logan Municipal Council Chambers located at 290 North 100 West, Logan, Utah 84321 at 5:30 pm. Logan Municipal Council Meetings are televised live as a public service on Channel 17 and the City of Logan Facebook page: <https://www.facebook.com/cityoflogan> and the City of Logan YouTube channel at: [https://www.youtube.com/channel/UCFLPAOK5eawKS\\_RDBU0stRQ](https://www.youtube.com/channel/UCFLPAOK5eawKS_RDBU0stRQ) COVID-19 Safety and Social Distancing Protocols were followed.

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

Chairman M. Anderson welcomed those present. There were approximately 13 in attendance at the beginning of the meeting.

#### **OPENING CEREMONY:**

Rex Davis, Logan City Forester gave the opening thought on the functions of the City Forester. The duties of a Forester are as follows: oversee plant healthcare, risk management, public safety/outreach, tree inventory/appraisal, reforestation, preservation and protection of existing trees, and ordinance administration. He has been with the City for 13 years and has a degree in Forestry Management from North Dakota, and certified in Utah Tree Forestry, and presently is working on International Certification of Tree Care. Currently, as the City Forester, he directly oversees general forestry, mosquito abatement, green waste collection, and recently powerline clearance as well. Mr. Davis said it is an exciting change in tree care to better maintain the care of trees to U.S. Tree Status. He thanked his staff from forestry and the green waste collection crew for all they do.

Mr. Davis said with Arbor Day coming up, he wished to remind the Council and community of the importance of working towards more of a diverse forest. He said just in the park strip areas between the curb and gutter, there are over 11,000 trees. Hence the reason, why the City is termed Tree City USA. There are still more trees to inventory, but with the mentioned limited staff, they will be hiring an intern to aid in the endeavor. Of the 11,000 mentioned trees 30% are Norway Maple, Green Ash and Honey Locust make an additional 20%. Three tree species in the park strips make up 50% of the City's trees. The downfall of planting the same species of trees and not being diversified is that they spread fungal diseases to each other such as fire blight. To remedy that, they are currently working on getting more of a diversity of trees in the park strips. The more diverse the tree population, the healthier the City's forest will be. As a division, they aim to plant 100 trees per year.

Regarding powerlines, the Forestry Department will be focusing on the large Y-shaped trees, which the majority are green ash and are showing decay in their branch structure. Trees will not be cut down for the sake of cutting down trees. As the City Forester, his goal is to preserve trees as much as possible. However, if they see any hazard to public safety, they will act accordingly.

Mayor Daines thanked Mr. Davis for also setting up all the Christmas decorations including lights every year.

Councilmember Jensen asked if the 11,000 trees were related to the park strips or other areas.

Mr. Davis clarified that the number was solely for trees planted along park strips along and excluding parks, City Right-of-Way's, etc.

Councilmember Jensen asked if there was a Master Plan for the planting of tree species.

Mr. Davis replied that there is not an official stamped plan, but that there is a plan to move forward. The plan for the diversification of trees is not to plant the same tree for three blocks straight. The reason is that the lack of diversification compounds a small issue into a large one. Currently, Emerald Ash Borer is on its way just over the Rocky Mountains and 15% of the City's Urban Forest is Green Ash and will be heavily infected. The answer is to continue to diversify as much as we can.

Vice Chair Simmonds inquired if the Council had any role in helping sustain the health of the City's trees.

Mr. Davis explained that they do their best to ensure that the tree has a water source before planting the tree, but nothing specific. He also added that in conversations with Director Akina of Parks and Recreation, they have found that meters to close to a tree can kill them. It is an area to rectify and most of the time water sources for trees are verified. They confirm with the adjacent landowner to help water the tree at least until it is established.

Chairman M. Anderson remarked that Center Street looked amazing with all of the cherry blossoms in full bloom and thanked Mr. Davis and all his department does for the City.

**Meeting Minutes.** Minutes of the Council meeting held on April 6, 2021, were reviewed and approved with no corrections.

**Meeting Agenda.** Chairman M. Anderson announced there are six public hearings scheduled for tonight's Council meeting.

**ACTION. Motion by Councilmember A. Anderson seconded by Councilmember Jensen to approve the April 6, 2021 minutes and approve tonight's agenda. Motion carried unanimously.**

**Meeting Schedule.** Chairman M. 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, May 4, 2021.

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

Chairman M. Anderson explained that the Questions and Comments portion of the agenda is suspended. 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 Appointment (Public Arts Advisory Board) – Mayor Daines**

Mayor Daines asked the Council for ratification to appoint Michael Bingham to serve on the Public Arts Advisory Board.

**ACTION. Motion by Councilmember Jensen seconded by Vice Chair Simmonds to approve ratification of Michael Bingham as presented. Motion carried unanimously.**

**Board Appointment (Historic Preservation Committee) – Mayor Daines**

Mayor Daines asked the Council for ratification to appoint Jason Pond to serve on the Historic Preservation Committee.

**ACTION. Motion by Councilmember Jensen seconded by Vice Chair Simmonds to approve ratification of Jason Pond as presented. Motion carried unanimously.**

**Proclamation: Lights Out for Birds Week – Mayor Daines**

Mayor Daines read the following Proclaiming April 19-25, 2021, as Lights Out for Birds Week.

*WHEREAS, Two thirds of songbirds migrate at night, and light pollution from cities can cause these birds to get confused as they fly; and*

*WHEREAS, Light pollution obstructs astronomers and wastes energy;*

*NOW, THEREFORE, I, Holly Daines, Mayor of Logan, do hereby proclaim Earth Week 2021 as Lights Out For Birds Week and encourage everyone to minimize light pollution.*

## **CAPSA Services – Bryce Lancaster**

Bryce Lancaster from CAPSA addressed the Council explaining some of the services they provide including service awareness and preventive education. Firstly, they wanted to thank the Council for support through CBDG funding. The public is largely unaware that sexual assault and abuse are severe problems in Utah. He added that 1 in 3 women and 1 in 10 men experience it during their lifetime, and of which a majority experience it before the age of 18.

CAPSA provides various services to the public and encourages the community to utilize these services. A specific service provided to survivors is that CAPSA has partnered with Cache Valley Hospital and offers forensic exams to someone who has experienced rape including collecting evidence. It can be an overwhelming process and will send advocates to ensure that everything is being taken care such as ensuring that rape kit results are going to the correct address. CAPSA Case Workers will work alongside survivors during the healing process. They pride themselves on providing all options but never pushing a survivor towards making a certain decision.

Therapy is offered as part of Family Services specifically for those who have experienced sexual assault or sexual abuse before the age of 18. The trauma of abuse does not just go away as survivors get older but rather will show up more vividly with age. They also provide support for secondary survivors. A parent will arrive concerned about their child and a therapist will sit down with their child. However, families need to heal together, and the parents need to process the event as well.

The last service is Prevention. CAPSA services will go to Middle School's and High School's throughout the valley teaching skill-based training on healthy emotions, healthy relationships (sexual, family, friendship, etc. They begin every session with the simple phrase "start by believing." They encourage the public to reach out to someone who is struggling and let them know that there are services available.

## **Cache Valley Transit District Update – Todd Beutler, Director**

Cache Valley Transit Director Todd Beutler was in attendance, but permitted Patrick Jenkins, the Vice Chair of the Board to address the Council in his stead. Mr. Jenkins thanked the Council and Mayor for the opportunity. He said that Tim Budge and Sam Low are his neighbors both are disabled but gainfully employed. Their means of transport to their occupation is the bus. The primary drive of a bus system is accessibility to all citizens of Cache Valley. Alongside is a reduction in traffic congestion and pollution. He said that CVTD is constantly listening to public officials and members of the community on how to better deliver their services.

The City of Logan has been one of the greatest advocates of CVTD. A council member is always on the board and he thanked Vice Chair Simmonds and the Council for giving the board that level of attention. In addition, Logan City has 7 other members on the board and Logan is the best represented on the Cache Valley Transit District.

A couple of data points is that last year there was a newly established loop route from Main Street to the University which has been a great success. Covid was a setback for transportation as it limits how many individuals are willing and able to ride the bus at a time. Currently, there are roughly 2,500 riders per day. Also, there will be a new service facility this year. He happily invited the councilmembers and public to the Bus Rodeo to be held in August to learn how to ride the bus. Also, to vote on some of the priorities of the facility. Hiring drivers right now is difficult and there may be an impact on service and consistency as a result. They do not want to cut routes as there are many members of the community that rely on the public transportation system as the main means of transportation.

### **Election – Mayor Daines**

Email from Mayor Daines to County Clerk Jess Bradfield declining services for this year's election.

*Logan City has given serious consideration to contracting with the county to run our municipal elections. As you are aware, our City Recorder Teresa Harris has been running successful vote by mail elections for our citizens since 2016, and she is very familiar with that process.*

*As we have discussed, there is a significant cost increase for Logan to contract with the county and our Council did have some concerns about that amount when we discussed it Tuesday night at the council meeting. In addition, this will be a new process for you, and we understand your newly hired Director of Elections is leaving.*

*We believe it will be in the best interest of both the city and county if Logan handles our election for at least one additional cycle. That will provide you an opportunity to run your first election as you transition to a new system with a reduced number of ballots to handle, and will allow us an opportunity to assess how a transition to contracting with the county on elections might take place in the future.*

*We have appreciated the County Clerk's support in past elections and hope the same level of support will continue not only for the 2021 election but future elections.*

*I know we both need to move forward and order ballots for our respective elections, so I wanted to let you know that Logan City will be handling its own election for 2021.*

Mayor Daines reiterated the fact that Teresa Harris, Logan City Recorder will need additional support, but additional support will be provided at a City level. City Recorder Harris is more than amply qualified to run an election.

Chairman Anderson appreciated the thoughtful consideration of the concerns that had been expressed by the Council.

No further Mayor/Staff Reports were presented.

## **COUNCIL BUSINESS:**

### **Planning Commission Update – Vice-Chair Simmonds**

Vice Chair Simmonds reported that the Planning Commission meeting was canceled due to substantial absentees and not having a full quorum.

### **Voting Systems – Chairman M. Anderson**

Chairman M. Anderson thanked Vice Chair Simmonds for ultimately compiling the voting system information.

Councilmember A. Anderson said that she reviewed hybrid, at-large, and voting district cities. Yet in retrospect, every single City likes their selected voting system. It is encouraging to see such beliefs. Despite different voting models, the cities are concerned about increasing voter participation. This may not be a one solution voting system. She did note that Provo, Utah has 34 neighborhood councils to encourage voter participation and helps the citizens feel more connected. It may be an idea to review and consider if the neighborhood councils of the City are too big or too small. Do they need projects or committees?

Councilmember Jensen spoke about Manhattan, Kansas, which has at-large voting districts, but with 24 committees. On the other hand, the County of that area is a voting district county which causes issues as there is a tendency to focus solely on a neighborhood rather than the entire County. After reviewing the information and in consensus with what Provo is doing is to engage neighborhoods on a stronger basis. An incentive or even a manner in which the neighborhood council could report on issues in their area, show leadership, and engage their local community.

Vice Chair Simmonds agreed that the key is in the fact that Provo has 34 neighborhood communities. Currently, the City neighborhoods are far too large and stretched out. Perhaps, the City has grown enough that having a school boundary no longer is a good qualification to make a neighborhood rather to work towards redefining a neighborhood.

Chairman M. Anderson agreed with Vice Chair Simmonds previous statement and inquired about the population of Provo if it was double that of the City's. Councilmember A. Anderson replied that Provo's population is 116,000 with Murray roughly the City's size. In both communities, they felt that campaigning was a lot easier in a district. Provo has 2 at-large seats and 5 district seats. However, there were far more individuals running for the at-large seats than district seats. Voting Districts do bring a sense of more representation.

Councilmember Jensen clarified regarding the 24 committees are special interest committees to the public.

Chairman M. Anderson asked how valid of a reason is there to change the voting system to make it easier for people to run.

Councilmember A. Anderson said that it ties in the diversity inclusion. If it is financially easier to run it also makes a difference. In two of the cities she spoke with, both cities require a fee to run for office of \$75 dollars. Logan City does not charge as it may be a barrier to participation.

Vice Chair Simmonds remarked on the interesting fact that there are more individuals running for the at-large seats rather than the district seats.

Mayor Daines elucidated that it may be a barrier to running when having to go head to head against another individual in a voting district vs. in an at-large system it is simply about talking about the issues not talking about the opponent. The election is an issue-based election rather than personal.

Chairman M. Anderson agreed and reflected on the 2019 election. There were no passing idle remarks nor in-between comments made between any of the candidates said at that time.

Councilmember Jensen indicated that with districts the qualification to run is geography, while at-large are the issues. The qualification of the individual is the highest value of consideration.

Vice Chair Simmonds interjected when speaking with public officials from Aimes, Iowa, individuals do not stay in office for very long in district seats. As a matter of fact, because there is a university in their town, a student will decide to run as part of the City Council only to graduate or move. and it becomes a challenge for their city. In a discussion regarding economic and minority status, some of the cities have minority representation, but all the Cities agreed it was a good thing to have women's participation.

Councilmember A. Anderson explained that although Provo has five districts, they are nearly parallel to that of the City of Logan. There is a subtle, older wealthier district. One that is primary rental around the university, an area that is newer area that is more young families and an area that is central with more young professionals. Because more commonalities are clustered, they felt a district was appropriate vs. an at-large system.

Chairman M. Anderson remarked that he found it oddly reassuring that all of the cities he spoke to have the same challenges that the City has.

Councilmember Jensen agreed that the change in the voting system did not solve the issue of voter participation and shared others.

Councilmember López said that he looked into the Hybrid Voting System and spoke to a councilmembers who said “I wish that people would understand how local representatives impact their daily lives,” referring to voter turnout even in her own district.

Councilmember A. Anderson observed that all voting districts rely on the census and was advised by Murray City to not make any voting changes until after the Census.

Chairman M. Anderson noted that some of the cities he spoke with were mandated by the State to have their voting system in place. At this point other options are being explored by other cities with ranked-choice voting, it is a valid option to consider as well especially if costs will continue to increase. Staff looked into the cost of what other counties are charging for mail voting it is \$1.80 and he is concerned that the costs will go up.

Councilmember López interjected that he did receive an email from one or two citizens who were advocating for ranked choice voting.

Councilmember A. Anderson said that at this point in time, it would not be prudent to move ahead without census data.

Chairman M. Anderson responded that it was too important of a decision to rush.

Councilmember López agreed with Councilmember A. Anderson’s suggestion of creating a timeline for a decision but taking into consideration the Census as part of it.

Vice Chair Simmonds plainly stated that whatever is decided, it must be made plain as to the reason for the change rather than making a change for simply the sake of it. Regardless there is a need to press forward with the idea of expanding neighborhood councils.

Councilmember A. Anderson agreed with the need for more neighborhood councils and that was one of the platforms Mayor Daines ran on.

Mayor Daines replied that the Bridgerland area now has a council chair, but their neighborhood does not want to meet monthly as was once initially thought. Rather it was to permit the council to become an organic meeting as there was a need. There is also the idea of making smaller neighborhood districts, but in experience, they have found that meeting monthly is far too frequent.

Vice Chair Simmonds suggested that there might be an open mic time on the Council agenda where neighborhood councils may be permitted to come in and share their thoughts and concerns.

Councilmember Jensen expressed his concern that an individual is assigned to a neighborhood, but what if that neighborhood did not meet. An example was given that of the Adams neighborhood.

Chairman M. Anderson commented that on the other side of the spectrum is the Wilson neighborhood council, which is vocal in expressing their thoughts and concerns in a productive manner.

Mayor Daines explained that the Adams neighborhood had been strong in the past, but due to a variety of circumstances including health issues their participation has declined. Typically, when neighborhoods show up it is because there is an issue that they feel strongly about. The hope is that in the Woodruff, Wilson, and Hillcrest area the public will come and participate in giving back feedback in upcoming neighborhood meeting.

Vice Chair Simmonds remarked that she does not want to be complacent, but the hope is that the Council is doing a good enough job that the public feels that they are amply being represented.

Mayor Daines hoped that was the case as well. As when the public is concerned about an issue, there is typically a vocal response. If there is a problem in the neighborhood, the community typically bands together in an effort to make their concerns known. It is generally an indication that they are doing well even if there is always a need for improvement.

Chairman M. Anderson clarified that a timeline needs to be created that is sensitive to the Census data and possibly explore other options including a Hybrid voting system. The Council agreed.

Councilmember López asked when the Census data would be available.

Chairman M. Anderson answered in the Fall.

Councilmember López inquired if the Census would determine a voting system.

Councilmember A. Anderson replied that the Census would permit to define a district for a hybrid or voting district system. A decision certainly could be decided before then, but it may be best to err on the side of caution.

No further Council Business items were presented.

### **ACTION ITEMS:**

**PUBLIC HEARING - Budget Adjustments FY 2020-2021 appropriating: \$13,463 funds received for police overtime shift reimbursements – Resolution 21-20 – Richard Anderson**

At the April 6, 2021, Council meeting, Finance Director Richard Anderson addressed the Council regarding the proposed resolution.

Chairman M. Anderson opened the meeting to a public hearing.

There were no comments and Chairman M. Anderson closed the public hearing.

**ACTION. Motion by Councilmember Jensen seconded by Vice Chair Simmonds to approve Resolution 21-20 as presented. Motion carried unanimously.**

**PUBLIC HEARING - Consideration of a proposed resolution approving a 10-year inter-fund loan from the Electric Fund to the Library Fund for the construction of a new library – Resolution 21-21 – Richard Anderson**

At the April 6, 2021 Council meeting, Finance Director Richard Anderson addressed the Council regarding the proposed resolution. He explained this loan will be for the amount of \$4,000,000 for a term of 10 years at an annual interest rate of 1.69 percent (treasury rate calculated on 4/1/2021). Simple interest will be calculated annually based on the outstanding balance for that year. The first principal and interest payment will be due May 1, 2022 and will be paid each year thereafter. The loan may be repaid in full or in part at any time without penalty. This loan shall be effective May 1, 2021.

Chairman M. Anderson opened the meeting to a public hearing.

Dr. Gail B. Yost resides in Logan, Utah. She has always loved libraries and began volunteering in libraries during her 7<sup>th</sup>-grade class. She said the library is so important to every district, community, and individuals as it is the most democratic service that the City provides. Any member of the public can utilize these services. She has been a Friend of the Logan Library since its start because she believes in books and learning. She said that someone once said that, “A non-reader only lives one life, but a reader lives a thousand lives”. It is about seeing fairness in the world, people coming together in a common cause, and that can only be done via books. She plead with the Council to approve the resolution as it is needed for the community.

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

**ACTION. Motion by Vice Chair Simmonds seconded by Councilmember A. Anderson to approve Resolution 21-21 as presented. Motion carried unanimously.**

**PUBLIC HEARING - REZONE – Consideration of a proposed rezone of approximately .80 acres of property located at 800 North 50 West from Commercial (COM) to Mixed Use (MU) – Ordinance 21-07 – Tanya Rice, Planner**

At the April 6, 2021 Council meeting, Planner Tanya Rice addressed the Council regarding the proposed rezone.

## **PROJECT**

The proponent is requesting to rezone a .80-acre parcel at 800 North 50 West from COM to MU. The corner lot is vacant with several trees throughout the property and the frontage along 50 West is used for pull-in parking. The property has approximately 300' of frontage along 50 West and varies in depth running east and west (80' at the north end and 145' south end). Both 50 West and 800 North are classified as local city streets. Zoning has remained consistent over time, allowing commercial services and multi-family dwellings, changing from C-2 to COM in 2000.

## **GENERAL PLAN – ZONING**

### **Commercial (COM) – Current Zone**

The Future Land Use Plan (FLUP), adopted in 2008, identifies this property as Commercial (COM). The General Plan, a nonregulatory visioning plan, describes COM areas as being intended for retail, service, and hospitality businesses that provide employment centers and serve city-wide and regional populations. New projects should have buildings that meet high architectural standards and are constructed with quality materials.

### **Mixed-Use (MU) – Proposed Zone**

Mixed-Use Center (MUC) areas are described in the General Plan as having concentrations of commercial and office uses with residential uses integrated. MUC developments are required to have both residential and commercial components. MUCs are intended to be compact and designed for people to live, work, and play within a walkable center.

## **LAND DEVELOPMENT CODE**

The Land Development Code (LDC) regulates land uses and entitles properties with specific development allowances.

### **COM Zone – Current Zone**

The COM zone allows a wide range of commercial and light industrial uses. Residential development is encouraged when it is an integral part of the project whole. The COM zone is typically located along with major collector and arterial streets with nearby large capacity utilities. Building heights are limited to 40' and lot coverage rates are kept under 60%. 20% of project sites are required to be improved with open space and usable outdoor space.

### **MU Zone – Proposed Zone**

The MU zoning district permits a maximum density of 30 units/acre (40 with ground floor commercial) and building heights of 58'. Setbacks are 0'-10' in the front yard and lot coverage is capped at 60%. 20% of project sites are required to be improved with open space and usable outdoor space. Studio/one-bedroom residential units require 1.5 parking stalls; two-bedroom or larger units require 2 parking stalls. Commercial parking is based on the square footage of a proposed use. MU standards set minimum commercial building area standards for projects based on acreage. For a .80-acre site, 1,500 SF of the commercial building would be required as part of the project.

## **NEIGHBORHOOD COMPATIBILITY**

The area around the site contains a wide variety of land uses. Single-family homes, multi-family apartments, recreation amenities, schools, restaurants, gas stations, and grocery stores are all located within about a 600-foot radius of the site. 800 N and 50 West are identified as existing or future local streets on the City's Master Transportation Plan, with their primary function, described as access and connection to higher capacity roads. Across from the subject parcel, 50 West is lined with two-story apartments. Other existing buildings and structures within a 600-foot radius is single and two stories in height with most of the residential structures being built between 1962-1999. The surrounding commercial structures were built circa 1950-1980s.

## **SUMMARY**

The COM zoning district, indicated on the FLUP, is similar in nature to the MU zoning district. MU allows taller buildings and a density bonus for residential units but is more limited on the range of permitted commercial uses. As stated in the General Plan, a compact infill near Logan's core will reduce pressure to sprawl outwards into surrounding rural areas. Infill is more efficient on utilities and infrastructure. Infill is less taxing on Logan City's transportation system and should result in fewer miles driven and lower amounts of pollution emitted by residents. There could be design compatibility issues with a MU development built to maximum allowances as the LDC encourages vertical design strategies in urban areas. However, Planning Commission site-specific conditions can help to mitigate any potential incompatibilities.

## **RECOMMENDED FINDINGS FOR APPROVAL**

The Planning Commission bases its decision on the following findings supported in the administrative record for this project:

1. The Logan City FLUP identifies the area as COM which is similar in nature to MU.
2. The MU zone has a mandatory commercial component that will help to meet the intent of the COM FLUP designation.
3. The MU zone is compatible with neighboring uses and zones.
4. Infill is a more efficient way to handle population growth and reduce pressure on rural/suburban sprawl.
5. Design incompatibles can be mitigated through Design Review processes.
6. The subject property is in an area and surrounded by streets and infrastructure that can handle and appropriately serve Mixed-Use developments.

## **RECOMMENDATION**

Staff recommends that the Planning Commission recommend approval to the Municipal Council for a Rezone of approximately .80 acres of property located at approximately 800 North 50 West (TIN# 05-048-0018) from Commercial (COM) to Mixed Use (MU).

On March 11, 2021, the Planning Commission recommended that the Municipal Council approve the Brickyard rezone from COM to MU. Planning Commissioners vote (6-1).

Planner Rice addressed the question asked by Vice Chair Simmonds during the prior workshop if the sidewalk parking was on private property or is it part of the City's plans to further widen the street. After further research, it was found that the sidewalk parking is on private property as the street is 33 feet of the right-of-way. At the time of development that street cross-section will be determined by Public Works.

Vice Chair Simmonds asked if the developers needed to have a curb, gutter, and a sidewalk.

Planner Rice replied it would depend on the project, but they would work with the developers. Public Works will determine the specificities of the project as the project progresses along. After speaking to Engineer Bill Young, she did confirm that the right-of-way is 33 feet.

Vice Chair Simmonds repeated the previous question with Planner Rice replying that could be possible.

Councilmember A. Anderson asked if a development project could be built without a curb and sidewalk.

Planner Rice answered that the area had been built back in 1999.

Mayor Daines expressed concern over the possible lack of curb, gutter, and sidewalk as the intent of the developer is to create a housing project.

Paul Lindhardt, Publics Works Director interjected that regarding curb, gutter, and sidewalk at least one will be required. There will be a requirement for at least a minimum street improvement.

Planner Rice indicated that 500 West is significantly in disrepair. There had been one email comment from the Logan City School opposing the rezone primarily against rental units being built rather than single family homes. The Planning Commissioners voted (61) in favor of the rezone.

Vice Chair Simmonds asked considering the setbacks of the property that are required such as the sidewalk and so forth, how many units are estimated to be built in that entire area.

Planner Rice replied that 30 units can be built per acre adding height density up to 40 units.

Mike DeSimone, Community Development Director interjected that the acre is only .80 acre. Therefore, up to 20 to 24 units as parking must be taken into consideration.

Chairman M. Anderson opened the meeting to a public hearing.

Jay Thompson, proponent explained that the project will be constrained by the area and parking requirements. For a 1 bedroom, there is 1½ car's per unit, the same rule applying to a two-bedroom unit. If there are 20 units, there is a need for 40 parking stalls. Through the design review, the area will be designed and ensured to fit the building requirements.

Blake Parker, listing agent since 2006 addressed the Council and said that the rezone is required as that area is blocked from any view to Main Street. From a commercial standpoint, visibility access, and traffic count is poor. For that same reason, a multi-family project is the best use for the property. There have been plenty of ideas and alternatives such as a Popeye's restaurant, but nothing has panned out.

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

Councilmember A. Anderson commented that the location for the project makes sense to her as various locations such as food, groceries, and parks are within walking distance. It is an important feature to consider when attempting to make the City more walkable to the community.

**ACTION. Motion by Councilmember Jensen seconded by Councilmember A. Anderson to adopt Ordinance 21-07 as presented. Motion carried unanimously.**

**PUBLIC HEARING - Consideration of a proposed resolution adopting the 2021 Public Art Action Plan – Resolution 21-17 – Aaron Smith, Planner**

At the April 6, 2021 Council meeting, Planner Aaron Smith addressed the Council regarding the proposed resolution. He said the Logan Public Arts Master was adopted in 2020 to provide guidance for the implementation of a Public Art Program in Logan City and the Public Art Advisory Board was established in 2021 to advise the Municipal Council regarding the implementation of the City's Public Art Program. The bylaws of the Public Art Advisory Board require the submission of an Annual Action Plan that specifies goals, funding recommendations, and proposed projects for the upcoming year to the Municipal Council for consideration.

The 2021 Public Art Action Plan's core values are creating experiences, sensitivity, diversity and accessibility, education, and strong management. The first-year goals and objectives are the creation of the board, formalize the action plan process, pursue grant funding, establish an identity of board/community engagement, first projects, engage local artists, and explore additional funding models for the arts. The current Logan City Funding is \$10,000, the Logan City CDBG Funding another \$10,000 with the possible addition of grants if available.

The first project is Downtown Placemaking for \$10,000. It will be public art that connects with the downtown sense of place and character. The project that will be considered may be multiple media and include 2 dimensional/mural, sculpture, installation, and augmented reality/digital art. It will be local due to geographic boundary and preferred on public property. Including Art Precedents to be established via painted facility buildings, painted panels, and previously mentioned options.

Vice Chair Simmonds asked if the project would be related to the identifying spaces within the Master Plan.

Planner Smith replied that it would possibly relate to some of the potential locations such as Main Street, Center Street Sidewalks, Center Block Promenade, Theatre District, Alleyways, Garff Wayside Garden, etc.

The second project is the Art in the Park – Mural Program for \$10,000 from the CDBG funding. These will be commissioned murals in parks that serve low to moderate-income residents in Logan (HUD requirements). These may include multi-media murals that incorporate painting, mosaic, 3D, augmented reality, etc. The priority parks identified in the master plan are the Soccer Park (250 Legrand St.) and Merlin Olsen Park (300 E Center St.).

Councilmember López asked as to the reason why Willow Park was not on the list of planned Parks.

Planner Smith replied that Willow Park is on the list of the Art Master Plan just merely not as the first project to commence with. The hope is to continue with the program and progressively implement public art throughout the City.

Chairman M. Anderson opened the meeting to a public hearing.

Wendy Hassan, Director of the Cache Valley Center for the Arts addressed the Council. She commented that she has watched the entire process of the committee and is pleased to see what she is hearing and the enthusiasm for the projects.

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

**ACTION. Motion by Councilmember A. Anderson seconded by Councilmember Jensen to approve Resolution 21-17 as presented. Motion carried unanimously.**

**PUBLIC HEARING - Consideration of a proposed resolution adopting revised Logan Light and Power Residential, Commercial and Industrial Electrical Rate Schedules – Resolution 21-18 – Mark Montgomery, Light & Power Department**

Logan Light & Power Director Mark Montgomery addressed the Council regarding the proposed resolution. The changes refer to the Solar Buy-Back Pricing with the Commercial and Industrial solar rates, a cent above wholesale. The additional wording states that the rates will be looked at on an annual basis and make price adjustments as necessary. The second change is regarding the fact that all the billing meters in the city for commercial and industrial are being changed so that the prices now reflect what the costs are. The improvement is that a solar customer will no longer need to pay \$300 for a bidirectional meter.

Chairman M. Anderson opened the meeting to a public hearing.

There were no comments and Chairman M. Anderson closed the public hearing.

**ACTION. Motion by Councilmember A. Anderson seconded by Vice Chair Simmonds to approve Resolution 21-18 as presented. Motion carried unanimously.**

**PUBLIC HEARING - Consideration of a proposed resolution to approve new fees and revised fees in the Parks and Recreation Department Pickleball Tournaments and Group Reservations; Ballfield Reservation Fees and Tournament Room Rental Fee adjustment at the Logan River Golf Course – Resolution 21-19 – Russ Akina, Parks & Recreation Director**

At the April 6, 2021 Council meeting, Parks & Recreation Director Russ Akina addressed the Council regarding the proposed resolution. He said there is a standing policy for pickleball and related fees. There are 8 courts available, and half are always available to the public. When there are requests for tournaments or reservations up to four courts can be used per reservation. The fees regarding pickleball pertain to fees associated with reservations for tournaments or even single courts. The reservation schedule allows from 4 hours to all day (6 a.m. to 10 p.m.). Lights will be added to these courts and at present, there is an application for funding with the County.

Ballfields and green space are adjustments in some instances and new in others. For the ballfields mainly baseball and softball tournaments or reservation use. The term for green space is that there are areas within the parks that do not have a backstop but are perfect for volleyball tournaments or other kinds of team play. Another example is the open grass area such as the Merlin Olsen Park. It is to distinguish ballfield reservations vs. green space.

There is a staff fee assignment regarding tournament services. This is applicable when the tournament organizer is requesting certain services from the department. This can be from additional field preparation to additional time needed to maintain and stock restrooms. The addition to a Full-time staff assignment, if this request occurs during a business day and not on the weekend when a part-time staff member is available. A point of note regarding part-time staff members in the budget. There is an effort to increase the part-time staff member's wages with the lack of volume of summer applications that is typically seen with summer employment. It is a competitive market and may change to up to \$15 dollars an hour, but in the Council packet, at present, it shows as \$12 because that is the current rate.

The final proposed fee is an adjustment to the golf course tournament fee. The current offer for tournaments is 1 to 3 hours, 3 to 5 hours, and a full day (from 7 a.m. to 10 p.m.). There has been a large increase in half-day usage. The 1 to 3-hour usage is rather rare, and at present half-day and full-day usage are the most frequently used. If an organizer or renter wants to bring in a caterer rather than use the concession on contract, the renter pays a \$100 catering outside fee. It provides the option for the event organizer to utilize their own caterer.

Director Akina clarified that in the prior workshop it had been mentioned a concern with staff shortage and the possibility of changing wages from \$12 dollars an hour to \$15. The idea was presented before the Parks & Recreation Board as well as the Golf Advisory Board. It was not opposed.

Vice Chair Simmonds asked that if an individual wants to play pickleball and doesn't make a reservation, how to know if the court is reserved.

Mr. Akina replied that there are four courts that are always available to the public without reservation. There is also a notification board and a reservation system for the public to know that those courts are reserved for that period.

Kymer Housley, City Attorney explained that the same rules would apply to that of tennis.

Chairman M. Anderson opened the meeting to a public hearing.

There were no comments and Chairman M. Anderson closed the public hearing.

**ACTION. Motion by Councilmember López seconded by Vice Chair Simmonds to approve Resolution 21-19 as presented. Motion carried unanimously.**

#### **WORKSHOP ITEMS:**

**Budget Adjustments FY 2020-2021 appropriating: \$42,264 Communication Center reserves for COVID related grant expenses – Resolution 21-22 – Richard Anderson**

Finance Director Richard Anderson addressed the Council regarding the proposed budget adjustment. He explained these are COVID fiscal funds that went unspent the previous fiscal year.

The proposed resolution will be an action item and public hearing at the May 4, 2021 council meeting.

**Consideration of a proposed ordinance amending Title 13, Article III, Sections 13.08.380, 13.08.390, 13.08.400, 13.08.410, 13.08.420, 13.08.430, 13.08.440, 13.08.450, 13.08.460, 13.08.470, 13.08.480, 13.08.490 of the Logan Municipal Code Regulating Cross Connections – Ordinance 21-08 – Cameron Draney, Water/Wastewater Manager**

Water/Wastewater Manager Cameron Draney was unable to address the Council regarding the proposed ordinance and in his stead, Public Works Director Paul Lindhardt addressed the Council. This ordinance has not been updated in over 10 years and the cross-connection continues to be changed at a State level. Most of the changes come in the form of changes to definitions and language found within the code. The largest

change came in Section 470 where language states if certified testers do not meet testing requirements consistently then the City can restrict their ability to test in the City until they meet the testing requirements.

Councilmember A. Anderson asked if the certified testers are not City staff rather outside agencies.

Mr. Lindhardt said that was correct as these certified testers were private testers certified through the State of Utah and are on a list provided by the State.

Vice Chair Simmonds if many testers are listed as certified testers but are not, in fact, qualified to do so.

Mr. Lindhardt replied whether or not they meet the requirements of say filling out a form correctly, there are certainly a few out there. It is not an anticipated problem, but it has occurred in the past.

Councilmember A. Anderson asked if the usage fee had been eliminated in Section 13.08.490.

Mr. Lindhardt explained that the fee is listed on the specific fees but merely removed from the text code and so there is not a need to make changes every time there is a change in the fee.

The proposed ordinance will be an action item and public hearing at the May 4, 2021 council meeting.

**Consideration of a proposed resolution to acknowledge and support a grant application (deadline May 1, 2021) to the Land and Water Conservation Fund by the City of Logan for Capital Improvements at the Willow Park Sports Complex – Resolution 21-23 – Russ Akina, Parks & Recreation Director**

Parks & Recreation director Russ Akina addressed the Council regarding the proposed resolution. He explained that the resolution is regarding the Parks & Recreation Department applying for a mini-application for improvements to the sports complex, but with the application, the Department is also submitting a letter stating the request for the grant and that funds will come thereafter. The Minutes must be recorded stating that is indeed the case with the letter forthcoming as presently they are in the process of discussion. Yet as part of the application process, the requirement is to discuss the application and subsequent steps for the grant application. The improvements for the sports complex involve the replacement of the dugouts in all four fields. The replacement of tubes in fields, backstops, and outfield fences. The project is estimated at 300,000. The grant provides up to half of the qualified expenses.

Chairman M. Anderson asked if one of the infields is the Southeast field.

Mr. Akina replied that the Southeast field already has in-field replacement, but that the backstops need to be replaced.

The proposed resolution will be an action item and public hearing at the May 4, 2021 council meeting.

**Consideration of a proposed ordinance vacating certain public utility easements in the Airport Industrial Park Amended, between Lot 2 (Tax ID 04-062-0302), Lot 3 (Tax ID 04-062-030), and Lot 4 (Tax ID 04-062-0304), all located at 631 West, 681 West and 731 West 2200 North in Logan, Utah – Ordinance 21-09 – Paul Lindhardt, Public Works Director**

Public Works Director Paul Lindhardt addressed the Council regarding the proposed public utility easements. The owner of the lot will be combining the area and is attempting to vacate the easement.

Vice Chair Simmonds asked if the easement will be moved.

Mr. Lindhardt replied that if the owner puts private utilities under his name then there is no need to move the easement simply vacate it.

The proposed ordinance will be an action item and public hearing at the May 4, 2021 council meeting.

**OTHER CONSIDERATIONS:**

Chairman M. Anderson said that an email had been received from Bronwyn O'Hara, who had requested that an answer be publicly given if possible. The questions she had were concerning electrical vehicle charging stations. She noticed that there were electrical vehicle charging stations at 250 N Main at Wilson Motors, Springhill Suites and Culvers. She asked, did an individual need to be a customer to use these charging stations. The answer is that individual station owners set their own rules. The same is applicable with University stations. In addition, Charge Point will inform the public if that charging station is open to the public and any fee structure associated with it. The charging station on the Tabernacle block on 100 North across from Church Street is owned by the Downtown Alliance. If there are other stations in existence, the Council can only speak to the stations that Logan City owns and operates. As for the three charging stations at the Department of Workforce Services, they are owned by the State. State-owned stations typically have a form of signage associated with them. However, according to Charge Point, they are free and always open.

Mayor Daines replied that charging stations are a possibility when the parking adjacent to City Hall is redone along with the library construction project.

Chairman M. Anderson asked if there were requirements with new construction or if that was merely an elective.

Mayor Daines responded that it was an elective.

Councilmember A. Anderson replied that was a valid concern as several States are moving in that direction. States like California are saying that by 2030, they will not permit sales of any combustion engine vehicles.

Councilmember A. Anderson thanked the election sub-committee for all their hard work. She also reported that the Bike-Ped Committee and announced there is a Bike Week Kick-Off on May 1<sup>st</sup> at the fairgrounds from 5 to 8 pm. It will also permit the community to be first in line to adopt a trail. Those interested can go to [bikes.cachecounty.org](http://bikes.cachecounty.org) for more information.

Councilmember López mentioned that on the Parks and Recreation Board, there is an ongoing discussion about micro-mobility in the City to Countywide.

Councilmember Jensen commented that as part of the Wastewater Committee, they toured the wastewater plant. It is the largest plant of its type in the United States and he thanked project manager Mark Nielsen for his work.

There were no further considerations discussed by the Council.

**ADJOURNED.** There being no further business to come before the Council, the Logan Municipal Council adjourned at 7:33 pm.

Esli Morales, Deputy City Recorder