

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, June 4, 2024, 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 YouTube channel at: [https://www.youtube.com/channel/UCFLPAOK5eawKS\\_RDBU0stRQ](https://www.youtube.com/channel/UCFLPAOK5eawKS_RDBU0stRQ)

Council Members present at the beginning of the meeting: Chair Amy Z. Anderson, Vice Chair Mark A. Anderson, Councilmember Ernesto López, Councilmember Mike Johnson, and Councilmember Jeannie F. Simmonds. Administration present: Mayor Holly H. Daines, City Attorney Craig Carlston, Finance Director Richard Anderson, and City Recorder Teresa Harris.

Chair Amy Z. Anderson welcomed those present. There were approximately 24 in attendance at the beginning of the meeting.

#### **OPENING CEREMONY:**

Rebecka Shultz, Program Manager for the Alzheimer's Association offered the opening ceremony and led the audience in the pledge of allegiance.

Ms. Shultz reminded everyone about the importance of having a healthy brain. Some things that will help are reducing blood sugar and blood pressure, being more physically active, and connecting with others socially. These are all things that we can do and should do to improve brain health. The Alzheimer's Association has a campaign called "The Longest Day," a reminder that being a caregiver every single day is a long day. It is to honor the efforts of caregivers. The funds raised during this campaign go to research and help pay for various programs.

Chair A. Anderson expressed her gratitude to Ms. Shultz and the Alzheimer's Association.

**Meeting Minutes.** Minutes of the Council meeting held on May 21, 2024 were reviewed and approved with no corrections.

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

**ACTION. Motion by Councilmember Johnson seconded by Councilmember López to approve the May 21, 2024 minutes as presented and to approve tonight's agenda. Motion carried by roll call vote.**

**A. Anderson: Aye**

**M. Anderson: Aye**

**Johnson: Aye**

**López: Aye**

**Simmonds: Aye**

**Meeting Schedule.** Chair A. Anderson announced that regular Council meetings are held on the first and third Tuesdays of the month at 5:30 p.m. The next regular Council meeting is Tuesday, June 18, 2024.

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

**Chair A. Anderson explained that any person wishing to comment on any item not otherwise on the agenda may address the City Council at this point by stepping to the microphone and giving his or her name and address for the record. Comments should be limited to not more than three (3) minutes unless additional time is authorized by the Council Chair. Citizen groups will be asked to appoint a spokesperson. This is the time and place for any person who wishes to comment on non-agenda items. Items brought forward to the attention of the City Council will be turned over to staff to respond to outside of the City Council meeting.**

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

**MAYOR/STAFF REPORTS:**

Mayor Daines stated the Laub Plaza is fully open and operating. Last Saturday was the first concert in the plaza, there were 286 in attendance. There are some chairs available, but the public is invited to bring their own chairs. During the day, the Splash Pad is open for children to use. There are also self-directed games set up to play on the Plaza and the public is invited to come and enjoy. Furthermore, the plaza website is being updated with a list of community activities.

No further Mayor/Staff Reports were presented.

**COUNCIL BUSINESS:**

**Planning Commission Update – Councilmember Simmonds ([5:58](#))**

Councilmember Simmonds reported that she was not able to attend the last Planning Commission meeting. Regardless, two short-term rentals were discussed, and a short-term rental was approved at 317 East 200 North in the Adams Neighborhood. The second short-term rental was denied at 25 South 200 West due to parking and side yard concerns.

**Board and Committee Reports – Councilmember Simmonds and Vice Chair M. Anderson**

Councilmember Simmonds reported that she attended a meeting with Public Works regarding 600 West 400 North. The Safety Summit discussed 'safe streets for all.' The employee luncheon went well. She attended the opening of the new Wolf Pack Way roadway. She attended the Water Advisory Board, Airport Authority Board, and Ombudsman Board which was created just last year by the legislature to help communities deal with intricacies, especially those related to railroad crossings. The

current issue being discussed is the east fence line of the airport which sits on Union Pacific property.

Vice Chair M. Anderson reported that he attended the Golf Advisory Board meeting and is happy to report that the golf course is on budget. The golf course is busy and has updated many cart paths along with other capital improvements. The Solid Waste Advisory Board met and approved the rate changes which will come before the Council. The Wilson Neighborhood met and created the first draft of their Neighborhood Plan.

#### **July Meeting Schedule – Chair A. Anderson ([10:47](#))**

Chair A. Anderson reported that historically there is only one meeting held during the month of July. Typically, the first meeting of July is not held due to the meeting's close proximity to the July 4<sup>th</sup> holiday.

**ACTION. Motion by Councilmember Simmonds seconded by Councilmember López to cancel the July 2, 2024 Council meeting as presented. Motion carried by roll call vote.**

**A. Anderson: Aye**

**M. Anderson: Aye**

**Johnson: Aye**

**López: Aye**

**Simmonds: Aye**

#### **Discussion: Accessory Dwelling Units (ADU's) – Mike DeSimone, Community Development Director ([12:50](#))**

Community Development Director Mike DeSimone addressed the Council regarding Accessory Dwelling Units (ADU's).

Accessory Dwelling Units (ADU) are an additional or secondary housing unit located on a residential property already containing a residential unit. In many communities, ADU's can take the form of an addition to the main home, a basement conversion, second story over a detached garage, or a distinct and separate building located elsewhere on a residential property. ADU's are viewed by the State of Utah and many other communities as a quick & efficient method to increase housing supply in a housing-deficient market. However, this general view does not take into consideration the nuances of ADU's in a university dominated community. Logan's current ADU licensing/permitting approach is limited to internal ADU's; however, historically, there are hundreds of units located throughout Logan's neighborhoods that are indicative of an ADU and that have been grandfathered (e.g., basement legally converted to a second unit).

Logan City adopted Ordinance #21-014 September 21, 2021 enacting the City's current ADU program in Chapter 17.37.070 of the Land Development Code. These code changes were in response to Utah State House Bill 82 (2021) amending Utah Code 10-9a-530 requiring that local governments permit ADU's in residential areas.

The current ADU code permits ADU's in all residential zones except for an area around Utah State University. The exclusion area around USU is defined by a boundary along 2nd East, 141h North, 161h East, Logan River and 3rd South (see map). The ability to exclude ADU's from a specific geographic area was permitted under the 2021 State Law. This was done to give municipalities broader latitude in crafting and applying new ADU standards due to concerns about their misuse further exacerbating student housing impacts within existing residential areas around college campuses.

The City's current ADU program generally permits new ADU's internal to an existing, owner occupied, detached single family dwelling on a residentially zoned property. A landlord (business) license and building permits are required to establish an ADU. Since the program's inception in 2021, five (5) ADU licenses have been issued while one (1) ADU license application has been denied. The last license was issued in January of 2023.

When Ordinance #21-014 was adopted, the Council wanted to revisit ADU's on a regular basis to determine the efficacy of the current program and whether changes are warranted due to pent-up demand. Since the last Council ADU workshop in 2023, Community Development staff has logged approximately 32 inquiries (phone/email/person) about establishing an ADU on a privately owned parcel. Of the 32 logged inquiries, 26 were owner-occupied dwellings and 6 were non-owner-occupied dwellings.

The dispersal by a neighborhood of the 32 logged inquiries are as follows: Adams - 53% (17), Bridger-0% (0), Ellis -6% (2), Hillcrest- 34% (11), Wilson - 3% (1), and Woodruff- 3% (1). A majority of the logged inquiries concern a location within the area of exclusion.

A few of the neighborhood councils have discussed this topic over the past two years with a mix of opinions both for and against expanding ADU's in terms of types of ADU's and where they are allowed. The opinions in Hillcrest and Wilson generally favor expanding ADU's in their neighborhoods while in Adams the general opinion was to not allow them. However, neither viewpoint was unanimous in any of the neighborhoods.

A notice of this meeting was sent via email to individuals who have signed up for a neighborhood or Mayor newsletter which includes approximately 800 people as well as the neighborhood councils and chairs.

Community Development staff would recommend the following changes to the current ADU approach:

- Expand permitted ADU's to include all types of ADU's.
- Retain the general ADU requirements or standards with some minor modifications:
  - o Remove any prohibition on detached ADU's or reference to internal ADU's only;
  - o Retain owner occupancy & SFR requirements;
  - o Retain parking requirements of 1 additional stall for ADU;

- o Include a maximum size or proportionality of a detached ADU relative to the SFR;
- o Permit ADU's in all zones, not just residential zones, if other conditions are met, and subject to area of exclusion.
- Eliminate the buffer around USU and permit citywide, (or)
- Reduce the buffer around USU to permit ADU's in Hillcrest and Wilson but retain buffer in Adams.
- o (East Boundary) Eliminate the eastern boundary/move the boundary to coincide with USU boundaries;
- o (West Boundary) Retain 200 East as western boundary;
- o (North Boundary) Retain 1400 North as northern boundary;
- o (South Boundary) Move the boundary to 400 North or the Boulevard as southern boundary.

Basis for Expansion:

- Housing Shortage in Logan affects all income & demographic groups.
- Housing Prices have increased exponentially making a large percentage of the available housing unaffordable for first-time, young home buyers.
- Ability to create an additional, rentable, housing unit with a single-family residential dwelling may be the difference for some in purchasing a home.
- With only 5 ADU's currently permitted/licensed, there has not been a significant demand for ADU's in Logan.

§17.37.070. Accessory Dwelling Units (Internal)

- A. The purpose of these requirements is to permit accessory dwelling units internal to a primary dwelling in certain areas while minimizing adverse impacts to surrounding properties.
- B. Applicability. An accessory dwelling unit is allowed in all residential zones excepting those areas shown on the map labeled "Map #MC1: Small USU Buffer" in subsection 17.37.070.P.
- C. An accessory dwelling unit shall only be established in conjunction with a detached, owner occupied, single family residential dwelling. The residence shall be the owner's primary place of residence (Primary Dwelling). Non-owner-occupied single-family dwellings are not eligible for an ADU.
- D. An accessory dwelling unit shall only be established within the footprint of the primary dwelling at the time the accessory dwelling unit is created.
- E. An accessory dwelling unit is prohibited in any other housing type (townhome, duplex, apartment, etc.).
- G. Detached accessory dwelling units are prohibited.
- H. An accessory dwelling unit shall comply with all building, health, and fire codes. A Logan City Building Permit may be required for the creation of an accessory dwelling unit.
- I. An accessory dwelling unit shall be designed in a manner that does not change the appearance of the primary dwelling as a single-family residence.

- J. In addition to meeting the minimum single family residential dwelling parking requirements of two parking stalls, at least one additional off-street parking stall consistent with the standards of Title 17 shall be provided for an accessory dwelling unit.
- K. Accessory dwelling units in mobile or manufactured homes are prohibited.
- L. The minimum lot size for the creation of an accessory dwelling unit shall be at least 6,000 square feet.
- M. An accessory dwelling unit shall not be rented or offered for rent for a period of less than 30 consecutive days. An accessory dwelling unit shall not be used as a vacation rental or for short term occupancy.
- N. A property owner shall obtain a Landlord License (Business License) from Logan City prior to creating the accessory dwelling unit.
- O. A property owner is prohibited from installing a separate utility meter for an accessory dwelling unit
- P. ADU Applicability Map:

Councilmember Simmonds requested confirmation that separate metering was not permitted as part of the ADU ordinance.

Mr. DeSimone confirmed that separate utilities could not occur. It is one unit, not two and there is no separate metering.

Vice Chair M. Anderson requested clarification that short-term rentals are not permitted in an ADU.

Mr. DeSimone clarified that short-term rentals are not permitted in ADU's.

Councilmember Simmonds asked how many of the 21 STR's (short-term rentals) are entire dwellings or part dwellings.

Mr. DeSimone responded that over 2/3's are entire dwellings.

Chair A. Anderson remarked that short-term rentals may also be a result of the dwelling not being allowed to be an ADU. She also asked why the recommendations for ADUs are being made in terms of benefits such as increasing affordable housing.

Mr. DeSimone responded that only 5 ADU's have been licensed over the past three years. There may be a demand, but it is difficult to verify at this time. There is a housing issue, yet we are doing all we can to help. It is unlikely we will have hundreds, dozens, maybe. From a neutral perspective, it would be fair to permit ADU's in all areas. Not every lot will qualify as an ADU as there are specific requirements that must be met including parking.

Mayor Daines remarked that there seem to be more complaints about short-term rentals than ADU's. If the owner is on-premise and managing the property, there seems to be less of an issue.



Councilmember Simmonds inquired if ADU's are to expand from internal to external, how setbacks will work, if green space is eliminated, and whether such should be addressed especially since 600 square feet is not a large lot.

Mr. DeSimone responded that setbacks and such requirements should be further discussed and codified eventually.

Vice Chair M. Anderson commented that 5 ADU's in a period of three years is not even a drop in the housing market, however, it is another tool that can be used to mitigate the housing market.

Councilmember Simmonds asked how owner occupancy can be maintained or regulated if ADU's are expanded in all areas. One of the reasons ADU's were not permitted in all areas was not to further burden areas already heavily occupied. What assurance can be given to neighborhoods that owner-occupancy will be maintained.

Mr. DeSimone answered there is no guarantee, but there can be an occupancy restriction put on the title or deed. Ultimately, the ADU will have to be licensed/renewed every year. We have to trust that people will be honest.

Councilmember Johnson requested confirmation that if individuals are not honest then code enforcement can go out and enforce the code.

Mr. DeSimone confirmed that would be the case, code will be enforced, and so should code enforcement receive complaints and find there is a violation, then the license will be pulled.

Chair A. Anderson said there are fines for code violations, and what would be associated fees or penalties in regard to overoccupancy in regard to ADU's.

Mr. DeSimone replied that the same process of code enforcement would occur. Firstly, they would be given the benefit of the doubt. Then a fine, and so forth.

Councilmember Johnson requested confirmation that there is a parking requirement for an ADU.

Mr. DeSimone confirmed that is the case, one parking stall per ADU.

Chair A. Anderson requested Mr. DeSimone summarize the parking requirements.

Mr. DeSimone responded that space behind the home does not count. There must be a physical parking stall from where the setback starts, 10 x 20. This is why many properties do not qualify as there is not sufficient physical area for a parking stall to be put in. The parking stall cannot be put toward the front of the house but lined up towards the garage.

Councilmember Simmonds added that the front yard cannot be paved.

Councilmember Johnson asked if the side yard could be used.

Mr. DeSimone answered the side yard next to the garage could be used.

Councilmember Johnson requested confirmation on whether there are restrictions that regulate the appearance of a single-family home, but with an ADU could the frontage be changed or could the ADU in the back be changed.

Mr. DeSimone confirmed that there are regulations in place for the appearance of a single-family home. A typical ADU that is detached would go in the back of the home, it would not be permitted in the front of the property. A detached ADU could go to the side of the property, however, a duplex cannot be created. It must be secondary to the primary home.

Councilmember Simmonds inquired if in such circumstances will utilities for a detached ADU remain connected.

Mr. DeSimone explained that both dwellings will be on the same meter. The detached ADU will be separate from the primary dwelling, but all utilities will go through the same meter. The intent is not to create a second dwelling but to remain as a single dwelling despite the ADU.

Chair A. Anderson asked the reasoning for retaining the restriction in one area, and entirely eliminating the restriction in another area.

Mr. DeSimone replied that the easiest option and recommended option would be to remove the buffer area entirely. The bulk of complaints come from the Adams neighborhood of rentals vs. owner-occupied dwellings.

Vice Chair M. Anderson remarked that it would be an incentive to keep individuals in their homes if extra revenue could be generated from an ADU, since an ADU would require homeowner occupancy.

Mr. DeSimone said creating an ADU is costly, usually, for those that can have already made the changes to their home such as having a second kitchen in the basement. If the areas are open to ADU's it is more than likely no more than a dozen will come to fruition.

Chair A. Anderson inquired about what percentage of short-term rental occupancy within Logan City.

Mr. DeSimone responded that roughly the percentage of short-term occupancy is at 58%.

Councilmember Simmonds asked what the next step in the process is.



Mr. DeSimone answered the Council's feedback will provide the direction needed to start the code amendment process.

Vice Chair M. Anderson requested the recommendations also be presented to the Planning Commission to see what they have to say.

Mr. DeSimone said that the option is to go through the public process to see what kind of feedback will be received, before coming back to the Council.

Councilmember Simmonds stated that the one-meter requirement should be maintained and included in the code as part of the ADU requirement. There will need to be a discussion regarding setbacks, green space, and so forth.

Chair A. Anderson inquired that for new construction would there be existing guidelines or would there be new guidelines for an ADU.

Mr. DeSimone replied that it would depend on the City, and what the community wants. For the city, it would be best to have some proportionality between the front and the back. It should be secondary to the primary dwelling; it cannot be a duplex. The primary unit must be 60% of the footprint, and the ADU 40%.

Vice Chair M. Anderson emphasized the importance of keeping homes owner-occupied, and changes to the ADU ordinance will help keep homeowners in their homes while providing more housing.

Chair A. Anderson asked if there is a need for keeping the one parking stall requirement as it may limit how many homes can have an ADU.

Mr. DeSimone responded that parking requirements do take up space in the City. However, he would recommend leaving the parking stall requirement to ensure that we are committed to the process.

Chair A. Anderson inquired what the timeline for the process would be.

Mr. DeSimone answered that the code will be drafted and presented to the Planning Commission in August and will return to the Council afterward. The estimated time would be in September, but it depends on the feedback received from the Planning Commission.

Councilmember Simmonds asked if any short-term rentals had lost their license.

Mr. DeSimone replied that no short-term rentals have lost their licenses at this time.

Councilmember Simmonds requested Mr. DeSimone provide the number of short-term rentals that are partial vs. whole rentals. The partial ADU's are ADU's with a different name.

Mr. DeSimone will provide the information as requested.

Mayor Daines invited the public to provide feedback to the Planning Commission and City Council as they go through this process. There will be public hearings in the future at Planning Commission and City Council meetings

No further Council Business were presented.

### **ACTION ITEMS:**

*(Continued from the May 21, 2024 Council Meeting)* – **PUBLIC HEARING - Consideration of a proposed resolution approving the 2024-2028 Consolidated Plan, and a 2024 Project Year Annual Action Plan for the Community Development Block Grant (CDBG) Program for the City of Logan – Resolution 24-14 – Mike DeSimone (50:11)**

Community Development Director Mike DeSimone addressed the Council regarding the proposed resolution.

He stated that Logan City is required to adopt a new Consolidated Plan every five years as a result of its participation as an entitlement community in the Community Development Block Grant program. The 2024 - 2028 Consolidated Plan defines the City's community development and housing needs over the next five years. The Plan includes a Strategic Plan identifying funding goals and priorities, an updated Analysis of Impediments to Fair Housing which looks at changing demographics and identifies any areas of potential violations to Fair Housing laws, an updated Citizen Participation Plan defining how the City interacts with, and solicits comments/input from, Logan residents, and the 2024 Annual Action Plan which further refines the City's priorities for a specified year (2024) with the delineation of specific projects and activities.

The funding and distribution priorities for the new five (5) year Consolidated Plan are as follows:

- 60% allocated for providing for a suitable living environment;
- 50% - infrastructure
- 10% - remediation of access/mobility barriers
- 20% allocated for improving the capacity of public service providers that serve LMI residents;
- 10% - public facilities improvements
- 10% - public service activities
- 20% allocated for CDBG administration and planning.

The 2024 Annual Action Plan implements the funding priorities and goals enumerated in the ConPlan specifically for project year 2024 through its identification and analysis of specific projects and community activities. In this first year of the new ConPlan, Logan will receive \$556,595 in CDBG funding. We are projecting over the 5 year ConPlan, Logan will receive approximately \$2,500,000 in CDBG funding.

The following list of projects and activities has been reviewed and approved by the City's CDBG Steering Committee. The proposed PY2024 Annual Action Plan includes the following projects and activities:

Infrastructure Projects \$380,678 (68% of funding)

- \$34,000 - 600 E 900-1000 N Sidewalk
- \$69,000 - 900 N 400 E Sidewalk
- \$100,000 - 600 N 400-600 W Sidewalk
- \$93,000 - 700 E 500-600 N Sidewalk
- \$84,678 - 500 N 400-585 W Sidewalk\*
- \$0 - 200 W 500-600 S Sidewalk\*
- \$0 - 500 W 290-500 N Sidewalk\*

\*Receiver Projects - any funds awarded by HUD over the estimate, or any funds recaptured from any other CDBG activity will be reallocated to these projects.

Community Needs - Public Facility \$40,598 (7% of funding)

- \$20,598 - Sunshine Terrace Commercial Oven
- \$20,000 - Merlin Olsen Wildlife Mural

Housing \$24,000 (4% of funding)

- Neighborhood Non-Profit Housing Corp.

CDBG Administration \$111,319 (20% offunding)

- Grant Administration & Neighborhood Planning

The new ConPlan and AAP have gone through an extensive public process, including several workshops, public hearings, survey, social media outreach, and direct email outreach.

- December 15, 2023 - Email Prospective CDBG PY24 Applicants
- December 18, 2023 - Meet with Prospective Subrecipients (applicants)
- December 30, 2023 - First Public Noticing on ConPlan & AAP
- January 16, 2024 - Public Hearing to Initiate ConPlan
- January 23, 2024 - Public Notice - FOA/Call for CDBG Applications
- January 23, 2024 - Public Notice Steering Committee Workshop ConPlan
- February 6, 2024 - Steering Committee Workshop on ConPlan
- February 14, 2024 - Public Workshop ConPlan & AAP
- February 21, 2024 - Public Workshop ConPlan & AAP
- March 26, 2024 - Public Notice Steering Committee Workshop AAP
- April 9, 2024 - Steering Committee Workshop on AAP
- April 17, 2024 - ConPlan Summary Posted
- April 18, 2024 - Public Notice ConPlan
- April 19, 2024 - ConPlan Public Comment Period starts (formal)
- May 1, 2024 - AAP Summary Posted
- May 2, 2024 - Public Notice AAP

- May 3, 2024 - AAP Public Comment Period starts (formal)
- May 7, 2024 - City Council ConPlan Workshop
- May 21, 2024- City Council AAP Workshop
- June 4, 2024 - City Council ConPlan & AAP Hearings (Adoption)

Councilmember Simmonds asked if cycles are fixed or installed.

Mr. DeSimone responded that cycles are installed.

Councilmember López remarked that there seem to be fewer and fewer applications for public services. Is there anything that can be done to request more qualified applications.

Mr. DeSimone answered that notices are sent out to everyone who is on the nonprofit list, but it is up to the nonprofit agencies to apply. There is a limitation of what can be funded, electronics can no longer be funded nor staffing of nonprofit organizations.

Councilmember Johnson commented that building sidewalks is not exciting, but the impact of how walkable and accessible is very important in a community.

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

Dr. Gail B. Yost, a resident of Logan emphasized the importance of ADA corners so that wheelchairs can safely use the sidewalk and crossings, and how much of a difference it makes. It is important to care for community members who use these ramps and sidewalks.

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

**ACTION. Motion by Councilmember Johnson seconded by Councilmember Simmonds to approve Resolution 24-14 as presented. Motion carried by roll call vote.**

**A. Anderson: Aye**

**M. Anderson: Aye**

**Johnson: Aye**

**López: Aye**

**Simmonds: Aye**

**PUBLIC HEARING - Consideration of a proposed resolution adopting a revised Logan Light and Power Residential, Commercial and Industrial Electrical Rate Schedule – Resolution 24-16 – Mark Montgomery, Light & Power Director (1:05:10)**

At the May 21, 2024 Council meeting, Light & Power Director Mark Montgomery addressed the Council regarding the proposed resolution. He explained that the Logan City Light and Power Department has the need to revise its electrical rates according to the cost of service and other factors. The cost of purchasing power for Logan City to

supply its customers has increased dramatically over recent years. The Logan City Light and Power Department completed a cost-of-service study which recommended a two percent (2%) increase in power rates in order to sustain the financial health of the Light and Power Department fund.

These new rates will be implemented in the next billing cycle after the passage of this resolution.

Vice Chair M. Anderson asked when the rate study was conducted.

Mr. Montgomery replied that the rate study was conducted a year ago last summer.

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 López to approve Resolution 24-16 as presented. Motion carried by roll call vote.**

**A. Anderson: Aye**

**M. Anderson: Aye**

**Johnson: Aye**

**López: Aye**

**Simmonds: Aye**

**PUBLIC HEARING - Consideration of a proposed resolution designating a Closed Area to Ignition or Use of Fireworks – Resolution 24-18 – Fire Chief Nate Thompson ([1:07:45](#))**

At the May 21, 2024 Council meeting, Fire Chief Nate Thompson addressed the Council regarding the proposed resolution.

Chief Thompson stated that he would like to bring to the Council's attention the upcoming fireworks season and the wildland fire predictions forecasted for this year.

He said that as a State we have done well in the past couple of years in reducing loss due to wildfire. This was largely in part to public education and awareness. We need to continue these efforts going forward.

Utah State Code 15A-5-202.5 states that when hazardous environmental conditions necessitate the controlled use of any ignition source, including fireworks, the legislative body of the municipality may prohibit the use of ignition sources in mountainous brush-covered areas, forest-covered areas, the wildland-urban interface area, undeveloped land, and agricultural land.

He stated that it isn't easy to predict what the environmental conditions will be in July. The fire department does the best we can to set restrictions based on what is known in May. They will post the restricted areas at all points of sale beginning June 24, 2024.

Chief Thompson recommended the following historical fireworks restricted areas as listed below, including moving the restricted area from 1200 east to 1600 east due to Mountainside Estates located at 1200 east and 1400 north being developed and no longer a concern:

#### East Bench Closure

- East side of 1600 East from the north city boundary to Hwy 89
- South side of Hwy 89 and Boulevard Street, from 1600 east to 200 east, then the north side of Canyon Road from 200 east to Crockett Avenue.
- East side of Crockett Avenue from Canyon Road to Riverside Drive, continuing the east side of Riverside Drive to Mountain Road, continuing the east side of the Logan River to Denzil Stewart Nature Park.
- The north and east sides of the Logan City boundary from Denzil Stewart Nature Park to the southern city boundary.

#### West Closure

- West side of 600 west from the north city boundary to 200 south.
- North side of 200 South from 600 West to 1000 West
- West side of 1000 West from 200 South to the south city boundary

#### Dates of Restrictions

- June 24, 2024 through July 25, 2024

#### 2024 Fireworks sales and discharge dates and times:

Class "C" fireworks can be legally sold; June 24-July 25.

Class "C" fireworks may be discharged between the hours of 11:00 am – 11:00 pm, July 2-July 5 (hours are extended to midnight on July 4) and July 22-July 25 (hours are extended to midnight on July 24).

Fireworks restriction signs will be posted along 1600 East beginning on June 24 and removed on July 26. Flyers indicating the restricted areas will be posted at all sales locations.

Chair A. Anderson inquired if the requested bilingual signage had been added.

Chief Thompson responded that typically the fireworks signage is just a graphic. If there is additional information, it will be looked at prior to printing.



Councilmember Johnson interjected that if the sign does say “No Fireworks” adding the wording in Spanish should suffice.

Chief Thompson said the additional information can be printed in Spanish as well.

Councilmember López requested that the additional information also be provided in Spanish at locations where vendors will be selling fireworks.

Chief Thompson agreed that would be prudent as the pamphlet would also address discharge time and sales time. The information will be posted by June 24.

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 Johnson seconded by Vice Chair M. Anderson to approve Resolution 24-18 as presented. Motion carried by roll call vote.**

**A. Anderson: Aye**

**M. Anderson: Aye**

**Johnson: Aye**

**López: Aye**

**Simmonds: Aye**

**PUBLIC HEARING - Budget Adjustments FY 2023-2024 appropriating: \$1,225,000 funds toward the 1200 East Roundabout Project for the USU cost-share portion of the agreement; \$23,206 funds received for police overtime shift reimbursements - Resolution 24-17 – Richard Anderson, Finance Director ([1:12:40](#))**

At the May 21, 2024 Council meeting, Finance Director Richard Anderson addressed the Council regarding the proposed budget adjustments.

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

Gail B. Yost, a resident of Logan requested that education be provided on how to use a roundabout, especially for the youth as they can become a hazard to others in learning how to drive.

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

**ACTION. Motion by Councilmember Simmonds seconded by Councilmember Johnson to approve Resolution 24-17 as presented. Motion carried by roll call vote.**

**A. Anderson: Aye**

**M. Anderson: Aye**

**Johnson: Aye**

**López: Aye**

**Simmonds: Aye**

**PUBLIC HEARING - Consideration of a proposed ordinance amending Section 6A.16.030 of the Logan Municipal Code regarding Penalties for Violation of Title 6A – Ordinance 24-11 – Craig Carlston, City Attorney ([1:16:00](#))**

At the May 21, 2024 Council meeting, City Attorney Craig Carlston addressed the Council regarding the proposed ordinance. The change is to reflect the change in Utah Code Ann. § 10-3-703 limiting the maximum criminal penalty that can be impose upon an individual to an infraction for an offense pertaining to that individual's pet as defined by Utah Code.

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 Vice Chair M. Anderson to adopt Ordinance 24-11 as presented. Motion carried by roll call vote.**

**A. Anderson: Aye**

**M. Anderson: Aye**

**Johnson: Aye**

**López: Aye**

**Simmonds: Aye**

**WORKSHOP ITEM:**

**Budget Adjustments FY 2023-2024 appropriating: \$2,581 funds received for police overtime shift reimbursements; \$165,000 engineering and street fees toward the inspection costs associated with those fees; \$20,000 additional funds for part-time salaries and wages associated with the operations of the golf course; \$7,446 funds the fire department received for training and overtime shift reimbursements; \$7,563 funds the fire department received for training and overtime shift reimbursements - Resolution 24-20 – Richard Anderson, Finance Director ([1:17:54](#))**

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

The proposed resolution will be an action item and public hearing at the June 18, 2024, Council meeting.

**OTHER CONSIDERATIONS:**

Chair A. Anderson referred to Finance Director Rich Anderson to discuss the library's budget and the potential for taxes.

Mr. Anderson anticipated that on June 08, 2024 final information will be received from the County, and he will bring forth a resolution to the Council to increase property tax rates. There be a 3% general fund and 3% library fund increase. There has to be a

meeting on June 18<sup>th</sup> to adopt a property tax rate pending the truth and taxation hearing on August 01, 2024.

Mayor Daines stated that feedback has been received from the public requesting the library be open for additional hours. The potential is to reduce hours on certain days and create additional hours on others. If there is additional usage, there will be a need for more custodial staff. The request would be to allow Library Director Karen Clark to come to the Council and bring forth a proposal. Though the preference would be to see what the new library's utilities will be and make any adjustments, before proceeding with Ms. Clark's proposal.

Councilmember López inquired if an estimate of cost was ever provided for the library opening on Sunday.

Mayor Daines responded that Ms. Clark has barely begun to compile the data, but additional positions would be needed. There is not an exact amount at this time.

Chair A. Anderson asked the Council to consider whether to increase the tax rate as requested or if they are comfortable with maintaining the tax rate already proposed for this year. If there isn't sufficient data at this time to move forward, she would rather maintain the status quo and utilize staff as is.

Councilmember Johnson is not opposed to increasing the taxes for library purposes; however, the library does not appear to need it at the moment, the preference is to retain the status quo until further data is provided.

Vice Chair M. Anderson expressed the same sentiment as Councilmember Johnson and desired to maintain the status quo until further data can be provided.

Councilmember Simmonds conveyed her concern that Library Director Karen Clark be required to run the library with limited resources.

Mr. Anderson explained the library could fall short, but the truth of the matter is that we simply do not know until the fiscal year runs its course. The expectation is the library should be more efficient than before, however, it is difficult to know at this time.

Councilmember Johnson inquired if the library reserves could be used for operational purposes if needed.

Mr. Anderson answered that should the need arise the library reserves can be used for operational purposes though it is not the preference.

Chair A. Anderson is in favor of increasing taxes to have flexibility for the future.

The Council's decision is pending at this time.

775 No further items were discussed.

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777 **ADJOURNED.** There being no further business, the Logan Municipal Council adjourned  
778 at 7:15 p.m.

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783 Esli Morales, Deputy City Recorder

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