

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, November 5, 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

Council Members present at the beginning of the meeting: Chair Amy Z. Anderson, Vice Chair Mark A. Anderson, Councilmember Jeannie Simmonds, Councilmember Ernesto López, and Councilmember Mike Johnson. 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:

Judy Dymock, Bear River Community Communication Counselor offered the opening ceremony and led the audience in the pledge of allegiance.

Ms. Dymock expressed her gratitude for the opportunity to speak. She reminded everyone of the importance of being calm especially now as it is election time and votes are being counted. She invited the community to attend the Interfaith Open House November 22 through November 23. There are 67 religious dominations that will be participating, and she invited everyone to attend the two-day event celebrating the religious diversity in our valley. Churches will open their doors for a one-hour block and welcome the public to learn about their beliefs.

Meeting Minutes. Minutes of the Council meeting held on October 1, 2024 and October 15, 2024 were reviewed.

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

ACTION. Motion by Councilmember Simmonds seconded by Councilmember López to approve the minutes from October 1, 2024 as amended. Motion carried by roll call vote.

A. Anderson: Aye

M. Anderson: Aye

Johnson: Aye

López: Aye

Simmonds: Aye

ACTION. Motion by Vice Chair M. Anderson seconded by Councilmember Simmonds to approve tonight's agenda and minutes from October 15, 2024 as presented. 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, November 19, 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 and items that are germane or relevant to the authority of the City Council. 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.

Brandon Elwood, a resident of Logan is opposed to the proposed waterline route which will uproot century old trees along Canyon Road. He stated there is an ongoing petition, and they will continue to collect signatures in opposition.

Sydney Elwood, a resident of Logan is also in opposition of the proposed waterline route. She is concerned about the detrimental future impact to the neighborhood as the trees are a crucial characteristic of the neighborhood.

Joshua Molitor, a resident of Logan asked if the new proposed water tank is needed for the Willow Lakes development on the West side of Logan. He also expressed concerns that Willow Lakes is building lakes as a private resort community, but the purpose of the proposed water tank is to conserve water. He feels the two projects seem to counter each other.

Heather Gunnell, a resident of Logan requested further community education and suggested possible alternatives to be considered for the water tank project.

Wes Mangum, a resident of Logan requested the Council consider the voices of the community that are in opposition to the proposed waterline route. He said the community is trying to engage in democracy to allow their voices to be heard.

Mayor Daines stated there have been questions about what alternatives are being considered for the waterline route. JUB Engineering, the project design firm of the waterline project is preparing a summary document which will address several of the

concerns of the Canyon Road neighborhood. This summary document and other details will be presented to the Council and the residents in the first or second week of December at a public open house. Notice of the open house will be posted and will be sent to the Wilson Neighborhood.

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

MAYOR/STAFF REPORTS:

Board Appointment (Parks & Recreation Advisory Board) – Mayor Daines ([21:53](#))

Mayor Daines requested ratification to reappoint Jake Powell to serve on the Parks & Recreation Advisory Board.

ACTION. Motion by Councilmember Johnson seconded by Councilmember López to approve ratification of Jake Powell as presented. Motion carried by roll call vote.

A. Anderson: Aye

M. Anderson: Aye

Johnson: Aye

López: Aye

Simmonds: Aye

Recognition of Public Works employees/American Public Works Association (APWA) Equipment Rodeo Completion - -Mayor Daines ([22:36](#))

Mayor Daines stated that for the last few years, the Public Works Department has sponsored a Public Works rodeo and training event. Public Work staff from surrounding towns and cities of the County are invited to attend and showcase their skills. There were 75 participants, and the results were that Hal Dean from Logan City with 21 years of experience was the 1st place winner and 2nd place was Nate Christensen an employee of Logan City with 14 years of experience. The 3rd place award went to Cody Jensen, a Cache County employee.

The local winners are now invited to the statewide event hosted by the Utah Chapter of the Public Works Association. Hal Dean once again took 1st place and Nate Christensen took 3rd place at the statewide competition. As a result, next year Hal Dean will be sent to participate in the national equipment rodeo held in Chicago.

Mayor Daines expressed her gratitude and delight to have such excellent employees working for the City. The skills and hard work of employees are appreciated and the City is fortunate to have such outstanding employees.

FY2024 Financial Statement Presentation – Richard Anderson, Finance Director, and Steven Rowley

Mayor Daines informed the Council that Auditor Steven Rowley is ill, and therefore the presentation of the FY2024 Financial Statement will be postponed until the November 19 council meeting.

No further Mayor/Staff Reports were presented.

COUNCIL BUSINESS:

Planning Commission Update – Councilmember Simmonds ([25:46](#))

Councilmember Simmonds reported that a short-term rental was proposed by Ms. McCulloch in the Woodruff Neighborhood at 148 West 300 South and was approved. The old Logan Seminary building will be demolished and expanded, and the proposed new design has been approved.

Board and Committee Reports – Chair A. Anderson, Councilmember López and Councilmember Johnson ([28:00](#))

Chair A. Anderson reported that the Library Board met, and that Library Director Karen Clark had officially retired as of October 31st. The position of Library Director is currently vacant, and the interim director is Joseph Anderson. The Bear River Local Homeless Council met and reminded everyone that with winter starting, Code Blue Alerts will go out from October 15th until April. A Code Blue Alert is anytime the temperature drops below 18 degrees. St. John's Episcopal Church will once again be the location for the temporary Warming Center. Occupancy regulations change to accommodate Code Blue, which are issued at <https://dhhs.utah.gov/code-blue-utah/>.

Councilmember López reported that he attended the Youth Council meeting along with Mayor Daines. There were six students in attendance. These students were invited to attend the next City Council meeting on November 19th and participate in the opening ceremony. The Fine Arts Committee discussed the possibility of a new mural in the Historic District, and possibly a second mural. The Light & Power Advisory Board will meet on November 7, 2024. He also attended a summit in Cedar City where Operation Gigawatt was announced with the intent of doubling Utah's power production within ten years.

Councilmember Johnson reported that he attended the Parks & Recreation Board meeting, the board reviewed changes to the cemetery due to the "Aggie Oval". There was discussion of updating park reservation fees and the Logan City Golf Course received the 2024 best public facility of its kind in Utah by GolfPass and listed as the top golf course in the State of Utah. RESAB (Renewable Energy and Sustainability Advisory Board) discussed power incentives and possible public education opportunities. BPAC (Bicycle Pedestrian Advisory Committee) discussed changing their bylaws and restructuring the organization. The Audit Committee met and reviewed the yearly audit report presented by a third-party auditor. The City did well on the audit and the third-party auditor was pleased with the City and Finance Department.

December Meeting Schedule – Chair A. Anderson ([35:19](#))

Chair A. Anderson stated that typically only a single Council meeting is held in December, usually the first Tuesday of the month. The Council discussed and agreed that

the December 3rd meeting will be the only meeting held for the month of December and the December 17th meeting will be cancelled. The new Council Chair and Vice Chair will be selected at the December meeting to commence at the first Council meeting in January 2025.

No further Council Business items were presented.

ACTION ITEMS:

PUBLIC HEARING - Budget Adjustment FY 2024-2025 appropriating: \$40,860 funds received for police overtime shift reimbursements; \$78,750 funds the Police Department received from the State of Utah for mental wellness screenings and mental health resources for officers; \$162,875 funds the Fire Department received from the State of Utah to provide first responders with mental health support and resources – Resolution 24-42 – Richard Anderson ([37:40](#))

At the October 15, 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.

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

ACTION. Motion by Councilmember Simmonds seconded by Vice Chair M. Anderson to approve Resolution 24-42 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 establishing a Credit Card Convenience Fee – Resolution 24-41 – Richard Anderson ([39:26](#))

At the October 15, 2024 Council meeting, Finance Director Richard Anderson addressed the Council regarding the proposed resolution.

Councilmember Simmonds observed that different credit cards charge different fees. She asked if the 3% credit card convenience fee is more than sufficient to cover all of the credit card fees.

Mr. Anderson responded the City does not accept Mastercard or American Express.

Chair A. Anderson clarified for the benefit of the public that the 3% fee is only applicable to charges over \$3,000 paid with a credit card.

Councilmember López inquired that as utility bills increase will fees ever be adjusted.

Mr. Anderson answered as of present there have not been any adjustments made, there are no convivence fees as of right now except for the proposed fees.

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 Johnson to approve Resolution 24-41 Option 2 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 adjusting the Municipal boundaries of the City of Logan – Ordinance 24-20 – Mike DeSimone, Community Development Director ([47:10](#))

At the October 1, 2024 Council meeting, Community Development Director Mike DeSimone addressed the Council regarding a proposed boundary adjustment between the City of Logan and the City of Nibley.

Pursuant to section 10-2-419, Utah Code Annotated, the following boundary line adjustment was proposed.

Property identified as parcels, or portions thereof, 03-007-0023, 03-007-0011, 03-007-0010, 03-007-0022, 03-007-0009, 03-007-0013, 03-007-0027, in the parcel records of Cache County, State of Utah, located at approximately 2200 South, U.S. Highway 89/91 and 1200 West in Logan, Utah and comprising approximately 14.75 acres, and legally described as:

A portion of the SW1/4 of Section 17, Township 11 North, Range 1 East, Salt Lake Base & Meridian, more particularly described as follows:

Beginning on the northerly line of the ANNEXATION TO THE CITY OF NIBLEY described in Book 2002 Page 1586 of the Official Records of Cache County and the calculated position of the Center 1/4 Corner of Section 17, T11N, R1E, SLB&M (Basis of Bearing: N89°44'10"W between the West 1/4 Corner and the Center 1/4 Corner of Section 17, T11N, R1E, SLB&M); thence along said Annexation the following 10 (ten) courses and distances: (1) S0°29'32"E along the 1/4 Section line 735.91 feet; (2) thence N70°13'47"W 314.74 feet; (3) thence N69°48'07"W 184.69 feet; (4) thence S55°22'22"W 233.69 feet; (5) thence N78°46'42"W 24.89 feet; (6) thence N66°12'42"W 14.69 feet; (7) thence N47°04'08"W 45.23 feet; (8) thence N40°06'34"W 19.26 feet; (9) thence N29°34'24"W 60.21 feet; (10) thence N66°22'17"W 467.69 feet to the easterly right-of-way line of US Highway 89/91; thence N40°10'19"E along said right-of-way line

521.32 feet to the centerline of 2200 South Street also being the 1/4 Section line of Section 17; thence N89°44'10"W along said centerline and 1/4 Section line 860.79 feet to the point of beginning.

Shall be relinquished from City of Logan jurisdiction and shall be transferred to the jurisdictional authority of the City of Nibley.

Councilmember Johnson requested confirmation that Nibley City has already approved the annexation.

Mr. DeSimone confirmed that this is the case, Nibley City has approved the ordinance.

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 M. Anderson seconded by Councilmember López to adopt Ordinance 24-20 as presented. Motion carried by roll call vote.

A. Anderson: Aye

M. Anderson: Aye

Johnson: Aye

López: Aye

Simmonds: Aye

No further action items were presented.

WORKSHOP ITEMS:

CODE AMENDMENT – Consideration of a proposed ordinance amending Land Development Code Chapter 17.62 “Definitions” to modify the definition of Behavioral and Mental Health Receiving Center to include a provision for supportive housing on a Behavioral and Mental Health Receiving Center Campus (BMHRC) – Ordinance 24-22– Mike DeSimone ([50:25](#))

Community Development Director Mike DeSimone addressed the Council regarding the proposed code amendment.

RECOMMENDATION

Staff recommended that the Planning Commission recommend approval to the Municipal Council of the proposed amendments to Chapters 17.62 of the Land Development Code.

REQUEST

This is a proposal to update the definition of a Behavioral and Mental Health Receiving Center in 17.62 to address the placement of supportive housing with a Behavioral and Mental Health Receiving Center in a Public Zone.

BACKGROUND

The Planning Commission approved a Conditional Use Permit for the Bear River Mental Health Receiving Center on September 12, 2024. The site is zoned Public and the proposed project included a supportive housing component. The Public Zone does not permit most types of housing. The approval was conditioned upon an amendment to the definition of a receiving center in the Land Development Code to clarify that supportive housing is a permitted element of a receiving center.

SUMMARY OF CHANGES

The proposed definition in the Code Amendment Application is as follows:

"Behavioral and Mental Health Receiving Center" means a 23 hour nonsecure program or facility that is responsible for, and provides mental health crisis services to, an individual experiencing a behavioral or mental health crisis. A Behavioral and Mental Health Receiving Center may also provide on-site, supportive long-term, short-term term or transitional housing for individuals needing a supervised living environment due to emotional, psychological developmental or behavioral dysfunctions or impairments.

After additional internal discussions, the proposed definition has been modified as follows:

"Behavioral and Mental Health Receiving Center" means a 23 hour nonsecure program or facility that is responsible for, and provides mental health crisis services to, an individual experiencing a behavioral or mental health crisis. A Behavioral and Mental Health Receiving Center may also provide on-site, supportive long term, short term or transitional housing for individuals needing a supervised living environment due to emotional, psychological developmental or behavioral dysfunctions or impairments. Supportive housing shall be designed and integrated into the overall site design as an accessory use. Stand-alone housing without a receiving center is not permitted.

STAFF RECOMMENDATION AND SUMMARY

With the exception of some very specific types of living arrangements , housing is not a permitted use in the Public Zone. Supportive housing, as used in the proposed definition, fits into a narrow type of living arrangement that is consistent with the purpose of the Bear River Mental Health Department and aligns with other types of unique living arrangements outside of regular housing. Staff's approach in this proposed language is to not permit general or market rate housing in the Public Zone, but rather to allow for supportive long term, short term, or transitional housing for individuals that need some form of supervised living arrangement due to some underlying emotional, psychological developmental, or behavioral dysfunction or impairment. The services provided to individuals requiring some level of supportive housing are typically aligned with either a governmental or non-profit entity providing supportive types of services. The definition is narrow enough with the additional proposed language that ties housing into the overall receiving center's campus design, is considered "accessory" to the receiving center, and is not permitted without the receiving center.

GENERAL PLAN

The Land Development Code was prepared and adopted to implement the vision expressed in the General Plan. The purpose of these code changes is to update and clarify provisions in the Land Development Code relative to the provision of housing in conjunction with a Behavioral and Mental Health Receiving Center. The proposed updates are consistent with the General Plan.

PUBLIC COMMENTS

As of the time the staff report was prepared, no comments have been received.

PUBLIC NOTIFICATION

Legal notices were published in the Herald Journal on 9/28/24 and posted on the City's website and the Utah Public Meeting website on 9/30/24.

AGENCY AND CITY DEPARTMENT COMMENTS

As of the time the staff report was prepared, no comments have been received.

RECOMMENDED FINDINGS FOR APPROVAL

The Planning Commission bases its decisions on the following findings:

1. Utah State Law authorizes local Planning Commission to recommend ordinance changes to the legislative body (Municipal Council).
2. The Code Amendments are done in conformance with the requirements of Title 17.51 of the Logan Municipal Code.
3. The proposed Code Amendments are consistent with the Logan City General Plan.
4. The proposed Code Amendments are consistent with UCA Title 10, Chapter 9a, Part 5 & Part 6.
5. No public comment has been received regarding the proposed amendments.

On October 10, 2024, the Planning Commission recommended to the Municipal Council approval of the following Land Development Code Amendments: Amend Land Development Code (LDC) Chapter 17.62 "Definitions" modifying the definition of a Behavioral and Mental Health Receiving Center to allow for supportive housing. Planning Commissioners vote (7-0).

Councilmember Simmonds remarked that the Planning Commission made a word change from “supported” to “supportive”, but she preferred “supported”.

Mr. DeSimone explained that Bear River Mental Health recommended that “supervised” be changed to “support”. “Supervised” has a different connotation and “supported” was also suggested but ultimately “supportive” was chosen.

Chair A. Anderson added that the term “supervised” has a different connotation at the State level implying on site 24/7 supervision per State code. Supportive housing for individuals with mental health would not fit under the criteria.

Chair A. Anderson requested confirmation that housing is typically not in a public zone, but in this instance, it will be permitted due to the criteria mentioned.

Mr. DeSimone confirmed that housing is typically not permitted in a public zone but will be permitted in this instance.

The proposed ordinance will be an action item and public hearing at the November 19, 2024, Council meeting.

REZONE – Consideration of a proposed rezone (Jed Willets) of approximately 1.80 acres of property located at 1360 North 200 West from Mixed Residential Low (MR-12) to Mixed Residential Medium (MR-20) – Ordinance 24-23 – Russ Holley, Planner ([56:00](#))

Planner Russ Holley addressed the Council regarding the proposed rezone.

RECOMMENDATION

Staff recommended that the Planning Commission recommend denial to the Municipal Council for a rezone of approximately 1.80 acres of property located at approximately 1360 North 200 West (TIN# 05-041-0056) from Mixed Residential Low (MR-12) to Mixed Residential Medium (MR-20).

Land use adjoining the subject property

North: CS: Commercial Uses East: COM: Commercial Uses
South: NR-6: Residential Uses West: MR-12: Residential Uses

Background

In 1992, the Logan City Planning Commission approved the six (6) lot Royal Point Subdivision located south of 1400 North between 200 and 400 West. Each lot was approximately 1.30 to 1.80 acres in size. Lot #6 is 1.80 acres and the location of this request. In 1992, the zoning was R4, which allowed multi-family at a rate of one unit per every 6,000 square feet (SF) and an additional 1,000 SF for each subsequent unit (4-plexs would require 9,000 SF). Over the course of two (2) years, seven 4-plexs were built on Lot #6. In 1995, after the seventh fourplex was built, the owners illegally subdivided lot #6 into eight tax identification numbers (TIN) at the county and never received city permits or approvals for this action. The remainder eighth area (0.24-ac.) was subsequently sold off and is now the subject property for this request. In 2000 zoning changed to MFH-14 and the project became "legally existing nonconforming" because lot#6 (the city recognized 1.80-acre building lot) sits at 15.5 units-per-acre with the existing seven permitted four-plex's. In 2013 zoning changed to MR-12, and the project remains nonconforming. Since 2000, zoning has been based on a units-per-acre density rather than the 6,000 SF plus 1,000 SF formula.

The current applicant (Jed Willets) purchased this remainder property (illegal building lot) thinking he could build a duplex because it was zoned MR-12, and it was a 0.24-acre property size. Logan City decided to rezone the 1.80 acre building lot to MR-20 in 2016 to allow for a duplex to be built. This same applicant received a Design Review Permit for a duplex but never pulled a building permit and allowed this entitlement to expire. Again in 2023, the City upzoned the 1.80 acres to MR-20 and issued a new Design

Review Permit for the duplex. Again, this same applicant let this entitlement expire in March of 2024 without obtaining a building permit.

This request is from the same applicant; however, this request is an upzone to build a four-plex rather than the duplex. If up-zoned to MR-20, the 1.80 acre building lot could support 36 dwelling units max. With seven existing four-plex's (28 units existing), that could allow for a new 12-plex.

GENERAL PLAN

The Future Land Use Plan (FLUP) identifies this area as Mixed Residential. It does not distinguish between medium and high. As part of the revised Land Development Code {LDC} and Zoning Map update in February of 2011, the area was zoned Mixed Residential Medium (MRM) rather than Mixed Residential High (MRH) because this area was over saturated with multi-family structures exceeding the balance of housing options outlined in the General Plan.

Numerous Bridger Neighborhood meetings and public comments from the Logan City School District has indicated a desire to down-zone developable areas to get more low-density detached single-family homes for better neighborhood balance and longer-term occupancy in a neighborhood that struggles with transiency. There have been several down zones in the area and new housing developments in the neighborhood over the last several years have been predominately single-family homes (Quayle Meadows, Lloyd Estates, Cottonwood Estates).

LAND DEVELOPMENT CODE

The Land Development Code (LDC) allows for up to 20 residential units per acre of land in the MR-20 zone. The MR-20 zoning district permits a range of multi-family residential structures. The current zoning designation of MR-12 allows for similar structures but at a lower density.

SUMMARY

Jed Willets originally purchased the property thinking he could build a duplex. After discovering the illegal subdivision, the City of Logan rezoned the property twice. Once in 2016 and again in 2023, for the applicant to build a duplex. Both times, the applicant failed to build a duplex. The most recent entitlement was issued in March of 2023. The applicant submitted a duplex building permit application just days prior to the one-year (March 2024) deadline of that entitlement.

Over the last six months, since March of 2024, the applicant did not complete the building permit plans as instructed and pay the fee for final building permit issuance. The Logan City Building Department cancelled the building permit application after six months and the failure of the applicant's part to finalize and pay the fee, in September of 2024. A typical duplex building permit application is finalized and issued with fees paid in 2-4 weeks.

This application is requesting an upzone for a different reason now, the applicant is seeking to build a four-plex, not a duplex. A four-plex was never discussed or

contemplated on this property and in this situation. Staff is recommending denial of this rezone because the Bridger Neighborhood has deliberately made numerous and consistent efforts to downzone remaining developable areas into single family zones, to better balance out the housing stock that currently has a much higher concentration of multi-family as compared to other Logan City neighborhoods. Going from a duplex to a fourplex is contrary to this neighborhood goal.

AGENCY AND CITY DEPARTMENT COMMENTS

No comments.

PUBLIC COMMENTS

Notices were mailed to property owners within 300 feet of the subject property. As of the time of this report, no comments have been received.

PUBLIC NOTIFICATION

Legal notices were published in the Herald Journal on 10/12/24, posted on the City's and Utah Public Meeting website on 10/14/24, and mailed to property owners within 300 feet on 10/7/24.

RECOMMENDED FINDINGS FOR REZONE DENIAL

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 MR. The surrounding areas are zoned MR-12 and this property should also be zoned MR-12 for consistency.
2. The Bridger Neighborhood was specifically downzoned to reduce the number new multi-family developments in order to better balance housing stock in this neighborhood as compared to other Logan City neighborhoods.
3. The MR-12 zone would prevent future multi-family development as this 1.80 acre lot is already above the maximum density of 12 units per acre.

On October 24, 2024, the Planning Commission recommended denial to the Municipal Council for the Willets Rezone from MR-12 to MR-20. Planning Commissioners vote (4-0).

Councilmember Simmonds requested confirmation that there was a design review as part of the 2023 rezone application.

Russ Holley, City Planner confirmed that is the case and shows the design of a duplex.

Mr. Holley commented at the Planning Commission meeting there was one public comment from a neighbor in opposition of the rezone.

Mr. Johnson asked what the reason for the opposition was.

Mr. Holley replied the comment was a concern for drainage, weeds, and lack of maintenance of the other duplex properties.

Chair A. Anderson inquired if a four-plex could be built without the rezone under MR-12.

Mr. Holley responded that a four-plex could not be built without a rezone in the current zone of MR-12. The MR-12 max density is 21 units, the proposed MR-20 would permit 36 units or in this instance 9 4-plexes. There are 28 existing units with the potential for 8 more units.

Chair A. Anderson asked if the staff would have endorsed the recommendation if the proposal had been a duplex rather than a four-plex.

Mr. Holley replied staff was in support of the initial passed duplex and would have worked to accommodate the needs of the proponent, including stretching the building permit as far as possible. There have been two building permit opportunities and, in both instances, neither have come to fruition.

Councilmember Johnson requested clarification that the City upzoned in 2016 and 2013, and later was downzoned.

Mr. Holley clarified that in both instances, the property was downzoned after 2013 and 2016.

Chair A. Anderson requested confirmation that the surrounding units are a four-plex and this would only be the duplex in the area. She also asked do the other four-plex's have the same number of units or would the proposed four-plex be the only one with 8 attached units.

Mr. Holley confirmed that the duplex is the only one in that area, the surrounding units are four-plex's. The other side of the block has a daycare and is for commercial use. This would also be the only four-plex with 8 attached units. Most of the four-plex's are similar in size with lot 6 being a bit larger.

Vice Chair M. Anderson stated that it seemed contrary to the fact to increase the zone to allow more units than what is the norm for the surrounding units. A duplex would be appropriate, but not what is being requested.

Councilmember López asked if it would be appropriate for a four-plex to be built on the proposed site.

Mr. Holley answered that a duplex and a four-plex would both be suitable for the location, but a four-plex with 8 units would not be.

Councilmember Simmonds remarked that the Planning Commission would not consider rezoning the site without a design review.

Councilmember Johnson inquired if that was typical of the Planning Commission.

Councilmember Simmonds explained that the Planning Commission is becoming more particular regarding design reviews. Experience has taught them otherwise and is the reason the proposed rezone was denied.

Councilmember Johnson said that if hypothetically the rezone was approved it would be the third time the request has been made. If the four-plex is not built, is it cost effective for the City or counterproductive.

Mr. Anderson answered that the governmental fees do not come close to covering the staff time spent on the rezone request.

The proposed ordinance will be an action item and public hearing at the November 19, 2024, Council meeting.

CODE AMENDMENT – Consideration of a proposed ordinance amending Logan Municipal Code Section 2.19.010 "Police Officer, Firefighter, and Fire Officer Residency Requirements" – Ordinance 24-24 – Fire Chief Nate Thompson & Police Chief Jeff Simmons ([1:16:20](#))

Fire Chief Nate Thompson addressed the Council regarding the proposed code amendment. He explained that the State legislature has granted general welfare power to the City Council, independent, apart from, and in addition to, its specific grants of legislative authority, which enables the City of Logan to pass ordinances as are necessary and proper to provide for the safety, promote the prosperity, improve the peace and good order, comfort, and convenience of the City and its inhabitants, and for the protection of property in the City. Take home vehicles utilized by law enforcement officers and fire department administration are equipped with lights and sirens that enable them to respond to an emergency from their home in a shorter time than vehicles that are not equipped with lights and sirens. Not all line firefighters have take-home vehicles. Recruitment and retention of law enforcement officers and fire department members has become increasingly challenging due to other agencies' higher compensation funding, lesser or unrestricted residency restrictions, and increased lack of affordable housing within existing residency restrictions.

He proposed that Section 2.19.010 of the Logan Municipal Code be amended as follows:

2.19.010: RESIDENCY REQUIREMENTS:

- A. The municipal council requires sworn, full-time fire chief officers of the Logan City fire department utilizing city vehicles to reside no further than thirty (30) miles from the Logan City office building located at 190 North 100 West Logan, Utah and within the area designated on the attached map, such that their response time in an emergency may be within the requirements of the department. Sworn, full-time firefighters, not utilizing city vehicles will have no restricted living requirement and are subject to emergency recall and disaster response per current Logan City Fire Department policies.

- B. The municipal council requires sworn, full-time officers of the Logan City police department utilizing city vehicles to reside no further than thirty (30) miles from the Logan City office building located at 190 North 100 West Logan, Utah and within the area designated on the attached map, such that their response time in an emergency may be within the requirements of the department.

Councilmember Simmonds asked if every member of the Fire Department and all police officers drive a department vehicle.

Fire Chief Nate Thompson responded that only eight Fire Department employees drive a city vehicle.

Police Chief Jeff Simmons responded that every police officer drives a city vehicle including Bryan Low from Dispatch.

Chair A. Anderson requested clarification that only police officers will have a thirty-mile restriction when driving a city vehicle, but not the fire department with the exception if they are driving a city owned vehicle.

Chief Thompson and Chief Simmons confirmed that is correct, police officers will be limited to a thirty-mile restriction along with any fire department personnel that drive a city owned vehicle. Otherwise, the fire department will not have restrictions.

Councilmember Johnson inquired about Battalion Chiefs and other staff driving city vehicles.

Chief Thompson explained that Battalion Chiefs and other staff only utilize city owned vehicles while on duty. Afterward, Battalion Chiefs and other staff drive to and from work in their personal vehicles.

Councilmember Simmonds asked if it is cost-effective to pay mileage or if it would be better to give employees a raise.

Mr. Anderson replied that the best estimate is to use to the GSA rate (U.S. General Services Administration) which is 0.67 cents per mile. The GSA rate does not cover fuel merely mileage.

Councilmember Simmonds said what would occur if there were a large fire, but staff reside in Ogden.

Chief Thompson explained in the event of a large disaster there is a policy in place that staff must respond in 24 hours. This would be applicable in the event of a catastrophe. However, several things have changed for the City. Firstly, the primary aid partners of the City are now fully staffed. There is an emergency recall system to call in staff as needed. There is always a third of staff on duty, two thirds are off. Most staff members currently reside within the valley, there may be a risk ten years from now if the majority of staff reside outside the valley which may then need to be considered.

Councilmember Johnson requested asked if it is typical of other fire and police departments along the Wasatch Front to have a living requirement/restriction.

Chief Thompson confirmed that is the case, most entities along the Wasatch Front do not have this restriction. Brigham City currently has a two-hour restriction and are preparing to drop the restriction to help with recruiting.

The proposed ordinance will be an action item and public hearing at the November 19, 2024, Council meeting.

Budget Adjustments FY 2024-2025 appropriating: \$6,600 a grant the Police Department was awarded from the State of Utah to be used to purchase early intervention software; \$184,771 funds received from the planned interfund sale of a vehicle from the Water Fund to the Streets Department; \$140,000 increased engineering fees toward inspection services associated with right of way permit inspections – Resolution 24-43 Richard Anderson ([1:34:24](#))

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

Councilmember Johnson asked if sales taxes would be paid for an interfund purchase and sale.

Mr. Anderson replied there would be no sale taxes paid for the interfund purchase and sale.

Chair A. Anderson remarked there is a limit on the type of things Google Fiber can do at this time due to the upcoming winter weather and asphalt requirements.

Paul Lindhardt, Public Works Director responded that Goggle Fiber will be done with asphalt cutting on November 15, 2024 due to the winter weather. They will continue working using a boring machine during the winter.

Councilmember Simmonds remarked that Google Fiber does not seem to work in a fixed line from point A to point B. She inquired if a plan of work has to be provided.

Mr. Lindhardt answered that the Public Works Department does not tell Goggle Fiber how to build their system. A plan of work is submitted showing where everything will be going, but not what sections they will be working on or how they will be moving throughout the City.

The proposed resolution will be an action item and public hearing at the November 19, 2024, Council meeting.

No further workshop items were presented.

OTHER CONSIDERATIONS:

Councilmember López received a positive comment about the completion of 1000 North.

Councilmember Johnson asked if 1000 North was fully completed along with landscaping.

Mr. Lindhardt responded that 1000 North with the landscaping is completely done.

Chair A. Anderson reminded the public that winter parking restrictions will begin November 15th.

No further items were discussed.

There being no further business, the Logan Municipal Council adjourned at 7:10 p.m.

Esli Morales, Deputy City Recorder