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3 Minutes of the meeting of the Logan Municipal Council convened in regular  
4 session on Tuesday, March 1, 2016 at 5:30 p.m. in the Logan City Municipal Council  
5 Chamber, 290 North 100 West, Logan, Utah. Chairman Herm Olsen conducting.

6  
7 Councilmembers present at the beginning of the meeting: Chairman Herm Olsen,  
8 Vice Chairman Holly Daines, Councilmember Tom Jensen, Councilmember Jeannie F.  
9 Simmonds and Councilmember S. Eugene Needham. Administration present: Mayor H.  
10 Craig Petersen, Finance Director Richard Anderson, City Attorney Kymber Housley and  
11 City Recorder Teresa Harris.

12  
13 Chairman Olsen welcomed those present. There were approximately 12 citizens in the  
14 audience at the beginning of the meeting.

15  
16 **OPENING CEREMONY:**

17  
18 Logan resident Marilyn Griffin gave the opening thought/prayer and led the audience in  
19 the pledge of allegiance.

20  
21 **Meeting Minutes.** Minutes of the Council meeting from February 16, 2016 were  
22 reviewed and approved with minor changes.

23  
24 **ACTION.** Motion by Vice Chairman Daines seconded by Councilmember Jensen to  
25 **approve the February 16, 2016 minutes and approve tonight's agenda.** Motion  
26 carried unanimously.

27  
28 **Meeting Agenda.** Chairman Olsen announced there would be two public hearings  
29 at tonight's Council meeting.

30  
31 **Meeting Schedule.** Chairman Olsen announced that regular Council meetings  
32 would be held the first and third Tuesdays of the month at 5:30 p.m. The next regular  
33 Council meeting is Tuesday, March 15, 2016.

34  
35 **QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL:**

36  
37 Logan resident Michael Anthony addressed the Council and distributed copies of his  
38 response to 10 questions the Council were presented with at the February 16, 2016  
39 meeting regarding Neighborhood Renewal.

40  
41 There were no further comments or questions for the Mayor or Council.

42  
43 **MAYOR/STAFF REPORTS:**

44  
45 **Updates on Projects/Issues – Mayor Petersen**

48 Mayor Petersen updated the Council on the following:

49

- 50 1. There are currently no construction projects to report.
- 51 2. This month's Sesquicentennial Celebration Event is a historical photo display at
- 52 the Library.
- 53 3. The Rural Recycle Analysis Pilot Project will be once a month instead of an every
- 54 two week pick-up.
- 55 4. The City health insurance transition is going smoothly.
- 56 5. The new City website update is going well. Departments transition should be
- 57 completed by March 7 and go live to the public on March 15.
- 58 6. The Draxler Transportation Bill is awaiting a Senate vote.
- 59 7. City representatives have met with both respondents to the City Block Request for
- 60 Proposal.
- 61 8. RAPZ Tax requests are due this Friday.
- 62 9. Mayor Petersen distributed copies of the Community Bridge Initiative report to
- 63 the Council.
- 64 10. The budget outlook is promising and Mayor Petersen will be meeting with
- 65 individual departments during the month of March.
- 66

67 Vice Chairman Daines asked about a potential bill regarding online sales tax.

68

69 Finance Director Richard Anderson responded that it's important that we respond and let  
70 our State Representatives know that this issue is very important to us. Taxes are the  
71 largest source of revenue so whenever there is the potential of a large portion of that  
72 being siphoned off that should be a concern to all of us. We also need to let our  
73 representatives know that the allocation formula for Utah is also a concern and is  
74 something we need to make progress on now. This issue is controlled by the Federal  
75 Government and the States are doing as much as they can but is something we need to  
76 protect. He encouraged the Council to contact our representatives and voice their  
77 concern.

78

### 79 **Board Appointments (Logan River Golf Advisory) – Mayor Petersen**

80

81 Mayor Petersen asked for ratification of Kevin Hansen and Leslee Olsen to serve on the  
82 Logan River Golf Advisory Board which is a three year term.

83

84 **ACTION.** Motion by Councilmember Simmonds seconded by Vice Chairman Daines to  
85 **approve ratification of Kevin Hansen and Leslee Olsen** as presented. Motion carried  
86 unanimously.

87

### 88 **Code Enforcement – Mayor Craig Petersen**

89

90 Mayor Petersen reported on the number of Property Maintenance versus Occupancy  
91 Violations from 2012 to 2015.

92

93 Property Maintenance Violations which consist of weeds, abandoned vehicles, and snow  
94 removal - There were 150-245 violations over the past five years.

95 Occupancy Violations – There were 25-35 complaints over the past five years.  
96  
97 Unsubstantiated Occupancy Violations – There were 2-8 complaints that were  
98 investigated but were found to be in compliance.  
99  
100 Mayor Petersen also stated that a comparison was done with six other cities (Brigham,  
101 Cedar, Murray, Ogden, Provo and West Valley) for the following information:  
102  
103 Branch for Code Enforcement  
104 Proactive or Complaint Based  
105 Number of Staff and Function  
106 Approximate Cases in 2015  
107 Foremost Violations  
108 Fine Structure  
109 Rental Licensing  
110 Good Landlord Program  
111 Landlord License Fees  
112  
113 Mayor Petersen also reviewed the Logan Administrative Enforcement Process when  
114 handling a typical complaint.  
115  
116 Chairman Olsen said there is neighborhood frustration because they file a complaint and  
117 nothing is done. He feels we should encourage people to report violations because they  
118 need to be proactive in helping solve problems in their own neighborhoods. He feels as  
119 the community becomes more aware that we have ordinance enforcement in place and  
120 those complaints will be addressed as timely as they can, there will be increased  
121 enthusiasm for people to report violations and the process will work as intended.  
122  
123 Vice Chairman Daines feels we need to be more proactive with code enforcement and not  
124 wait for complaints to come in.  
125  
126 Mayor Petersen said we can still have a system that relies primarily on complaints but we  
127 can make it easier for people to initiate those complaints.  
128  
129 Vice Chairman Daines suggested that a staff member periodically drive through different  
130 neighborhoods and see what code violations are out there.  
131  
132 Councilmember Simmonds feels that doing that would take more people than just one  
133 person going out.  
134  
135 Community Development Director Mike DeSimone said his department can be more  
136 proactive with different code violations such as weed control and snow removal. Interns  
137 can walk the core neighborhoods with door hanger reminders. We want compliance and  
138 to make people aware of what the codes are in the City. One thing to remember is we are  
139 a college town so we get a lot of rotation of people moving in and out and things such as  
140 occupancy vary from year to year. He feels the City is good to respond to complaints and

141 with the new website there will be a location where people can file a complaint about  
142 various things.

143  
144 James Geier, Neighborhood Improvement Officer stated it has been a decade since he has  
145 been with code enforcement. He said that occupancy is by far the hardest to enforce  
146 because it's hard to confirm there is a violation when a complaint is made. He feels the  
147 City is in good shape in terms of the process of handling complaints. He feels the  
148 criminal process is the wrong way to go and should only be done in extreme  
149 circumstances.

150  
151 Councilmember Jensen asked about the process if someone wants to make a complaint,  
152 can they be anonymous.

153  
154 Mr. Geier responded that most complaints come from neighborhood advocates. He  
155 generally likes to have a contact name but if someone wants to remain anonymous they  
156 certainly accept those complaints and they go through the same process.

157  
158 City Attorney Kymber Housley added that we do require the complainant to give their  
159 name but their name is not shared with the person we are enforcing. The only time their  
160 name is shared is if they are going to be a witness in an administrative hearing.

161  
162 Councilmember Simmonds said in our community we have several condemned properties  
163 and they are just sitting there. She asked what is the process with these properties and  
164 when are we going to do something.

165  
166 Mr. DeSimone said regarding condemned properties, the City is working with the  
167 landowner to get permits to make repairs or do abatement work. In some cases the  
168 ownership on these properties is not clear. The question is once we get to the point that  
169 the City says either the owner or the City is going to tear down the structure, who pays  
170 for it and do we want to force the issue of tearing down a structure?

171  
172 Vice Chairman Daines asked is there any way to speed up the process and does it really  
173 take that long legally, to go through all of the steps to tear down a condemned structure.

174  
175 Mr. Housley said regarding the issue of who pays for tearing it down. In the past the City  
176 has torn down a structure, a lien was placed on the property and we did collect. It's not  
177 that we couldn't go faster but, we try and get compliance first and work with the property  
178 owner.

179  
180 Mr. DeSimone said on some of these homes, all the property owner has to do is make  
181 some repairs and make some kind of progress every six months to keep their permit valid.  
182 If their desire is to drag out the process, they can do this legally which is based on the  
183 International Building Code.

184  
185 Councilmember Simmonds said one of the homes she is referring to is vacant and there  
186 has been no progress and the home is just sitting. She feels if we can move faster to take  
187 care of these homes it would be helpful.

188 Mr. DeSimone will send the Council a status list of condemned homes and where they  
189 are located.

190

191 Vice Chairman Daines said she would be interested to know what the Salt Lake City  
192 ordinance states regarding vacant residential and commercial properties.

193

194 Mr. Housley said it's not always as easy as tearing down a building, putting a lien on the  
195 property and getting paid. A lot of the properties we are dealing with now have IRS tax  
196 liens on them which make it very difficult and he doesn't want to give the impression that  
197 we will always get paid because of liens.

198

199 Councilmember Jensen said it seems to him there are two different types of violations.  
200 One is more than three unrelated persons and the other is illegal conversions which  
201 should also be measured.

202

203 Mr. DeSimone said illegal conversions need to be reported and they can be investigated  
204 but there aren't as many being done now as have been done in the past.

205

206 **COUNCIL BUSINESS:**

207

208 **Neighborhood Renewal – Councilmember Tom Jensen**

209

210 Councilmember Tom Jensen addressed the Council and presented a list of proposed  
211 names for the Neighborhood Renewal Committee. Once the committee names are  
212 confirmed he would like to meet once a month.

213

214 Tom Jensen and Jeannie Simmonds – Logan Municipal Council  
215 Mike DeSimone – Community Development Director, City of Logan  
216 Mayor Craig Petersen  
217 Marilyn Griffin – Adams Neighborhood  
218 Blake Parker - Realtor  
219 Kim Datwyler - Neighborhood Nonprofit

220

221 Chairman Olsen suggested adding someone from the Wilson and Ellis Neighborhood.

222

223 Vice Chairman Daines suggested adding someone from the Hillcrest Neighborhood; she  
224 will provide names to Councilmember Jensen.

225

226 **ACTION ITEMS:**

227

228 **PUBLIC HEARING - Budget Adjustment FY 2015-2016 appropriating: \$60,000 to**  
229 **increase the budget for pro shop sales and cost of goods sold at the Logan River**  
230 **Golf Course; \$24,000 for the reimbursement to the Parks & Recreation budget for**  
231 **expenses incurred for maintenance of the Ice Rink – Resolution 16-08**

232

233 At the February 16, 2016 Council meeting, Finance Director Richard Anderson addressed  
234 the Council regarding the proposed budget adjustments.

235 Chairman Olsen opened the meeting to a public hearing.

236

237 There were no comments and Chairman Olsen closed the public hearing

238

239 **ACTION.** Motion by Councilmember Simmonds seconded by Vice Chairman Daines to  
240 **approve Resolution 16-08** as presented. Motion carried unanimously.

241

242 **WORKSHOP ITEMS:**

243

244 ***(Continued to March 15, 2016)* – Consideration of a proposed resolution to approve**  
245 **the Hillcrest Neighborhood Plan**

246

247 ***(Continued to March 15, 2016)* – Consideration of a proposed ordinance to amend**  
248 **the Future Land Use Plan Map (FLUP) for those areas identified in the Hillcrest**  
249 **Neighborhood Plan as suitable for map amendment**

250

251 ***(Continued to March 15, 2016)* – Consideration of a proposed rezone of areas**  
252 **identified in the Hillcrest Neighborhood Plan as suitable for rezone**

253

254 **Consideration of a proposed resolution approving the Annual Municipal**  
255 **Wastewater Self-Assessment Report – Resolution 16-09 – Mark Nielsen, Public**  
256 **Works Director**

257

258 Public Works Director Mark Nielsen addressed the Council regarding the proposed  
259 resolution. He referred to the report which is a requirement from the State of Utah and the  
260 City completes a Municipal Wastewater Self-Assessment Report each year. The purpose  
261 is to inform the Water Quality Board that the Logan Municipal Council reviewed the  
262 report for 2015 and the City has taken all appropriate actions necessary to maintain  
263 effluent requirements contained in the UPDES Permit.

264

265 The Council received a copy of the report and had no further questions at this time.

266

267 The proposed resolution will be an action item at the March 15, 2016 Council meeting.

268

269 **Consideration of a proposed Code Amendment. Logan City requests to amend the**  
270 **Land Development Code Chapters 17.12, 17.15 & 17.62 to modify how density is**  
271 **calculated in the Campus Residential (CR) Zone. The change would provide an**  
272 **alternative process, enabling projects to utilize a density calculation based on an**  
273 **occupant per acre standard in addition to the traditional unit per acre standard –**  
274 **Ordinance 16-09 - Mike DeSimone, Community Development Director**

275

276 Community Development Director Mike DeSimone addressed the Council regarding the  
277 proposed code amendment. He explained that this code amendment was work shopped at  
278 the February 25, 2016 Planning Commission and will go back to the Planning  
279 Commission on March 10, 2016 for approval. It will be work shopped tonight and will  
280 then go to the Council as an action item and public hearing on March 15, 2016. The

281 proposed amendment is to modify how density is calculated in the Campus Residential  
282 Zone.

283

284 The proposed changes are the following:

285

286 Chapter 17.12.110 – Campus Residential (CR)

287

288 - Campus Residential may develop at a maximum density of 40 dwelling units per  
289 acre **or may choose to develop at a maximum density of 240 occupants per**  
290 **acre with a Conditional Use Permit.**

291

292 - **Residential projects choosing to develop based on an occupant per acre**  
293 **standard rather than the dwelling unit per acre standard shall:**

294

- **Obtain a Conditional Use Permit;**

295

- **Delineate the occupancy allocation per unit on the proposed development**  
296 **plan, including the submittal and approval of a floor plan during the CUP**  
297 **process;**

298

- **Meet a minimum size of 70 square feet per single occupant bedroom and a**  
299 **minimum size of 110 square feet per double occupant bedroom;**

299

300

- **Comply with Building Code requirements for habitable areas and minimum**  
301 **room sizes;**

301

302

- **Comply with all other Land Development Code requirements.**

303

304

Chapter 17.15.010 – Development Standards Purposes

305

306

- Density standards are expressed in dwelling units per acre and establish the maximum  
307 number of units allowed in each specific zone **unless you are developing in the Campus**  
308 **Residential (CR) which provides for an alternative density based standard using the**  
309 **calculation of occupancy per acre through the CUP process.**

310

311

Chapter 17.15.120 – Campus Residential (CR) Development Standards

312

313

- Residential Density: Units/Acre (max) 40, **Occupants/Acre (max) w/CUP 240.**

314

315

Chapter 17.62 – Definitions

316

317

- **In the Campus Residential zone, density may also be expressed as occupants per**  
318 **acre through an alternative review process (CUP) and in compliance with minimum**  
319 **standards in Section 17.12.110.**

318

319

320

Councilmember Simmonds asked within the context of this amendment the project will  
321 also have to comply with certain minimum standards/living areas.

322

323

Mr. DeSimone responded that is correct.

324

325 Vice Chairman Daines said she likes the conditions and asked are there any other  
326 requirements to obtain a conditional use permit besides the four that have been outlined.

327  
328 Mr. DeSimone responded they would need to meet the four conditions but under the  
329 conditional use process there is a longer list of things such as access, parking,  
330 compatibility and this would apply to all conditional use permits.

331  
332 Mayor Petersen asked if the Brandley project decides to apply for a conditional use  
333 permit what is the process and timeline.

334  
335 Mr. DeSimone responded it's a similar process as the design review and is an  
336 approximate four to six week cycling process. They would need to provide full scale  
337 drawings and will need to indicate where they are putting the occupants and this is done  
338 with the design review process.

339  
340 Councilmember Simmonds added that Mr. Brandley has already gone through the design  
341 review process so the project would have to return to the Planning Commission to get the  
342 conditional use permit to do the project with the alternate occupancy.

343  
344 Mayor Petersen asked that even though the parking is a ratio of one to one is there  
345 discretion to lower that ratio to .85 to one.

346  
347 Mr. DeSimone responded yes, if they have an alternative, sustainable parking plan.

348  
349 Councilmember Simmonds said we need to have a place for cars to park and not in the  
350 residential neighborhoods.

351  
352 Vice Chairman Daines said we basically did not enforce our winter parking rules this past  
353 winter season. She feels we need to make a decision for next year and it should be  
354 enforced and be consistent so people know what to expect.

355  
356 Mr. DeSimone responded that he is working with Chief Police Gary Jensen and Public  
357 Works Director Mark Nielsen to make improvements for next year.

358  
359 The proposed ordinance will be an action item and public hearing at the March 15, 2016  
360 Council meeting.

361 **OTHER CONSIDERATIONS:**

362  
363 Vice Chairman Daines suggested that the Council present a resolution to the Logan City  
364 Planning Commission and thanking them for their service. She will prepare a resolution  
365 for the Mayor and Council's signature and present it to the Planning Commission at an  
366 upcoming meeting.

367  
368 **ADJOURN to a meeting of the Logan Redevelopment Agency.**

369

370 **ACTION.** Motion by Councilmember Simmonds seconded by Councilmember Jensen to  
371 **adjourn to a meeting of the Logan Redevelopment Agency** as presented. Motion  
372 carried unanimously.

373  
374 Chairman Herm Olsen welcomed everyone to the Logan Redevelopment Agency  
375 meeting.

376  
377 **ACTION ITEM:**

378  
379 **PUBLIC HEARING - Consideration of a proposed resolution approving Agency**  
380 **Assistance in Neighborhood Nonprofit Housing Corporation's "Welcome Home –**  
381 **Own in Logan" Program – Resolution 16-07 RDA**

382  
383 At the February 16, 2016 Council meeting, Economic Development Director Kirk Jensen  
384 addressed the Council regarding the proposed resolution. He stated that the  
385 Neighborhood Nonprofit Housing Corporation, in partnership with Logan City, has  
386 offered "Welcome Home: Own in Logan!" since 2003. Households must make less than  
387 80% of the area median income; new construction, condominiums, and town homes are  
388 excluded. The continued intent of the program is to encourage families to purchase and  
389 care for homes that might otherwise be purchased by non-occupant owners. Individual  
390 grant amounts, matched savings funding, and additional grant funding for rehabilitation  
391 of purchased homes has varied over the past 13 years to more specifically address city  
392 goals and needs. The RDA Committee has recently changed the recapture policy so that  
393 the initial \$5,000 city investment is now never forgiven. The matching funds (up to  
394 \$2,500) still have a ten year recapture period before that portion is forgiven.

395  
396 To date, the program has provided \$1,213,825 in funding to help 195 families purchase  
397 homes. The average income of participants is \$31,611 or 63% of the area median income.  
398 The average home was built in 1962, and the average purchase price is \$129,567. A total  
399 of 84% of all program participants are still in their homes. These statistics demonstrate  
400 that the program is working as intended; families are purchasing older homes in Logan  
401 City, and they are staying in them. During 2015, 24 families qualified for the Welcome  
402 Home program and became first-time homebuyers. Of these qualified families, 16 used  
403 RDA funds totaling \$108,250, seven used \$50,000 in CDBG funds and one used NNHC  
404 Recapture funds for \$5,000.

405  
406 NNHC has currently expended all available Welcome Home funding that was awarded to  
407 NNHC from both RDA and CDBG. NNHC is planning to apply for more CDBG funds  
408 but these funds will not be available until July 2016. In order to maintain the program and  
409 to assist Logan City in its efforts to attract homebuyers to the city, we would request  
410 \$75,000 in RDA Affordable Housing funds. We appreciate Logan City's support for  
411 affordable housing and interest in strengthening your neighborhoods, and look forward to  
412 working together in the future.

413  
414 Chairman Olsen opened the meeting to a public hearing.

415  
416 There were no comments and Chairman Olsen closed the public hearing

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424  
425  
426

**ACTION.** Motion by Vice Chairman Daines seconded by Councilmember Jensen to **approve Resolution 16-07 RDA** as presented. Motion carried unanimously.

**ADJOURNED.** There being no further business to come before the Council, the meeting of the Logan Municipal Council adjourned at 6:40 p.m.

Teresa Harris, City Recorder