Minutes of the North Logan City
City Council
Held on November 6, 2019
At the North Logan City Library, North Logan, Utah

*(The time stamps throughout the minutes below, located next to an item, indicate the time an item begins in the recording of the meeting.)*

*00:00:21*

The meeting was called to order by Mayor Damon Cann at 6:30 p.m.

Council members present were: Roger Anderson, Kristen Anderson, Bruce Lee, Craig Humphreys and Brad Crookston.

Others present were: Ulysses Black, Skyler Buck, Deanna Fry, Jon Keller, Debbie Murray, Neil Murray, Barbara Middleton, Zac Root, Scott Bennett, Spencer Burt, Jordan Oldham, Lydia Embry, Alan Luce and Marie Wilhelm.

The Pledge of Allegiance was led by Craig Humphreys

An invocation was given by Roger Anderson.

**Adoption of Agenda**

*00:02:25*

Bruce Lee made a motion to adopt the agenda as presented. Kristen Anderson seconded the motion. A vote was called and the motion passed unanimously with Kristen Anderson, Roger Anderson, Bruce Lee, Craig Humphreys and Brad Crookston voting in favor.

**Approval and Follow-up of Minutes of October 2, 2019 City Council Meeting, Regular and Executive (Closed) Session.**

*00:02:36*

Both sets of minutes were approved as presented.

**Review of Action Items**

*00:02:56*

Alan Luce reviewed the list with the council. He addressed questions from the council. Legal issues with trails were discussed.

**New Business**

**Current Action Items**

*00:18:25* 

1. **Public Hearing**

   6:35 to receive input on the proposed amendment to the Moderate Income Housing Plan of the North Logan City General Plan. The City Council may consider approval of this amendment after the public hearing.

   **Explanation and discussion**

   Spencer Burt introduced the item and explained the amendment to the plan and the requirements fulfilled. He said a plan has to be adopted by December 1st and explained the amended document further and the discussions held by the Planning Commission on this.

   Spencer addressed various questions from the council. Kristen Anderson asked Spencer what areas might be utilized for this and discussed the value of holding on to rural areas in North Logan, and said this document is vague.

   **00:22:40**

   Mayor Cann read the guidelines for speaking at a public hearing and opened and then closed the public hearing at 6:56 p.m., as there were no public comments forthcoming.

   Brad Crookston discussed the goal of the plan and that it is a plan required by the state, and
North Logan City Council

November 6, 2019

58 explained further. He said it is part of the General Plan rather than actual code, which is why it’s more vague. He explained the document further.

59 Mayor Cann said the General Plan is not legally binding on the City and explained further. He said there could potentially be language added in making it clearer that not every isolated area should become high-density housing, and commented further. Spencer Burt said this is reviewed each year to check in on the goals. Mayor Cann discussed the areas where we already have high-density housing, and explained further.

60 Mayor Cann discussed adding verbiage that says something like, not all isolated areas will develop in this way; that the City recognizes and acknowledges the need for some additional multi-family housing.

61 The council discussed this further.

62 The council agreed to wait until the next meeting to approve this after Spencer makes the changes discussed to the document.

Consideration of a resolution to recertify North Logan’s portion of the North Logan/Hyde Park Justice Court.

00:34:58 Explanation

64 Alan Luce explained that this has to be recertified annually which is what is being done here with this resolution.

65 Mayor Cann discussed some of the potential changes being made to the court system.

00:37:21 Motion

68 Bruce Lee made a motion to approve resolution 19-12 recertifying the North Logan City/Hyde Park Justice Court. Kristen Anderson seconded the motion. A vote was called and the motion passed unanimously with Kristen Anderson, Roger Anderson, Bruce Lee, Craig Humphreys and Brad Crookston voting in favor.

Consideration of a Concept Plan for the Buck Flag Lot Subdivision (2 lots) in the R-1-10 zone, located at 497 East 1800 North (Skylar Buck).

00:37:54 Explanation

69 Spencer Burt explained the situation and discussed how this meets the requirements. He explained various items in the staff report, including staff recommendations.

70 Spencer addressed minor questions from the council. Brad Crookston noted the typo stating that this is in the R-1-12 zone, when it is actually in an R-1-10 zone, which allows this, where the R-1-12 would not.

00:41:00 Motion

73 Bruce Lee made a motion to approve this concept plan with the recommendations made by staff as well as the correction that this is in an R-1-10 zone and not R-1-12. Roger Anderson seconded the motion. A vote was called and the motion passed unanimously with Kristen Anderson, Roger Anderson, Bruce Lee, Craig Humphreys and Brad Crookston voting in favor.

Consider approval of a letter that outlines the responsibilities for development of parcel 04-051-0047, located at 1020 East 2900 North Cache County, UT (Patrick Barrington).

00:43:00 Explanation

75 Mayor Cann gave a bit of history on this situation and said the Barrington’s are looking to move forward and explained further. He further discussed the letter and issues regarding compensation to them to purchase part of the roadway, which he further explained; and the issue of impact fees, which he further explained, including that we would be willing to waive the 1/5 times impact fees and do the regular impact fees as long as they applied for and were moving towards annexation, and succeeded in annexation within a reasonable period of time. He explained further.

78 Brad Crookston discussed some of his issues on this including the amount listed of the cost per square foot, and regarding impact fees going to the county rather than to North Logan City, and road development.

79 The discussion continued, including development of the road. Brad said he felt that the Barringtons should take care of the part of the road to their property line. This was discussed
further.

The discussion continued.

00:58:42 Motion
Bruce Lee made a motion to approve the letter as presented and that we do not go back and ask the developer for the additional money to finish the road. Craig Humphreys seconded the motion. A vote was called and the motion passed with Kristen Anderson, Roger Anderson, Bruce Lee, Craig Humphreys and voting in favor, and Brad Crookston voting against the motion.

Consideration of a potential exceedance of the height restriction for a proposed medical office building in the MXG Zone (2200N 400E Northwest Corner, Parcel 04-191-0117).

00:59:37 Explanation
Spencer Burt explained the situation and the request from a group of doctors wanting medical offices on a parcel in this mixed-use zone. He explained the situation with developing the building and the issue of meeting code and how that would be managed in relation to the height of the building, as the doctors want a three-story building, which puts this over the 35 feet height maximum for the mixed-use zone. He said there is a line in the code that states that the City Council can approve a height over 35 feet. He explained that in the General Commercial zone; for every two feet higher, you go one foot further away with the setbacks, which could be applied here. He said the height here is 46 feet, and their setback is 15 feet. He said an ordinance was passed recently which makes the setback 15 feet. He said five feet further away on their setback would give them 10 additional feet, which would give them a maximum height of 45 feet, and currently they are at 46 feet. He said there is no specific guidance for the mixed-use zone, but this is just helpful information. Alan Luce explained some details of the zone and the code for this area particularly in relation to the height of the building. He said they reached out to the HOA of the Towne Center Villas and a lot of the concerns are being taken care of through the code, although they do have the concern about the height. He explained the height of some of the businesses around Towne Center Villas. He said this will block the view, and said the other question is what other kind of business could come into this area, including a convenience store, and commented further.

Alan addressed questions from the council and the discussion continued.

Deanna Fry said she lives at nearby Towne Center Villas. She explained that when they moved there, they were told that the commercial land to the east would be a one level commercial building. She said none of their residences face Pioneer Valley lodge and said that Maple Springs was not built very high and is a bit away from them. She said the proposed elevation of this was something they were not informed about going in and said she is very alarmed that something like this being proposed.

Brad Crookston said when we rezoned the City Center, this was a fairly significant concern to that whole area [at Towne Center Villas] and said at Maple Springs, there was a height limit for this project, and gradually goes up in the back for that reason, and was code-required.

Alan Luce discussed his conversation with the HOA of Towne Center Villas and the concerns of the HOA, which he further explained, with the issue of the three-story building being a main concern. Alan said there were other issues of concern such as lights, traffic, parking, access points, the screening of dumpsters and stormwater runoff. He reiterated that the main concern is the height.

The discussion continued. Mayor Cann said the argument he finds most persuasive is if not this though, then what, and commented further, and that this may be the best kind of thing that could be built there and have less negative impact.

Brad said it's unfortunate that this code is there with such little guidance and commented further.

Roger Anderson there is concern about the height, however, everything around this corner is medically-related and explained further. He said the view is going to be lost no matter what is built there. He also said this fits the area as a commercial space.

Brad Crookston said if this was put on another adjacent lot and the 35-foot maximum height was utilized, more view would potentially be blocked for the majority of the residents, so this could actually be better. And he said he agrees that the City has been looking for more commercial to be built in this area.
Kristen Anderson said change can be hard but when you compare the height of this with buildings around it, this is compatible with the other buildings in this area.

Bruce Lee said he likes that we don't have to arbitrarily apply a standard and that we have some guidance with the code. He said unfortunately a building will block the view, but that if they're going to have commercial next door, this is a good thing to have there as something else could be worse. He said this is a good solution and fits the area and commented further.

The discussion continued.

Craig Humphreys said we have discussed maintaining open space, and that a taller building takes up less of a footprint and can actually preserve more open space.

Roger Anderson made a motion to approve the height exceedance and include the height for general commercial and go to 45 feet.

Motion died for lack of a second.

Kristen said if you have a well designed building, it's not worth what you lose in the 12 inches.

The discussion continued. Mayor Cann suggested including in the motion the concerns of the neighbors.

01:26:19 Motion

Roger Anderson made a motion approve the height as stated to 46 feet and include the comments concerns of Towne Center Villas and make sure those are vetted out in the plan and approval process. Bruce Lee seconded the motion. A vote was called and the motion passed unanimously.

City Council Work Session Items

Updates regarding culinary water studies and direction going forward.

01:27:02 Presentation

Zach Root gave a presentation on updates on culinary water studies. He addressed various questions from the council. He also discussed the potential of secondary water on the bench, including other areas.

Zach discussed impact fees based on a 5-year capital improvement plan. He discussed funding options.

The council discussed various related items and Zach addressed their questions.

Discussion regarding Police Services.

01:50:02

Mayor Cann introduced the item.

01:50:20

Bruce Lee made a motion to have a five minute recess. Brad Crookston seconded the motion. A vote was called and the motion passed unanimously with Kristen Anderson, Roger Anderson, Bruce Lee, Craig Humphreys and Brad Crookston voting in favor. This occurred at 8:23 p.m.

Mayor Cann called the meeting back to order at 8:27 p.m.

01:54:28

Mayor Cann discussed the meeting he had with Mayor Flint and Mayor Barnes, who he said want to work through this slowly and make the best decision on how they're using their tax dollars. He discussed some of the variety of options Hyde Park is reviewing. He said there will be some discussion about the scope of policing services on the agenda for the Police Agency meeting the following evening. He said one of the major sticking points for the other cities was Smithfield proposing the $90K rental fee for their building on top of the proposed budget. He discussed additional items and concerns. He said another issue is the loss of autonomy moving from a two-city to a three-city department. He said the information they're getting from the law enforcement side is that any decreases in cost means a decrease in service. He discussed the governance issues. He said Mayor Flint suggested getting the feelings of each council to see whether a three-city agency is supported and gave a brief "skeleton" outline of how the governance issues would be managed including no building lease payment which he further explained; a portion of
the North Logan City station would be used, but not with personnel; each city would agree a 10K
cost to the formula which he further explained; and, the existence of an oversight board with
members from each city. He commented further.
Mayor Cann said there are some adjustments that could improve this current "skeleton" proposal
but that at present, he does not see a net advantage to North Logan City versus the current
service we are receiving from the North Park Police Agency and commented further.
Bruce Lee commented that he felt that Interim Police Chief Black is doing an excellent job,
particularly in a difficult situation. He said in the discussions with the police commission, in
discussing the various issues in the proposal, he said he does not feel that is enough of a cost
savings that we can define and be sure that is what is going to happen. He also discussed his
concerns regarding controls. He said he thinks this is the wrong decision and explained further.
Roger Anderson said regarding the building, we've been through enough and received comments
from citizens; and that where we're paying a premium for police services, he would hate to see
that control now go away and commented further. He said the building is paid off, and we have
controls, and commented further.
Brad Crookston said he doesn't feel we're gaining anything and wouldn't support going with
Smithfield and commented further. He said he thinks we should move forward and get a new
police chief in place as soon as possible.
Kristen Anderson said she concurred and the current proposal does not seem compelling enough
to make a change.
Mayor Damon Cann summarized the City Council's position that they are not interested in this
proposal.

Reports from city officers, boards, and committees
02:13:13 Interim Police Chief Black gave the latest crime stats.
02:14:43 Jordan Oldham gave an update on traffic lighting.
02:16:02 Scott Bennett set a date with the council for the canvas to certify the results with the
City Council; and agreed to Monday, November 18 at noon.
02:18:46 Alan Luce expressed thanks to the Police Agency and Officer Jardine for providing an
Active Shooter Training to North Logan City staff.
Alan discussed needing the RSVPs for the Christmas party.
Alan said the Hungry Games promotion has started and explained it briefly.
02:19:57 Craig Humphreys discussed a funding grant for the census. This was discussed briefly.

Executive Session to discuss items related to real property,
02:21:24 Motion
Kristen Anderson made a motion to close the meeting and move into Executive (Closed) Session
for the purpose of discussing items related to real property. Roger Anderson seconded the
motion. A vote was called and the motion passed unanimously with Kristen Anderson, Roger
Anderson, Bruce Lee, Craig Humphreys and Brad Crookston voting in favor. This occurred at 8:55
p.m.
Minutes for this portion of the meeting are written under separate cover.
Bruce Lee made a motion to open the meeting and move out of Executive Session and return to
the regular City Council meeting. Brad Crookston seconded the motion. A vote was called and
the motion passed unanimously with Kristen Anderson, Roger Anderson, Bruce Lee, Craig
Humphreys and Brad Crookston voting in favor. This occurred at 9:33 p.m.
Craig Humphreys made a motion to adjourn the meeting. Brad Crookston seconded the motion.
A vote was called and the motion passed unanimously with Kristen Anderson, Roger Anderson,
Bruce Lee, Craig Humphreys and Brad Crookston voting in favor.
The meeting adjourned at 9:33 p.m.

Approved by City Council: November 20, 2019

Transcribed by Marie Wilhelm

Recorded by Scott Bennett/City Recorder