

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, November 5, 2019 at 5:35 p.m. in the Logan City Municipal Council Chamber, 290 North 100 West, Logan, Utah. Chair Jeannie F. Simmonds conducting.

Councilmember's present at the beginning of the meeting: Chair Jeannie F. Simmonds, Vice Chair Amy Z. Anderson, Councilmember Tom Jensen, Councilmember Herm Olsen and Councilmember Jess W. Bradfield. Administration present: Mayor Holly H. Daines, Finance Director Richard Anderson, City Attorney Kymber Housley and Deputy City Recorder Sylvia Tibbitts. Excused: City Recorder Teresa Harris

Chair Simmonds welcomed those present. There were approximately 21 in attendance at the beginning of the meeting.

OPENING CEREMONY:

Dennis Wildman, Chair of the Cache County Hospice Coalition, gave the opening thought/prayer and led the audience in the pledge of allegiance. Mr. Wildman asked Mayor Daines to declare November 2019 as National Hospice and Palliative Care Month in order to encourage citizens to increase their understanding and awareness at the end of life and to observe this month for appropriate activities and programs. The highest quality of care is given to patients and family at the end of their life. It is important that hospice and palliative care workers provide education and choice to the community as to what is available and what services are there during the most tender time of their lives.

Meeting Minutes. Minutes of the Council meeting from October 15, 2019 were reviewed and approved with no changes.

ACTION. Motion by Councilmember Bradford seconded by Vice Chair Anderson to approve the October 15, 2019 minutes as presented and approve tonight's agenda. Motion carried unanimously.

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

Meeting Schedule. Chair Simmonds announced that regular Council meetings are held the first and third Tuesdays of the month at 5:30 p.m. The next regular Council meeting is Tuesday, November 19, 2019.

Chair Simmonds announced that the December 17, 2019 Council meeting has been cancelled.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL:

There was one question or comment for the Mayor or Council.

Abraham Verdoes asked if the Council had any updates on the Center Block Development Agreement and what the status was particularly with how the City factored in demolition costs. Mayor Daines replied there are ongoing planning meetings. In last year's budget, monies were allocated for the demolition of the Emporium Building. The City now has a firm amount for the demolition costs and this gives the City the ability to move forward with that demolition once it is approved by the Historic Preservation Committee. If the demolition is not approved, the monies will go back into the RDA reserves.

MAYOR/STAFF REPORTS:

Mayor Daines reported that Vice Chair Anderson was appointed as a member of the Utah Commission on Aging by Governor Gary R. Herbert. Mayor Daines expressed appreciation to her for her service.

Consideration of a proposed resolution of the City of Logan supporting the establishment of the Bear River National Heritage Area – Resolution 19-59 – Lisa Duskin-Goede

Lisa Duskin-Goede addressed the Council regarding the proposed resolution supporting the establishment of the Bear River National Heritage Area which was established in 2000. She read a statement regarding the purpose of the Heritage Area, which is to identify, preserve and enhance the cultural and natural heritage, and to support and the diverse economic opportunities associated with the Bear River Heritage Area. This area covers 7 counties in Northern Utah and Southeastern Idaho. Their goal is to share with every community in the area who they are and what they stand for. They are trying to become part of the National Heritage Area. She presented Mayor Daines a copy of the Idaho Barn Guide and the Utah Barn Guide and encouraged the Council to approve the Resolution of support for their organization. They are also working with the Shoshone, who have a member on the Board of Directors.

ACTION. Motion by Tom seconded by Councilmember Olsen to approve Resolution 19-59 as presented. Motion carried unanimously.

CAPSA Grant – Jill Anderson, Executive Director

CAPSA Hailey Hunsaker and Tonya Peardle addressed the Council regarding the CAPSA Grant.

The Blueprint for Safety is the grant they reported on. It is a grant CAPSA received earlier this year. The purpose of the grant is to evaluate the criminal justice systems' response to domestic violence starting from the 911 call, all the way through prosecution and probation. The focus is on improving communication and coordination between the agencies involved. Ms. Hunsaker voiced a special thanks to the Municipal Council and Logan City Police Department for their support.

Bridger Bike Park Grounds Maintenance Position – Cache Trails Alliance

Brent Thomas with the Cache Trails Alliance addressed the Council regarding a grounds maintenance position for the Bridger Bike Park. He acknowledged the presence of Paul Richins and Paul Gibbons, founders of Cache Trails Alliance, at the meeting. The purpose of the association is to educate trail users, adopt trails, and raise funds. There have been 40 individuals or companies this year who have adopted trails to maintain and care for because the Forest Service does not have the resources. As part of their fundraising efforts, they helped raise funds for the Bridgerland Bike Park. Cache Trails Alliance is joining with Logan City in providing funding for a part time maintenance position for the Bike Park grounds. He invited the public to the Alliance's monthly meetings to learn more or to provide input pertaining to trails. Mr. Thomas expressed his appreciation to the City for the partnership and looked forward to working with them in the future. For more information, the Alliance can be found at www.CacheTrails.net.

Additional Employee for the Light & Power Department – Mark Montgomery, Light & Power Director

Light & Power Director Mark Montgomery addressed the Council regarding a request for additional employee of the Light & Power Department. He stated that over the past several years, the Light & Power department has been able to accomplish a great deal of work. Often, contractors will contact him and offer services to our City. His response is always, "No thanks, we don't hire contractors, we do the work ourselves." This is surprising to them and to his counterparts from other cities. One of the items that has helped the light department accomplish this is their directional bore machine. Since they have purchased the original machine, we have put 1000's of feet of lines underground.

One challenge that this has caused is that the lone equipment operator in the light department is no longer available to the 4 crews they have. The bore machine demands an operator full time. They balance this out with the idea that the bore machine only operates about 6 months of the year. This has worked for a time. But they find themselves in need of an equipment operator to be available to the rest of the crews.

He has gone through his budget and found the money needed to fund this position. With salary and benefits, the position requires about \$56,000/year with benefits. Currently, he has \$30,000 budgeted for part time seasonal work in the distribution department. He will no longer hire a seasonal employee and will use this money for this position. The other half will come from the distribution departments capital account and the maintenance account.

The Council was in favor of the action.

Board Reappointment (Golf Course Advisory) – Mayor Daines

Mayor Daines asked the Council for ratification to reappoint Kaycee Hunt to serve on the Logan Golf Course Advisory Board which is a three-year term.

ACTION. Motion by Councilmember Olsen seconded by Chair Simmonds to approve ratification of reappointment of Kaycee Hunt to the Golf Course Advisory Board as presented. Motion carried unanimously.

Proclamation: Faith Exchange Welcome Weeks – Mayor Daines

Mayor Daines read a proclamation declaring the month of November as Faith Exchange Welcome Weeks (FEWW) in the City of Logan. She noted that Vice Chair Anderson serves on the Cache Community Connections Board as well as Teresa Harris. This is an interfaith group where once a week, they encourage people to visit other congregations. She read the proclamation naming the month of November as Faith Exchange Welcome Weeks. She encouraged citizens to visit other places of worship during the month. Vice Chair Anderson noted that Cache County has also approved the proclamation.

Cache County Emergency Medical Services (CCEMS) Update – Chief Brad Hannig

Logan Fire Chief Brad Hannig addressed the Council and gave a condensed power point presentation for public information regarding the City's decision to withdraw from CCEMS. Regarding the distribution of workload, Logan City Fire Department Central Zone has five times more activity than the rest of the county combined. The City provides 71% of all 911 EMS transports (3,264); 60% of inter-facility transfers (609); and 100% of paramedic responses in all zones (731 in the County).

Since CCEMS was created in 2005, the Logan City Fire Department workload has increased by 72%. The County funding has decreased by 20%. Staffing level for Logan City Fire Department has only increased 10% (5 FTE's), but has not added any additional units in Logan City.

Some operational challenges the City has with CCEMS are:

- Although CCEMS is under one Authority, it functions as two separate entities covering three distinct areas.
- Logan sits in the middle of the two county zones creating logistical issues for response.
- Logan provides paramedic coverage for all of Cache County. This creates a burden on Logan City Fire Department, due to current call volume, and compromises the ability to provide services to Logan and contracted cities for both Fire/EMS.
- Two separate areas functioning autonomously creates many challenges both financially and logistically. Some examples are:
 - Logan City shop services all of the apparatus' for the entire county;
 - Logan staff controls and maintains all medications (necessary for narcotic control);
 - Medical Supplies are difficult to control because everyone restocks from the City's Stations, including cities only providing first responder coverage or not at all.

Additional Challenges and CCEMS Limitations include:

- The entire county expects the same service, but pays significantly different tax rates.
- It is difficult to streamline training between systems.
- There is no mechanism for contributions, or lack thereof, from cities not providing or participating in those services.
- EMS response ready service is not free.

- Balance funding is inequitable throughout the county.
- Fire/EMS imbalance through county agencies.

In 2018, CCEMS no-taxing authority generated \$4.7 Million in revenue. Of that, 61% was contributed by the Logan zone, 31% by the County zone, and 8% from County tax.

In 2005, Cache County contributions to CCEMS was \$495,000, or 22.2% of all revenue. In 2018 that contribution is 8.1% of all revenue, and in 2019, it will be even less. The population of the county has also increased by 72,419.

City Cost per capita for fire services is as follows:

Clarkston = \$64; Lewiston = \$24; Richmond = \$27; Smithfield = \$34; Newton = \$25; Wellsville = \$18; **Logan = \$84**; Hyrum - \$11; Paradise - \$19; Mendon = \$32; North Logan = \$66; Trenton = \$38; Providence = \$61; plus each city pays the \$3.11 through the \$400,000 contributed through CCEMS for EMS.

This shows there is a great disparity in costs attributed to fire services among the cities within the county. That disparity in those costs is exacerbated when compared to the median income levels within the county as follows: Clarkston = \$64/\$36,256; Lewiston = \$24/\$49,375; Richmond = \$27/\$53,964; Smithfield = \$34/\$68,792; Newton = \$35/\$57,565; Wellsville = \$18/\$59,458; **Logan = \$84/\$36,256**; Hyrum = \$11/\$63,359; Paradise = \$19/\$67,689; Mendon = \$32/\$76,250; North Logan = \$66/\$70,812; Trenton = \$38/\$49,028; and Providence = \$61/\$80,860.

Logan City is in discussions with both the North and South ends of Cache County to try to come to an amicable solution, not under the CCEMS system. Their sustainability is upon the taxpayers that the services are being providing to, and not by Logan City.

Chief Hannig indicated that holding CCEMS together is probably not realistic for the afore stated reasons. There should be a zone North of Logan City and one South of Logan City. The cities will need to work together to make the services more affordable with those taxpayers paying for that.

Councilmember Jensen inquired as to why the County is paying less each year. Chief Hannig replied that as revenues go up, funding decreases. Funding was originally set at \$490,000 and is now \$400,000. As the population increases, so does the amount of service needs. Ultimately and traditionally, that has been on Logan City. The challenge is when the City gets spread so thin on service calls to the county, the level of service to the citizens of Logan goes down. The county expects the same level of service; however, they don't want to pay for it. In fact, the further out from Logan City the taxpayers live, the less taxes they pay. There is no mechanism with CCEMS to ask county residents to pay more.

Mayor Daines added that Smithfield has stepped up and is willing to cover more services. She also noted that there is a one year winding down period in which the county and outlying cities can work on a solution to Logan's withdrawal from CCEMS. Brad also noted Cache County Executive, Craig Butters, has asked him to help put together some

numbers for the county. Hyrum City has offered to become more involved in the South end of Cache County, however, they will need support from other surrounding cities.

Chair Simmonds inquired as to a pay per service option. Chief Hannig replied the rate of return on many services is around 48% of the costs thereof.

No further items were presented.

Mayor Daines noted that today is election day and sometime after 8:00 pm, the unofficial results of the vote will be announced in the Council Chambers.

COUNCIL BUSINESS:

Planning Commission Update – Chair Simmonds

Chair Simmonds reported that the Foothill Lofts matter has been withdrawn. The Kearn property matter has been continued to November 14, 2019 pending a decision in an action item later in this meeting.

By next year, there will be construction on the Southeast corner of the property by Lee's Marketplace.

A Verizon cell tower request has been received. It would be located at the base of the Cliffside near Mountain Road and east of the condominiums located there. It will be constructed to look like a pine tree.

There will also be a discussion on a new student housing complex in the campus residential zone of 700 East 700 North.

Board/Committee Reports from Council – Councilmember Bradfield and Councilmember Olsen

Councilmember Bradfield reported the Arts Steering Committee met last week to examine shows that are forthcoming. There are exciting shows slated for the future. The Committee may be examining itself to make sure the right shows are coming in that the community wants. He expressed appreciation to the Committee director for her services.

Power Board will be meeting later this month.

Logan Parks and Recreation Advisory Board has begun its comprehensive planning meetings. In November and December, they will be reaching out to the public, and holding two meetings in the first quarter of next year. The Board will develop a five-year plan for the parks.

As to the City Public Arts Master Plan they will begin to identify types of art they would like on publicly owned lands.

Bridger Bike Park opened on October 16, 2019 with great reception.

There was a discussion on modernizing the softball fields and bringing in revenue for their maintenance.

Park restrooms are shutting down for the winter. Mayor Daines noted the Gibbons Park restrooms are open during the winter months.

Russ Akina reported the Bridgerland Bike Park will have some improvements added in the future. There will be a pavilion and picnic tables added in the Spring. They have applied for a grant to build a sidewalk from the parking lot to the Community Garden and the Bike Park.

Councilmember Olsen reported the CCEMS board meeting was today. Chief Hannig has already reported on that.

Bike/Pedestrian Advisory Committee was cancelled because the director recently moved to Vermont. A new director will need to be selected. However, Councilmember Olsen will meet with the present director one more time on Thursday.

Chair Simmonds welcomed Troop 28 cub scouts from Nibley who joined the meeting.

No further items were presented.

ACTION ITEMS:

(Continued from the October 15, 2019 Council Meeting) - REZONE – Consideration of a proposed rezone of approximately 6.55 acres of property located at 1136 North 600 West from Neighborhood Residential Traditional (NR-6) to Mixed Residential Transitional (MR-9) – Ordinance 19-18

At the October 1, 2019 and the October 15, 2019 Council meeting, Planner Aaron Smith addressed the Council regarding the proposed rezone. The proponent is requesting to rezone approximately 6.55 acres from NR-6 to MR-9 to allow for townhome development. The proposed townhome development consists of 32 dwelling units in eight (8) 4,480 SF buildings. Each townhome will be on its own building lot. The proposed development features a low gross density, 4.95 units/acre. The buildings are arranged around a central oval private drive with building fronts oriented towards a common open space. The configuration preserves a large amount of common open space for the development. The proposal includes only one street connection at 1150 N. This road connects to the proposed development through a single-family neighborhood. To the west, the property is adjacent to railroad tracks that run along 600 W. No 600 W access across the railroad tracks is proposed with this project. To the north is Bridger Park and Elementary School. To the south is a multifamily development.

Since the last meeting, there have been updates. The City received a draft deed restriction limiting the amount of housing units on the property to 39. It sets a minimum requirement for detached housing at 20 units and a maximum for attached housing and

fourplexes at 16. The new proposed site reflects the language of the draft deed restriction. The road loops through the property on the north to the Southeast section of property.

Chair Simmonds noted the property itself does not support a full road on the South of the parcel. Mr. Smith admitted there are site constraints that affect the amount of connections available. Attorney Housley noted that any development of the open parcel to the South would require the completion of a full road along the property line.

Mr. Smith advised that staff does not feel comfortable with zoning through use of a deed restriction because it sends a message that if a deed restriction was used in this case, it might be allowed elsewhere. Although this plan does help meet the goals of the Bridgerland neighborhood in bringing single family homes, staff preference would remain with the existing zoning at NR6.

Councilmember Bradford reported he has visited the property and the plan does blend into the area well. He asked Attorney Housley if the Council could discuss deed restrictions since they have been submitted. Attorney Housley replied that for history purposes, the City has done deed restrictions in the past, but not very often and does not prefer to zone by deed restriction. In most cases it involved a PUD that was in place in two phases prior, but since City Code no longer allows a PUD, it would allow development of the final phase to be complete through a deed restriction. The City does not use deed restriction to nuance its zoning. He advised the Council to consider this in their decision-making process as to whether it meets their goals, and this is one of those circumstances whether deed restriction would be appropriate.

Councilmember Jensen pointed that the property owners have made three improvements on the proposal to date. They have proposed a deed restriction. They now have two accesses to the property instead of one. The development involves mostly single-family housing units with sixteen townhomes in 4 buildings. He felt the owners have made great strides and he would be supportive of the proposal.

RECOMMENDED FINDINGS FOR DENIAL FOR THE REZONE

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

1. The Logan City FLUP identifies the area as DR
2. This area is one of the few remaining vacant DR areas in the Bridger Neighborhood.
3. The Bridger Neighborhood surrounding the project site has a disproportionately high amount of attached and 3-4-unit multi-family housing developments, and a disproportionately low amount of detached single-family homes when compared to Logan City as a whole.
4. The DR designation is intended for detached single-family residential development.

RECOMMENDED FINDINGS FOR APPROVAL FOR THE DESIGN REVIEW PERMIT

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

1. The proposed project was rezoned from NR-6 to MR-9

2. The proposed project is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because of the conditioned building design, site layout, materials, landscaping, building orientation, heights and setbacks.
3. The Design Review Permit conforms to the requirements of Title 17 of the Logan Municipal Code.
4. The proposed project provides adequate open space and useable outdoor space in conformance with Title 17.
5. The proposed project provides off-street parking in compliance with the Land Development Code.
6. The proposed project complies with maximum height, density and building design standards and is in conformance with Title 17.
7. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.
8. The surrounding streets and utilities are of adequate in size and design to sufficiently handle all traffic modes and infrastructure related to the land use.

RECOMMENDATION

Staff recommended that the Planning Commission recommend **denial** to the Municipal Council for a Rezone of approximately 6.55 acres of property located at approximately 1136 N 600 W (TIN# 05-041-0006) from Neighborhood Residential Traditional (NR-6) to Mixed Residential Transitional (MR-9). Contingent on approval of a rezone to MR-9, Staff recommends that the Planning Commission conditionally approve a Subdivision and Design Review Permit for Project #19-031 Kearn Property, for 32 townhome units on individual building lots located at 1136 N 600 W (TIN# 05- 041-0006).

On September 12, 2019, the Planning Commission recommended that the Municipal Council **deny** the Kearn Property Rezone.

ACTION. Motion by Councilmember Olsen to deny the ordinance. The motion died for lack of a second. Motion by Councilmember Bradford seconded by Councilmember Jensen to approve Ordinance 19-18 with inclusion of the voluntary Deed Restriction. Motion carried with Councilmember Olsen voting nay.

PUBLIC HEARING - REZONE – Consideration of a proposed rezone of 8.11 acres of property located at approximately 1105 West 2200 South from Commercial (COM) to Mixed Residential Medium (MR-20) – Ordinance 19-20 – Russ Holley, Planner

At the October 15, 2019 Council meeting, Planner Russ Holley addressed the Council regarding the proposed rezone.

Land use adjoining the subject property

| | | | |
|---------------|--------------------------|--------------|-------------------------|
| <i>North:</i> | COM: Vacant | <i>East:</i> | MR-20: Residential Uses |
| <i>South:</i> | Outside of City Boundary | <i>West:</i> | COM: Commercial Uses |

PROJECT

The proponent is requesting to rezone approximately 8.11 acres at 1105 West 2200 South. The rectangular shaped parcel currently has one home, built in 1961, near the south

property line with two adjacent accessory structures. The remaining area is agriculture land. The property has approximately 360 feet of frontage along 2200 South and is approximately 930 in depth running north and south. 1000 West street is planned to align along the east side of this property as it extends south of the newly installed traffic signal at the intersection of HWY 89-91. This property was annexed into Logan City in May 2017. It has been zoned COM ever since.

GENERAL PLAN

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

Mixed Residential (MR) areas are described in the General Plan as areas being designed to provide a range of housing options for all stages of life. MR areas will typically be located near employment centers and service areas. MR project will be efficiently designed to preserve surrounding open lands of the valley and minimize traffic congestion. Structures in MR will range from townhomes and apartments.

LAND DEVELOPMENT CODE

The Land Development Code (LDC) regulates land uses and entitles properties with specific development allowances. The COM zone allows a wide range of commercial and light industrial uses. The COM zone is located along major collector and arterial streets with nearby large capacity utilities. Building heights are limited to 40' and lot coverage rates kept under 60%. 20% of project sites are required to be improved with open space and usable outdoor space.

The Mixed Residential Medium (MR-20) zoning district permits a maximum density of 20 units per acre and building heights at 45 feet. Setbacks are 10 feet in the front yard and lot coverage is capped at 60%. 20% of the site is required to be open space and an additional 10% is required outdoor space (patios, decks, etc.). Buildings are required to provide 2 off-street parking stalls per dwelling unit.

NEIGHBORHOOD COMPATIBILITY

This area was recently annexed into the City but was anticipated to do so in the 2008 version of the General Plan and identified on the FLUP. The new traffic signal installed at the intersection of 1000 West/HWY89-91 will significantly impact the character of this quasi-rural area as development pressures continue to intensify. Areas to the south and east largely remain undeveloped agricultural lands with Nibley City and Millville City boundaries in close proximities. The areas to the west are developed as a Motel, built in 1996, and a Recreational Vehicle park. A newly approved office warehouse is located directly west along 2200 South.

Proximity to this intersection should be considered as communities along the South Corridor Plan area implement standards for setbacks, access, and commercial nodal development patterns. The LDC defines a commercial node as being 700 feet away from

the center of the traffic signal. This property is located 718 feet away from the center of intersection. The South Gateway Overlay is placed on properties within 300 feet of the Highway and requires enhanced setbacks. This property is 415 feet away from the Highway. With 1000 West planned to continue southward through Nibley, this property along with the neighboring properties to the west, form a triangular island between HWY 89-91, 2200 South and 1000 West.

From a residential land use standpoint, existing developments and approved projects within a ¼ mile radius and within the Logan City boundary, there is a disproportionate value of structure types with approximately 640 Multi-Family Units, 250 Mobile Homes, and 250 Single-Family Homes. Multi-Family dwelling unit breakdown is approximately 120 duplexes, 200 townhomes, and 312 multi-story apartment units. MR-20 developments typically result in multi-story apartment complexes. This property developed at maximum density would result in 162 units.

AGENCY AND CITY DEPARTMENT COMMENTS

No comments have been received.

PUBLIC COMMENTS

A written comment from the Logan City School district was received opposing the rezone request.

PUBLIC NOTIFICATION

Legal notices were posted on the City's website and the Utah Public Meeting website on 9/18/19, and noticed in a quarter page ad on 9/7/19, and a Public Notice mailed to property owners within 300' were sent on 9/19/19.

RECOMMENDED FINDINGS FOR DENIAL

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

1. The FLUP identifies the area as COM.
2. The subject property is located in close proximity to the new traffic signal at HWY 89-91/1000 West and area designated in the LDC and South Corridor Plan as a commercial node.
3. Based on area residential inventories, multi-family units outnumber single family and mobile home units combined.
4. The future alignment of 1000 West will act as a barrier from commercial uses to the west and residential uses to the east.

RECOMMENDATION

Staff recommends that the Planning Commission recommend **denial** to the Municipal Council for a Rezone of approximately 8.11 acres of property located at approximately 1105 West 2200 South (TIN# 03-006-0009) from Commercial (COM) to Mixed Residential Medium (MR-20).

On September 26, 2019, the Planning Commission recommended that the Municipal Council deny a rezone from Commercial (COM) to Mixed Residential Medium (MR-20) for the Merrill Rezone project. The Planning Commission voted 3-2 for **denial**.

Russ Holley reported that since the last Council Meeting, he has spoken with Nibley City about the fire fly park, and discussed some mitigation that was implemented for the Strata Apartment Complex. It included special light fixtures, strategic placement of driveways, and extra landscape to buffer parking lot headlights. Nibley appreciates these efforts and believe they will help. Their latest strategy is to install layers of trees around the perimeter of the park. They would favor additional trees installed with future development around the park, particularly large deciduous canopy trees for fire fly breeding purposes.

Mr. Holley also spoke of the Campbell Annexation located at approximately 2200 South 800 West. It is a 25-acre parcel that the Council will be reviewing in the future. Future land use in the area indicates MR. Annexation would add to the housing mix. There is already a higher number of multifamily and mobile home units in relation to single family units in the area.

The Planning Commission did vote to recommend denial of this application with a vote of 3-2. Some reasons behind the decision are that the future Land Use Plan indicates it as commercial and with the South Corridor Plan it identified that the nodes are around traffic signals. With the new traffic signal at 1000 West, this is intended to be a commercial node. If this is rezoned to MR20 there will likely be residential rather than commercial. It is also better to keep one type of zoning on each of the sides of Highway 89 and 1000 West. 1000 West will continue to the South of Highway 89, but will be slightly narrower than to the North of Highway 89. The future land use plan is MR for the proposed property annexation.

Chair Simmonds opened the meeting to a public hearing.

Dan Larsen felt the use is more residential for this property than commercial based upon usages of property surrounding it. The benefit to the City is that it would allow current use to come in and utilize the 1000 West road better as a corridor.

Jed Merrill, a nearby property owner, advocated for the rezone. He reported that there will be single family or possible multiple family residential units across from the subject property according to developers that Mr. Larsen had spoken with. He felt it was strange that a commercial strip would be located that far away from the road, and it should be rezoned.

Chair Simmonds closed the public hearing.

ACTION. Motion by Councilmember Olsen seconded by Councilmember Bradford to deny Ordinance 19-20 as presented. Motion carried with Vice Chair Anderson voting nay.

PUBLIC HEARING - Budget Adjustment FY 2019-2020 appropriating: \$85,000 for the 2019 Freedom Fire Budget – Resolution 19-57

At the October 15, 2019 Council meeting, Finance Director Richard Anderson addressed the Council regarding the proposed budget adjustment.

Chair Simmonds opened the meeting to a public hearing.

There were no comments and Chair Simmonds closed the public hearing.

ACTION. Motion by Councilmember Jensen seconded by Councilmember Olsen to approve Resolution 19-57 as presented. Motion carried unanimously.

WORKSHOP ITEMS:

Budget Adjustment FY 2019-2020 appropriating: \$4,444 donated funds toward Center Street landscaping and holiday parade; \$20,000 additional RAPZ funding received from Cache County for installation of safety signals for the Logan Middle Canal Pathway – Resolution 19-60 – Richard Anderson, Finance Director

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

Russ Akina reported he and Cache County Trails Planner Dayton Crites have been designing a project for about 18 months with UDOT TAP money. The scope of the project is from 900 North along the Logan Middle Canal and up to 1400 North. The purpose of this project is for the design and construction of pedestrian signals at 1000 North, 800 East, and 1400 North along that canal corridor for pedestrian use.

The proposed resolution will be an action item and public hearing at the November 19, 2019 Council meeting.

Consideration of a proposed ordinance to vacate a certain Public Utility Easement in the Amended Copper Springs Phase 3 Subdivision Plat between Lots 6 and 7, located at approximately 225 and 255 North 950 West in Logan, Utah - Ordinance 19-21 – Bill Young, City Engineer/Assistant Public Works Director

Bill Young reported on a request for vacation of a Public Utility Easement on the Northeast corner of 200 North and 1000 West for a boundary line adjustment. Presently, the easement runs from North to South. The property owner would like it to run from East to West. As the boundary line adjustment is recorded for this property, the new utility easement will also be recorded.

The proposed ordinance will be an action item and public hearing at the November 19, 2019 Council meeting.

Councilmember Bradfield recognized and thanked Councilmember Olsen for his years of service on the Council.

No further workshop items were presented.

OTHER CONSIDERATIONS:

There were no further items discussed by the City Council.

ADJOURN TO MEETING OF THE LOGAN REDEVELOPMENT AGENCY.

Chair Simmonds welcomed those present. There were approximately 12 in attendance at the beginning of the Logan Redevelopment Agency meeting.

Councilmember's present at the beginning of the Logan Redevelopment Agency meeting. Chair Jeannie F. Simmonds, Vice Chair Amy Z. Anderson, Councilmember Tom Jensen, Councilmember Herm Olsen and Councilmember Jess W. Bradfield. Administration present: Mayor Holly H. Daines, City Attorney Kymber Housley, Finance Director Richard Anderson and Deputy City Recorder Sylvia Tibbitts. Excused: City Recorder Teresa Harris

ACTION ITEM:

PUBLIC HEARING - Budget Adjustment FY 2019-2020 appropriating: \$470,000 funds needed to complete the Emporium demolition – Resolution 19-58 RDA

At the October 15, 2019 Council meeting, Logan Finance Director Richard Anderson addressed the Council regarding the proposed budget adjustment. He explained the \$470,000 of RDA funds for the demolition of the Emporium building along with \$650,000 that was appropriated as part of the originally adopted budget to demolish the building. He said the Council needs to be aware they will be approached sometime in the future, assuming the Emporium is demolished and assuming the City moves forward with the proposed plaza project, to finance that portion of the project. The proposed amount will fund the demolition but, in the future, would come back to the Council and there will be proposed funding for the actual plaza itself as well as reconciling some accounting entries with the RDA.

Mr. Anderson asked the council to appropriate an additional \$80,000 for the project allowing \$550,000 total for the demolition. It would give the budget needed for the complete demolition costs.

Vice Chair Anderson inquired as to the status of funds in the RDA once the additional funds request have been taken from it. Mr. Anderson replied that there is around \$10 Million total in the RDA's. At a future time, there will be a request to shift some funds around within the RDA's for developmental needs.

Chair Simmonds opened the meeting to a public hearing.

Gail Yost advocated to demolish the Emporium building. She had been inside the Emporium building when the Learning Center was located in the basement. The flooding in the basement was irreconcilable. She said people need to realize that old buildings are important, but not if they are destructive to people and property.

Gene Needham distributed a proposal with other plans for the Emporium. He provided a petition with 21 signatures of people who do not want the Emporium torn down or want it delayed. He asked the Council to delay destruction of the building for 3-4 months to allow him to develop a plan for preservation and use of the building by better tenants and merchants. Since the Emporium closed, business in the downtown has gone down and with the demolition of the building, it will continue to go down. The downtown merchants have other visions for the building, such as taking the buildings down on 100 North on the South side of the street where apartments can be constructed without disturbing the surface parking presently in place. It is in the best interest of the community if the best plan can be made.

Mr. Needham was opposed to terraced parking and felt that in the future, it would likely be a loss or in the way. He valued street side parking and was not willing to give that up. He felt the City does not need an ice skating pond in the middle of the retail area. He felt the Cache Valley Mall is not doing so well, but the downtown is coming back a little bit. He would like to see downtown retail opportunities in the Emporium building preserved. He would like to meet with the City personnel involved with this matter to present more detailed information before the building is demolished. If \$1.5 Million were used to improve and upgrade the building rather than tear it down, the City would have a \$6 Million building. Mayor Daines clarified the cost of demolition was \$1.2 Million.

Abraham Verdoes asked what the status of the development agreement with the developer was, and why the \$1.2 Million for demolition is not part of negotiations with the developer. Mayor Daines replied the money for demolition was allocated in last year's budget. The meetings with the developer have been ongoing and they are continuing to work through to get a project that can be taken to Historic Preservation, Planning Commission, and Council. If a project is not approved, the monies will simply go back into the RDA. Mr. Verdoes asked specifically about the negotiations with the development agreement and how appropriating demolition money doesn't send a signal that weakens the City's negotiating position. Mayor Daines replied the City has been speaking with the developer in general terms and options, however, the greater project cannot go forward without the building demolition.

Attorney Housley noted appropriating the demolition of the building clears a hurdle and shows potential developers the City is willing to partner for whatever project may go forth. He also noted there is not even a draft agreement with any developer at this point, however, the City will work in a partnership with any development therein.

Mayor Daines noted a Request for Qualifications was sent out about two years ago for this. In that document, it specified the City owned the property, planned to develop it, and that demolition of the building was part of the plan.

Councilmember Bradford injected that despite the City's invitation to do so, no one has looked at the building for two years to create any development. Mayor Daines added there were two specific RFP's created by the City previously asking for any interest in a project involving the Emporium.

Blake Parker expressed concern that there has been no definitive project for the property. He felt the Emporium building can be saved and has value to it. He questioned the use of RDA funds to tear the building down rather than redevelop it. Buildings around the Emporium are just as old or older and are still being used effectively. Mayor Daines noted those specific issues can be addressed at a future meeting of the Historic Preservation Committee.

Chair Simmonds closed the public hearing.

Councilmember Olsen expressed hesitation. He felt there was a general commitment to the revitalization of the Downtown and to promote foot traffic. The City purchased the building and tried to get the market to come forward. However, month after month passed, then years with no interest, and now the City is moving forward. The best opportunity for the property may lie ahead if the City moves forward with demolition of the building. He looked forward to proposals and a final project.

Councilmember Jensen asked about the legal position to use the parking lot without a project coming forward. Attorney Housley replied there could be a challenge, however, he researched the matter and had the Title Company research it as well. There are no deed restrictions on the deeds, but clearly there is an implied covenant to provide parking. The City's intent is not only to keep status quo, but to actually improve the parking situation on the block. Originally, there was a financing mechanism, an improvement district to assess the adjoining property owners, to buy the center block property to provide parking. Initially, in 1969 through 1971 the district was created. The property owners invested \$240,000 and the City invested \$30,000 and agreed to maintain it going forward. In 1989, the City invested \$342,000 and the property owners invested \$33,000. In total investment, the City has actually invested more money. However, the real issue is whether the City is going to continue to maintain the parking like it does. The answer is yes. The City hopes to improve it. Obviously, that will be debatable for some. If someone brings a challenge, the City is prepared to fight it as an administration. Councilmember Jensen thanked Attorney Housley for the information and expressed his support for the demolition. He felt the petition was misleading in that it did not clarify if the signers were in favor of the project itself or wanted use of the property.

Vice Chair Anderson noted there have been other meetings wherein citizens and merchants were allowed to express their feelings and opinions on the matter.

With all things considered, Councilmember Jensen looked forward to seeing what any proposed project would do to create a catalyst for the Downtown in conjunction with the Center Street Project. Therefore, he favored demolition of the building.

Attorney Housley added that this is not about putting \$2 Million into a \$1 Million building in an effort to make it worth \$6 Million. It is more about tearing down a \$1 Million building to incentivize a \$28 Million investment, which is something the City is looking at for that block.

Councilmember Bradfield clarified the project and funding is dependent upon the Historic Preservation Committee approving tearing down of the Emporium building.

ACTION. Motion by Vice Chair Anderson seconded by Councilmember Jensen to approve Resolution 19-58 RDA with the amount adjusted to \$550,000. Motion carried unanimously.

ADJOURNED. There being no further business to come before the Council, the meeting of the Logan Redevelopment Agency adjourned at 7:47 p.m.

Sylvia Tibbitts, Deputy City Recorder