

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, March 15, 2022, 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 Jeannie F. Simmonds, Vice Chair Ernesto López, and Councilmember Mark A. Anderson. Administration present: Mayor Holly H. Daines, Assistant City Attorney Craig Carlston, Finance Director Richard Anderson, and Deputy City Recorder Esli Morales.

Participating via Zoom: Councilmember Amy Z. Anderson

Excused: Councilmember Tom Jensen, City Attorney Kymber Housley, Economic Development Director Kirk Jensen and City Recorder Teresa Harris.

Chair Jeannie F. Simmonds welcomed those present. There were approximately 4 in attendance at the beginning of the meeting.

OPENING CEREMONY:

Dr. Sheryl Goodey, Executive Director from the Family Place gave the opening ceremony and led the audience in the pledge of allegiance. Dr. Goodey thanked the Council and Mayor for the opportunity to speak. The Family Place is grateful to serve the community by providing therapy, parenting education, and crisis nursery. The Starfish Children's shelter is critical as children are removed from unsafe circumstances. The number of children housed have gone up by 1000%. The Family Place is grateful for the community support in being able to provide these services. This year is special to the Family Place, who is celebrating 40 years of serving our great community.

Chair Simmonds thanked the Family Place and CAPSA for the services they provide to the community.

Meeting Minutes. Minutes of the Council meeting held on March 1, 2022, were reviewed and approved with no corrections.

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

35 **ACTION. Motion by Vice Chair López seconded by Councilmember M. Anderson**
36 **to approve the March 1, 2022, minutes and approve tonight's agenda. Motion**
37 **carried by roll call vote.**

38 **M. Anderson: Aye**

39 **A. Anderson: Aye**

40 **Jensen: Excused**

41 **Lopez: Aye**

42 **Simmonds: Aye**

43
44 **Meeting Schedule.** Chair Simmonds announced that regular Council meetings are held
45 on the first and third Tuesdays of the month at 5:30 pm. The next regular Council
46 meeting is Tuesday, April 5, 2022.

47
48 **QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL:**

49
50 Chair Simmonds explained that any person wishing to comment on any item not otherwise
51 on the agenda may address the City Council at this point by stepping to the microphone
52 and giving his or her name and address for the record. Comments should be limited to not
53 more than three (3) minutes unless additional time is authorized by the Council Chair.
54 Citizen groups will be asked to appoint a spokesperson. This is the time and place for any
55 person who wishes to comment on non-agenda items. Some items brought forward to the
56 attention of the City Council will be turned over to staff to respond outside of the City
57 Council meeting.

58 Dr. Gail B. Yost, a resident of Logan said the city 4 years ago began to plan for 2050.
59 Endless possibilities have occurred including a pandemic, war, and possibly even someday
60 an earthquake. She requested that we start planning for the homeless in mind. There is
61 plenty of ongoing housing development, but there is not enough affordable housing. Our
62 community houses all walks of life, we need to provide the means of growth. If possible,
63 to request that developers include affordable housing in their project plans.

64 John Shivik, a resident of Logan agreed with the sentiments of Dr. Yost of needing
65 affordable housing. He had further questions regarding Costco. How did negotiations occur
66 for Costco, how will HB51 impact future incentives, and if an infrastructure incentive is
67 part of the incentives prohibited by HB51.

68 Mayor Daines responded that HB51 will ensure that one in the state will be able to offer
69 an incentive to a big box store including the legislation. The purpose is so that everyone in
70 the state is on the same playing field. The city has always offered reasonable incentives
71 when in comparison to other cities. Regarding negotiations with Costco, they directly

72 contacted our Economic Development Director Kirk Jensen. Requests are made all the time
73 and are firstly discussed with the Economic Development Committee, which is made of
74 councilmembers, members of the community, a former council member, a county
75 councilmember, Chamber of Commerce, and a member of the Downtown Alliance. The
76 Committee vets the proposals of any incentive through an RDA. If the proposal is
77 recommended by the Committee, it will move forward to be presented before the Council
78 as the RDA Board in a public meeting to be workshopped and then move to a public
79 hearing.

80 Mayor Daines clarified that HB51 will require the city attorneys to study the bill point by
81 point. The infrastructure incentive is a negotiation point that the city would still like to
82 retain and offer as it benefits more than just the development but the community as well.
83 HB51 will go into effect on July 1, 2022.

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

85 **MAYOR/STAFF REPORTS:**

86
87 No Mayor/Staff Reports were presented.

88
89 **COUNCIL BUSINESS:**

90
91 **Planning Commission Update – Chair Simmonds**

92
93 Chair Simmonds reported on the Planning Commission meeting that was held on March
94 10, 2022. The Foothill Lofts is an apartment complex that occupies two-thirds of the
95 upper gravel pit, (there also exists a lower gravel pit). Behind Foothills Loft, there is a
96 single-family housing development. The Planning Commission determined that the site
97 warranted an exception to 20 units per acre with only two exits (rather than the 3 exits
98 required by code). Roofer Supply is moving from 200 North to an entirely new facility.

99
100 No further Council Business items were presented.

101
102 **ACTION ITEMS:**

103
104 **PUBLIC HEARING - Budget Adjustment FY 2021-2022 appropriating: \$11,610**
105 **funds the Library received from the State of Utah, the Community Library**
106 **Enhancement Fund (CLEF) Grant to be used for collection development,**
107 **technology for public use, and community outreach programs; \$10,609 funds**
108 **received for police overtime shift reimbursements; \$5,363 funding the police**

Department received for the Bulletproof Best Partnership to be used to purchases vests for police officers; \$14,667 funds the Fire Department received from the State of Utah to be used for mental wellness screenings, mental health classes, and training for firefighters; \$200,000 donated funds toward library construction – **Resolution 22-09** – Richard Anderson, Finance Director

At the March 1, 2022, Council meeting, Finance Director Richard Anderson addressed the Council regarding the proposed budget adjustments.

Mayor Daines remarked that the groundbreaking of the library will be publicly announced.

Chair Simmonds opened the meeting to a public hearing.

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

ACTION. Motion by Vice Chair López seconded by Councilmember A. Anderson to approve Resolution 22-09 as presented. Motion carried by roll call vote.

M. Anderson: Aye

A. Anderson: Aye

Jensen: Excused

Lopez: Aye

Simmonds: Aye

(Applicant requested a continuance to April 19, 2022) **REZONE – Consideration of a proposed rezone of approximately 1.36 acres of property located at 310 West 1400 North from Mixed Residential Low (MR-12) to Mixed Residential Medium (MR-20) West Pointe Subdivision (Bridger Neighborhood) – Ordinance 22-06 – Tanya Rice, Planner**

Chair Simmonds announced that the application of the proposed West Pointe Subdivision requested a continuance to the April 19, 2022, Council meeting.

ACTION. Motion by Councilmember M. Anderson seconded by Vice Chair López to continue Ordinance 22-06 to the April 19, 2022 Council meeting as presented.

Motion carried by roll call vote.

M. Anderson: Aye

A. Anderson: Aye

Jensen: Excused

Lopez: Aye
Simmonds: Aye
unanimously.

Consideration of a proposed resolution authorizing the Steel Solar 1B Project Transaction Schedule under the Master Firm Power Supply Agreement with Utah Associated Municipal Power Systems (UAMPS) – Resolution 22-10 – Yuqi Zhao, Light & Power Resource Manager

At the March 1, 2022, Council meeting, Light & Power Director Resource Manager Yuqi Zhao addressed the Council regarding the proposed resolution. Ms. Zhao reported there have been no changes to the project since the last council meeting.

Vice Chair López inquired who or what concluded the number of shares.

Ms. Zhao answered that the project would produce 40 MW and there are 8 members. An original division is 1/8th of the project roughly 5 MW per member with exceptions such as St. George. The city has signed up for 3 solar projects 5 MW each to see how each location develops. The Red Mesa solar project to provide for 49 MW.

Chair Simmonds asked if larger shares could be asked for initially at the start of the proposal.

Ms. Zhao responded that is correct and that the reason for the lower megawatts of 5 MW is to determine which solar project is better for the city. Since then, one of the members has dropped the project. There are 5 megawatts to spare and hence will be prorated. The original share has increased from 5 MW to 5.77 MW with the schedule showing that change.

ACTION. Motion by Councilmember M. Anderson seconded by Vice Chair López to approve Resolution 22-10 as presented. Motion carried by roll call vote.

M. Anderson: Aye

A. Anderson: Aye

Jensen: Excused

Lopez: Aye

Simmonds: Aye

187 **WORKSHOP ITEMS:**

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189 **Budget Adjustment FY 2021-2022 appropriating: \$1,804 a reimbursement from the**
190 **US Department of Justice for federal cases worked by Logan City police officers;**
191 **\$8,244 fire reimbursements for training and vaccine clinics; \$935,000 water reserves**
192 **for the North Logan Sewer trunkline work that is part of the 1800 North 600 West**
193 **Intersection Project – Resolution 22-11 – Richard Anderson, Finance Director**
194

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

197
198 Councilmember A. Anderson asked what amount of the \$935,000 funds will be
199 reimbursed.

200
201 Richard Anderson responded that he is unable to accurately answer and referred the
202 question to Paul Lindhardt, Director of Public Works.

203
204 Mr. Lindhardt answered that would be roughly 71% of the project.

205
206 Mr. Anderson explained that the entire project will be paid upfront and then they will be
207 reimbursed.

208
209 Councilmember A. Anderson inquired if the reimbursement is based on future use
210 projections.

211
212 Mr. Lindhardt replied that the reimbursement would be based on current flows and future
213 use projections.

214
215 The proposed resolution will be an action item and public hearing at the April 5, 2022,
216 Council meeting.

217
218 **PARK STRIP CODE AMENDMENTS – Consideration of a proposed ordinance**
219 **amending Chapters 12.12.105 of the Logan Municipal Code “Planting Strip Width”,**
220 **12.12.110 “Permits: “Trimming of Trees”, 12.12.120 “Abutting Property: Owner**
221 **Responsibility” and Chapters 17.32.060 of the Land Development Code**
222 **“Landscaping Rights-of-Way”, 17.32.100 “Irrigation: - Ordinance 22-07 – Russ**
223 **Holley, Planner**

224
225 Planner Russ Holley addressed the Council regarding the proposed code amendments.

226
227 **RECOMMENDATION**

228 Staff recommended that the Planning Commission recommend approval to the Municipal
229 Council of the proposed amendments to Chapters 17.32 Landscaping of the Land
230 Development Code.

231
232 **PROPOSAL**

233 This proposed code amendment corrects inconsistencies in the Land Development Code
234 and the Logan City Municipal Code Title 12. Proposed language changes allow for more
235 flexibility in landscape design within the park strip area as a way to reduce water
236 consumption and overall maintenance. The term "xeriscape" is better defined and
237 assigned a minimum plant-to-mulch ratio. Successful and aesthetically pleasing xeriscape
238 designs may be standardized and made available to the public in the future. Limitations
239 for street trees within the sight distance triangle are given to improve visibility and traffic
240 safety. Lastly, allowances are made for downtown areas with atypical park strip designs.

241
242 The Municipal Code changes include eliminating the term "planting strip" and the
243 mandatory uniform width of 8 feet. Depending on the street classification, park strip
244 widths vary to match the differing infrastructure and rights-of-way widths.

245
246 **EXISTING CONDITIONS**

247 The city currently has a wide range of park strip widths and landscape applications
248 throughout. In older core neighborhoods, park strips are very wide (10'-15'), covered in
249 turfgrass, and planted with mature trees. Newer areas and neighborhoods tend to have
250 narrower park strips with a variety of landscaping. Commercial and industrial areas of the
251 city also have a variety of park strip widths and designs. In some areas of the city, the
252 curb and gutter do not exist making the park strip area harder to identify.

253
254 **GENERAL PLAN**

255 The Logan City General Plan, a visioning document, describes streetscapes and
256 traditional Logan development that include landscaped park strips and rows of trees
257 aligning streets. Specific landscaping details for park strip areas are not given in the
258 General Plan. As proposed with flexibility in surface landscaping materials while still
259 requiring street trees inside the park strips, the language changes proposed do not conflict
260 with the General Plan.

261
262 **STAFF RECOMMENDATION**

263 Staff finds that the proposed text adjustments eliminate current code language conflicts
264 and give greater flexibility for landscape design water consumption reductions. As Logan

and the intermountain west continue to grow at a fast pace, water conservation will be an ever-increasing issue to deal with. Xeriscape design can be a very attractive alternative to turf grass that showcases native drought-tolerant plants with colors and textures that change with our seasons. Staff recommends that the proposed text amendments be approved.

PUBLIC COMMENTS

As of the writing of this report, there has not been any public comment. Public comments received prior to the preparation of this report will be included as an attachment. Any other comments will be forwarded to the Planning Commission.

PUBLIC NOTIFICATION

Legal notices were published in the Herald Journal on 2/12/22, posted on the City's website and the Utah Public Meeting website on 2/14/22, and noticed in a quarter-page ad on 2/10/22.

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. Elements of the proposed Code Amendments are consistent with the Logan City General Plan.
4. The proposed Code Amendments will bring better consistency in code language and offer more resources to citizens for park strip landscaping options.

On February 24, 2022, the Planning Commission recommended that the Municipal Council approve the Park Strip Code Amendment. Planning Commissioners vote (6-0).

Chair Simmonds inquired if the zoning for downtown is only for the downtown area or if tied to the zone.

Mr. Holley responded that most of the downtown area is TC (Town Center 1 & 2 or MR (Mixed-Use), these areas may warrant more of an urbanscape rather than streetscape.

Chair Simmonds asked if that excluded TC-2.

Mr. Holley answered that the code states Town Center which can be TC-1 or TC-2. In TC-2 zoning, the area would be reviewed on a case by case. A development would be required to match the adjacent area.

Chair Simmonds inquired if that specific language needs to be included in the code.

Mr. Holley replied that the current code is written in a manner that the city may exempt the requirement. There is flexibility in the language, but the language can be modified.

Chair Simmonds requested clarification on who has the ability to make that exemption.

Mr. Holley responded the Public Works Department, but further clarification can be made.

Chair Simmonds stated the importance or need for clarification as the city continues to develop. The character of the downtown area is defined by green spaces and as these areas are removed, the character of the city begins to change.

Mr. Holley explained TC zoning requirements do not have open space requirements in other zones. Green space is limited to park strips or public areas. The process for exemption would occur through the Planning Commission, building permits, and Public Works.

Chair Simmonds asked why these small green spaces are called park strips.

Mr. Holley answered that these areas are commonly thought of as parking strips, but rather are small green spaces.

Chair Simmonds clarified that parking strips are the urban equivalent of green space, (urban forest). A space or barrier between the public road and home. She does not want that intended purpose to be lost as requirements are changed.

Mr. Holley said that pioneers planted trees along the road providing a separation as pedestrians stroll down the street. It is part of the traditional park strips. The current zero-scape is a combination of mulch and plants. Street trees are required every thirty feet unless within the sight distance triangle (at an intersection).

Councilmember M. Anderson inquired with the plant requirements of 30% is there a requirement of a certain number of trees or shrubs?

Mr. Holley responded that there must be a tree every 30 feet and that any type of shrub or plant makes up 30% of plant coverage.

Councilmember A. Anderson asked if the requirement would fall under the purvey of staff to inform if an individual is failing to meet compliance and if there would be time for them to come into compliance.

Mr. Holley answered that the staff would inform the individual and inform them of the time set to be in compliance.

Councilmember A. Anderson requested further specificity on code enforcement.

Mr. Holley replied that Aaron Smith, Neighborhood Improvement Manager would be better able to answer that question. The situation would depend on a case by case and external factors such as the season.

Councilmember A. Anderson inquired that with new construction is their code that dictates the time by which landscape must be installed.

Mr. Holley responded that multi-family and commercial projects require that landscaping be present before occupants move in or commence business. The only exception is season issues such as the project is completed in winter, but there is the requirement to fulfill that designation by spring. Single-Family homes are exempted to an extent.

Councilmember A. Anderson requested clarification if those lacking a water irrigation system are grandfathered.

Mr. Holley responded that for all new projects automatic irrigation systems are required but for existing projects, they are not required. All of these landscapes still require water just less water to survive.

The proposed ordinance will be an action item and public hearing at the April 5, 2022, Council meeting.

OTHER CONSIDERATIONS:

There being no further business, the Logan Municipal Council adjourned to a meeting of the Logan Redevelopment Agency.

The Logan Redevelopment Agency convened on Tuesday, March 15, 2022, at 6:14 pm, in the Logan Municipal Council Chambers located at 290 North 100 West, Logan, Utah 84321. 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 Jeannie F. Simmonds, Vice Chair Ernesto López, and Councilmember Mark A. Anderson. Administration present: Mayor Holly H. Daines, Assistant City Attorney Craig Carlston, Finance Director Richard Anderson, and Deputy City Recorder Esli Morales.

Participating via Zoom: Councilmember Amy Z. Anderson

Excused: Councilmember Tom Jensen, City Attorney Kymber Housley, Economic Development Director Kirk Jensen, and City Recorder Teresa Harris

Chair Jeannie F. Simmonds welcomed those present. There were approximately 3 in attendance at the beginning of the meeting.

ACTION ITEM:

PUBLIC HEARING - Budget Adjustment FY 2021-2022 appropriating: \$65,000 funds for the construction of a new Ellen Eccles Theatre cooling system canal diversion at 50 West 100 South; \$2,150,000 donations received for the Center Block Plaza Project – Resolution 22-08 RDA – Richard Anderson, Finance Director

At the March 1, 2022, Council meeting, Richard Anderson addressed the Council regarding the proposed budget adjustments. There is a preexisting agreement with the Ellen Eccles Theatre that if there was a need for canal diversion with the cooling system, the City agreed to cover the cost. With the new development occurring, there is a need to divert the canal system.

Chair Simmonds explained for the benefit of the public that the Ellen Eccles Theatre is cooled with canal water. The Ellen Eccles Theatre does not have a rapid cooling system or air conditioning system that is separate from the canal.

Chair Simmonds opened the meeting to a public hearing.

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

ACTION. Motion by Councilmember A. Anderson seconded by Vice Chair López to approve Resolution 22-08 RDA as presented. Motion carried by roll call vote.

M. Anderson: Aye

A. Anderson: Aye

Jensen: Excused

Lopez: Aye

Simmonds: Aye

unanimously.

ADJOURNED. There being no further business, the Logan Redevelopment Agency adjourned at 6:17 pm.

Esli Morales, Deputy City Recorder