

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, September 19, 2023, 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](https://www.youtube.com/channel/UCFLPAOK5eawKS_RDBU0stRQ)

Council Members present at the beginning of the meeting: Chairman Ernesto López, Vice Chair Amy Z. Anderson, Councilmember Jeannie F. Simmonds, Councilmember Mark A. Anderson, and Councilmember Tom Jensen. Administration present: Mayor Holly H. Daines, City Attorney Craig Carlston, Finance Director Richard Anderson, and Deputy Recorder Esli Morales.

Excused: City Recorder Teresa Harris

Chairman Ernesto López welcomed those present. There were approximately 53 in attendance at the beginning of the meeting.

#### **OPENING CEREMONY:**

Council Candidates Mark A. Anderson, Erin Bennett, Mike Johnson, Katie Lee-Koven, Joe Needham, and Jeannie F. Simmonds gave a brief introduction of themselves.

Council Candidate (Councilmember) Mark A. Anderson introduced himself briefly. He has lived in various parts of the world but primarily is a native Logan resident. He and his wife have raised four children along with multiple pets. He has served on the City Council for 4 years and hopes to be able to serve for more. He is grateful for the opportunity to serve and work with staff, the Mayor, and the City Council. One of his greatest accomplishments while serving on the Council is helping elect Chairman Ernesto López to the Council.

Council Candidate Erin Bennett introduced herself briefly. She was raised in Cache Valley and currently resides in the Woodruff neighborhood. She has three grown children. She is a recovered alcoholic and was homeless at one point in her life but in 2009 she was fortunate enough to gain employment and move into a home and then enrolled in Western Governors University earning a bachelor's degree in information technology management and a master's in business. She hopes to improve the community with more ethics statements, mission statements, and more training available for staff and all. She is most excited and passionate about community empowerment and wants to open up the library and city hall for more organizations to come in.

Council Candidate Mike Johnson thanked the Council for the opportunity to speak. He was raised in Ogden and moved to Logan 13 years ago to attend USU. He owns a small business doing photo and video production mostly for small business advertising. He has a wife and a three-year-old. He recognizes there are growth issues regarding housing

affordability and housing access. There is a need to focus the growth well and in doing so can keep Logan as the place they know and live and continue to accommodate growth.

Council Candidate Katie Lee-Koven was absent.

Council Candidate Joe Needham was born and raised in Logan and continues to reside in Logan. At age 15, he got a job as a goldsmith and jeweler. He has 4 children and his beautiful wife, Jenni-Lyn and has been married for 19 years. He currently has a jewelry manufacturing company. There are 16 bicycles at home for 6 people. He had the privilege to serve on the City Council, but it has been 16 years since then. Since then, he has also served on the library board, president of the Downtown Alliance, and helped to create the non-profit, Summerfest. It was recently moved from the tabernacle and now is at the County Fairgrounds. He can see the City has needs and wants to address specifically housing developments moving into residential neighborhoods.

Council Candidate (Councilmember) Jeannie F. Simmonds introduced herself. She resides in inner city Logan and is well aware of the growth and change ongoing in the City. This is her 10<sup>th</sup> year on the City Council and has served on the Planning Commission prior to that. She has a distinct and overwhelming passion for the City and she wants it to be the best place it can possibly be. She is aware there are ongoing growth issues, especially affordability issues, especially since COVID-19. Working through these concerns and working to create a better environment for the future that is as beautiful as today. She loves working with the neighborhoods and staff to improve and learn more in the same process. She would sincerely appreciate a vote as she is not quite done yet and would like to continue to serve the citizens and the city.

Chairman Ernesto López led the audience in the pledge of allegiance.

**Meeting Minutes.** Minutes of the Council meeting held on September 5, 2023, were approved with no corrections.

**Meeting Agenda.** Chairman López announced there are two public hearings scheduled for tonight's Council meeting.

**ACTION. Motion by Vice Chair A. Anderson seconded by Councilmember Simmonds to approve the September 5, 2023, minutes and approve tonight's agenda. Motion carried by roll call vote.**

**A. Anderson: Aye**

**M. Anderson: Aye**

**Jensen: Aye**

**López: Aye**

**Simmonds: Aye**

**Meeting Schedule.** Chairman López announced that regular Council meetings are held on the first and third Tuesdays of the month at 5:30 p.m. The next regular Council meeting is Tuesday, October 3, 2023.

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

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

Jason Lambert, a resident of Logan began by thanking the neighbors and friends for being in attendance and for their support. Thanked the Council and Staff for the new Library and various other projects throughout the city. The Deer Crest neighborhood is rapidly growing with 100 lots with a range of new homes and young families. They love their neighborhood.

Most of the streets in their neighborhood is private and are part of an unofficial HOA (not an activated HOA) and the roads are currently not up to code. Many of them have worked hard to gain consensus. The neighborhood has become an access point and the roads are in disrepair. There is a general concern regarding the maintenance of the roads.

As a neighborhood, they respectfully request the following possible solutions. #1. That Logan City adopts the private roads as public roads. This may be difficult as the roads are not up to code. It would be challenging in their current state, but a compromise hopefully can be reached in that regard. #2. A second option is for a hybrid solution with the City to assist with resurfacing or maintenance of water and sewer lines. They want the neighborhood to continue to be viable and safe. They are looking for a solution for all those involved. And thanked the Council for the opportunity to speak and would appreciate the consideration of this matter.

Joshua Molitor, a resident of Logan read the preamble of the Constitution and expressed concerns about high-density housing.

Ray Ann Hansen, a resident of Logan is the Chair of the Adams Neighborhood. She reported that it was a huge success with over 200 in attendance. The residents of Adams neighborhood enjoy living in Logan and thanked the City for all that they do. She thanked the City for helping facilitate the event and hope to continue building on the event for future generations. She thanked the Council and staff for all they did for the City of Logan.

Councilmember Jensen and Councilmember Simmonds added that the Adams Neighborhood event was a success, and the neighborhood event was a wonderful opportunity to meet and mingle with the neighborhood families.

Matthew Fatuesi, a resident of Logan expressed concern that the City-owned Plaza 45 building will not be turned into rental units for locals but rather sold.

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

## **MAYOR/STAFF REPORTS:**

### **Day of Service – Mayor Daines**

Mayor Daines thanked the community and all those who participated in the Day of Service in remembrance of September 11<sup>th</sup>. On September 9<sup>th</sup> over 300 volunteers improved trails, removed weeds, planted shrubs, made hygiene kits, etc. at Boulevard Trail, Deer Pen Trail, Riverside Trail, and Stewart Nature Park. And on September 16<sup>th</sup> over 500 volunteers helped paint a large portion of the perimeter fence around the cemetery, cleaned the grounds, improved the Bonneville Shoreline trail, restained trail benches, signs, and picnic tables, removed weeds from the Bridger Bike Park, and trimmed back brush on the Canyon Road trail. A large thanks to the countless organizations and individuals who participated in the Day of Service to make our City a better place.

### **New Logan City Garbage & Recycling Schedules – Mayor Daines**

Mayor Daines said that all residents of Logan should have received a notice in the mail for the new Garbage and Recycling schedule to begin on October 02, 2023. Schedules may change as garbage and recycling services will solely be for residents of the City. Please visit <https://mygarbageday.loganutah.org/> for more information.

### **EPA and USDA Grant Awards – Mayor Daines**

Mayor Daines addressed the Council and stated that the City received a \$4 million grant from the EPA (Environmental Protection Agency) that is part of the Bipartisan Infrastructure Law. There are only 25 communities across the nation that received the grant, and the top amount awarded was \$4 million which was received by Logan. This will help with the new composting facility. She thanked Staff (and Emily Malik who was the primary writer) who worked together and used their initiative to identify the grant and put the work into applying for the grant.

A \$300,000 grant was received from the United States Department of Agriculture for the Forestry Department to purchase trees to enhance urban canopy resilience and provide education. This will help to install a number of trees throughout the City. A number of trees are needed to go into a city park strips and in the new Logan Outdoor Recreation Complex. There will be a part-time employee who will help track tree asset management.

Councilmember Simmonds asked if all the trees would have to be planted in one year. Environmental Director Issa Hamud answered that the trees will be planted over a 4-year period.

Mayor Daines added that the City does have to provide matching funds but that can be done over the 4-year period.

#### **Center Street Plaza – Mayor Daines**

The Mayor invited the community to the ribbon cutting of the Carol and Jim Laub Plaza, this Saturday, September 23, 2023, at 11:00 a.m.

Councilmember M. Anderson also invited the community to attend the Giant Pumpkin Festival which will also be held right down the street at Center Street. There will be kid activities, story time, free movies, etc.

No further Mayor/Staff Reports were presented.

#### **COUNCIL BUSINESS:**

##### **Planning Commission Update – Councilmember Simmonds**

Councilmember Simmonds reported that a new short-term rental at 148 W 300 S in the Woodruff Neighborhood was approved. A Quick Quack car wash was approved near Costco on 959 W 1000 N. The last item discussed by the Planning Commission was a code amendment with three parts related to implementing the moderate income and affordable housing plan. The Planning Commission was concerned about housing affordability, availability, and neighborhood impact. All three proposals will come to the City Council in the next couple of weeks.

Vice Chair A. Anderson inquired whether the discussion and recommendations will all be coming to the Council and if the minutes will be available for the public to view.

Councilmember Simmonds confirmed that is the case and the discussion and recommendation will all be forwarded to the Council for review. The minutes and audio will be available for the public to view at

[https://www.loganutah.org/government/departments/community\\_development/planning\\_commission/index.php](https://www.loganutah.org/government/departments/community_development/planning_commission/index.php).

Councilmember Simmonds summarized the three proposals. The first is a recommendation to move from a limit of 3 unrelated residents per home in single-family zones to 4 unrelated residents. The second is a 25% density bonus for projects on three acres or more that will designate 5% of their units as low to moderate-income in a semi-permanent way (deeded in that manner). The third recommendation is to allow a family to have one unrelated person living with them.

No further Council Business items were presented.

#### **ACTION ITEMS:**

**Consideration of a proposed resolution consenting to the Logan Redevelopment Agency Receiving Tax Increment Attributable to the City of Logan's Tax Levy Generated in the 1400 Main Community Reinvestment Project Area – Resolution 23-40 – Kirk Jensen, Economic Development Director**

Economic Development Director Kirk Jensen addressed the Council regarding the proposed resolution. The approval and adoption of a project area budget with consent from the taxing entities and afterward a budget has been proved by the City, County, and Logan City School District. This occurs prior to the project receiving tax increment from the project area with the last step being to provide the actual funding. If the resolution is approved, the City will be consenting for Logan City to direct its portion of the tax increment generated in the boundaries of the project area for a time spent for 20 years and afterward have that redirected to the redevelopment agency for its use to carry out the development objectives of the project area plan. As a footnote, Cache County and Logan School District will be meeting next Tuesday, September 26, 2023, for approval of their portion of the tax increment.

**Interlocal Agreement:**

- Logan City's portion of project area tax increment.
- 20 years
- Cap = \$1,591,200
- RDA authorized (consent) to use 5% for administrative purposes.
- RDA authorized (consent) to use 10% for housing purposes.

**Tax Increment:**

- The increase in property tax revenue paid to the Redevelopment Agency resulting from new development that occurs within the project area.

Councilmember Simmonds for clarification purposes stated that tax increment is the increase of what we receive now and what will be generated by the new project. It is not taking away any existing tax revenue received.

Mr. Jensen confirmed that is the case. Tax increment is not existing tax revenue but rather tax revenue that is generated by the new project.

Vice Chair A. Anderson asked if there are parameters on the 10% for affordable housing, and can it be used for any type of housing, etc.

Mr. Jensen clarified that the 10% is to be used for affordable housing.

Chairman López requested confirmation that the cap should be met within 20 years.

Mr. Jensen confirmed that is the case according to estimations.

Chairman López queried that if the developer completed the project within 10 years and wanted access to the tax increment, would they have to wait.



Mr. Jensen responded that the developer only receives what the project generates. If the project generates less than or the taxable value falls short that is all they will receive.

Mayor Daines restated the question on behalf of Chairman López. Once the project is finished there is an annual payment to the developer.

Mr. Jensen answered that is the case in essence every spring. Once the project is completed it is appraised by the appropriate entity. It is put on the tax rolls; the developer then pays the property tax which is due in full. Next spring, the Cache County Auditor/Assessor works to distribute the money, the portion to the RDA. The amount is calculated by what the developer has earned based upon the value minus what it was originally. After distributing the first incentive payment, the process is repeated for up to 20 years.

Chairman López requested confirmation on the fact that the developer cannot receive more than what is scheduled as payment for the first year and so forth.

Mr. Jensen confirmed that is the case. The developer cannot receive more than what is made and calculated per year. This will go on for 20 years until the Cap is hit.

Vice Chair A. Anderson, after approval of the motion requested Mr. Jensen report on how the meeting with the Cache County Council and Logan School District went.

Mr. Jensen answered he would. It is a requirement to return to the Redevelopment Agency where the Council approves the Interlocal agreement consents given and lastly adopts them.

Vice Chair A. Anderson said that there are questions among the citizens on when the mall will close and if Mr. Jensen would be at liberty to share or rather disclose the information in terms of time frame.

Mr. Jensen responded that the first part of November when the agreement between the developer and the current property owner will be closed upon. Once that is done the developer anticipates that the businesses will be able to continue to operate through the Christmas season and begin to wind down by March when demolition is expected to commence.

Vice Chair A. Anderson requested confirmation that the Mall will remain open through the Christmas season and begin to wind down afterward.

Mr. Jensen confirmed that is the case and those are the plans of the developer.

Vice Chair A. Anderson asked if there is any certainty as to whether the sale will go through between the owner and the developer.

Mr. Jensen replied there is a high degree of optimism that the sale will go through.

**ACTION. Motion by Councilmember M. Anderson seconded by Councilmember Simmonds to approve Resolution 23-40 as presented. Motion carried by roll call vote.**

**A. Anderson: Aye  
M. Anderson: Aye  
Jensen: Aye  
López: Aye  
Simmonds: Aye**

**PUBLIC HEARING - Consideration of a proposed resolution approving the Second Amended and Restated Transaction Scheduled for Steel 1B Solar Project – Resolution 23-38 – Mark Montgomery, Light & Power Director**

At the September 5, 2023 Council meeting, Light & Power Director Mark Montgomery addressed the Council regarding the proposed resolution. He stated that Steel Solar Resource is an 80 MW solar photovoltaic generation facilitation to be located in Box Elder County. This is the amended transaction schedule for the Steel 1B Solar Project with Steel Solar, LLC. The changes are mostly due to the recent IRA changes in the PTCs (Production Tax Credits) and to take advantage of them. The tax credits are being split between the developer and UAMPS (Utah Associated Municipal Power Systems). One of the requests is possible land use for a battery project in the future. The amended contract amount is for 5,747 KW at \$34.66 per MWH for a 25-year term.

Chairman López opened the meeting to a public hearing.

There were no further comments and Chairman López closed the public hearing.

**ACTION. Motion by Vice Chair A. Anderson seconded by Councilmember Jensen to approve Resolution 23-38 as presented. Motion carried by roll call vote.**

**A. Anderson: Aye  
M. Anderson: Aye  
Jensen: Aye  
López: Aye  
Simmonds: Aye**

**PUBLIC HEARING - Budget Adjustments FY 2023-2024 appropriating: \$20,107 funds toward equipment repair; \$21,000,000 funds toward the Natural Gas Power Plant Project; \$20,444 a grant the Fire Department received from the State of Utah to be used to send paramedics to EMS training; \$40,000 funds the City will receive from Cigna to be used to promote wellness among the City employees with activities, newsletters, and other wellness programs - Resolution 23-39 – Richard Anderson**

At the September 5, 2023 Council meeting, Finance Director Richard Anderson addressed the Council regarding the proposed budget adjustments.



350 Mayor Daines added that the Natural Gas Plant will provide baseload power and be a  
351 great resource to balance renewable energy. It will take several years to be built including  
352 the permitting.

353  
354 Chairman López requested confirmation on whether the funds for the Natural Gas Plant  
355 are coming out of reserves.

356  
357 Mr. Anderson confirmed that this is correct. The project will reduce the reserves to \$9  
358 million. The target for reserves is always \$15 million, and this will bring us under that  
359 amount, but we build reserves for that reason. Then slowly the reserves will be built back  
360 up again. There is one more project that will be proposed to the Council that will drop the  
361 reserves a bit more which is to appropriate reserves for sediment removal at Second Dam.

362  
363 Councilmember Simmonds remarked that sediment removal is important to maintain  
364 hydropower.

365  
366 Mr. Anderson added that there is a need for sediment removal far more frequently than  
367 currently is being done. He does not like dropping below target reserve levels, but there is  
368 a plan in place, and funds will closely be monitored.

369  
370 Councilmember Simmonds commented that the only other option available other than the  
371 reserves was to bond, which would mean paying back the funds with interest.

372  
373 Mr. Anderson emphasized his hesitancy to bond, especially with the existing high-  
374 interest rates, it would not be recommended at this time.

375  
376 Chairman López requested Mark Montgomery, Light and Power Director to speak on  
377 emissions and studies for the project.

378  
379 Mr. Montgomery responded that a preliminary air study had been done for the project.  
380 The target is to be able to run the plant at any time. Initially, we aimed for 15MW, we  
381 could only get an air per fit for 10MW. Typically, natural gas is half the carbon emissions  
382 of coal generation. With selected catalytic reduction devices (a scrubber), the emissions  
383 will be cleaner. This it is required by the air study permit.

384  
385 Chairman López inquired if the technology for a new catalytic converter becomes  
386 available can the catalytic converter at the plant be replaced or rather upgraded.

387  
388 Mr. Montgomery answered it should be feasible to make the exchange if it was advisable  
389 at the time.

390  
391 Chairman López opened the meeting to a public hearing.

392

Dr. Gail B. Yost, a resident of Logan wanted to commend the Council and Staff for keeping the City in good financial shape. It is important for the community to be financially stable and ensure the City is consistently above the fray.

Joshua Molitor, a resident of Logan inquired what company will be providing gas for the natural gas power plant.

Mr. Montgomery answered the gas will be purchased on the open exchange or hedge if necessary (in terms of light and power, hedge means energy suppliers buy energy in advance to match the demand of their customers and protect suppliers from unexpected price surges).

There were no further comments and Chairman López closed the public hearing.

**ACTION. Motion by Vice Chair A. Anderson seconded by Councilmember Jensen to approve Resolution 23-39 as presented. Motion carried by roll call vote.**

**A. Anderson: Aye**

**M. Anderson: Aye**

**Jensen: Aye**

**López: Aye**

**Simmonds: Aye**

#### **WORKSHOP ITEMS:**

**Consideration of a proposed ordinance amending Section 12.36.020 of the Logan Municipal Code Regulating Sewers and Sewage Disposal – Ordinance 23-31 – Issa Hamud, Environmental Director & Tyler Richards, Operations Manager & James Harps, Waste/Water Treatment Manager, & Tim Lindsay, Pre-Treatment Inspector**

Environmental Director Issa Hamud briefly addressed the Council to introduce staff.

Tyler Richards, Operations Manager addressed the Council regarding the Logan Regional Wastewater Treatment Plant performance as of 09/19/2023. The plant has been optimized since it was opened. We are currently on our 4<sup>th</sup> optimization. The plant can take up to 18,000,000 gallons which is the max daily, but 21,000,000 gallons for a short duration of a few hours in the case it is necessary.

#### **Milestones of Treatment Plant:**

07/01/2022 – Logan City completed the construction of wastewater treatment upgrades and began the startup and optimization of upgraded wastewater treatment processes.

01/01/2023 – Logan City shall achieve compliance with all effluent limits prescribed in UPDES Permit # UT0021920 and Bear River Middle and Cutler Reservoir TMDL including all new phosphorus and ammonia effluent limits.

01/01/2023 - Logan City shall achieve compliance with all effluent limits prescribed in UPDES Permit # UT0021920. Final Limits for Dissolved Oxygen, Monthly Minimum Summer, 5.0 mg/L, Fall, 4.5 mg/L, Winter 4.0 mg/L, Spring, 5.0 mg/L.

#### **PRETREATMENT LOCAL LIMITS**

- Local Limits protect the Treatment Plant.
- Current Local Limits are based on Lagoon.
- New/Revised Local Limits are being developed for the New Treatment Plant.
- Treatment System Sampling
- Data Analysis
- Local Limits Set
- Allocation of Pollutants (Residential, Commercial, Industrial, Growth, Safety Factor)
- Surcharge Limits Set

Councilmember M. Anderson referenced the Influent Flow graph from Jan-September 2023, and asked if the large peaks shown on the graph are in fact storms.

Mr. Richards confirmed that the peaks on the graph are in fact storms. A particularly large peak was the wet, rainy March and pointed out the latest peak on the graph which was the storm that occurred around Labor Day.

Councilmember M. Anderson referenced the Plant Effluent TTS graph and inquired what was the goal and if the goal was better than anticipated.

Mr. Richards responded that the State limit is 25 mg/L, which must be met, but on average it is between 5 or 15 mg/L. The goal is to keep it within that range and lower than the State limit at all times.

Councilmember Simmonds referenced the Plant Effluent Ammonia 30-day average graph and asked if the graphs could be drawn in the way they are ideal, would they not have any of the spikes, or are the spikes due more to environmental rainfall, etc.

Mr. Richards gestured to the graph on screen and traced the level ideally where it remained below 0.5 mg/L. However, if there is a surge of industry waste or rainfall, the sediment washed into the water means the plant is working more to clean the water hence the spikes of ammonia. Despite the spikes and upset, the plant worked rather well to handle them to 15 mg/L which is a large improvement in comparison to how the lagoon would have done.

Councilmember Simmonds requested clarification on the fines that can be issued to an industry for exceeding the limits of what have been set and how to prevent them from occurring again.

Mr. Richards replied that all major industries are sampled quarterly with others every other month. The fines are stringent enough to get compliance.

Councilmember Simmonds said fines are issued to maximize the functioning of the plant, but if extra damage is done to the treatment plant is that also taken into account.

Mr. Richards answered it would all depend on what occurred and what was discharged by the industry, such as if it were toxic to the biological process of the treatment plant. In that case, the treatment plant would be out of compliance with State code. We want to be able to pass fines to the industry for any fees levied by the State against the plant for failing to comply with the State standards as a result of the industry's discharge.

Jim (James) Harps added that the pretreatment program does not just cover the City of Logan but also the 6 cities connected to our sewer system. Between all 7 cities total, we are regulating about 500 businesses that range from large industries to restaurants and car washes. There are 35 industries that are the primary focus since they are significant industries that are significant users and have the greatest potential to have a fine because of their high-strength waste and high usage of water. However, restaurants, garages and other small industries are all checked. In the instance a fine is issued, we increase sampling and provide a corrective program. This typically takes care of any repeat behavior since increased sampling must be paid by the industry at fault.

Mr. Harps said the State of Utah reviews programs and fines to ensure they are fair and equitable, but we are being stringent enough as well. Also, every 5 to 6 years the State will check to see if the ordinances are up to date with state standards. The State after their most recent review found 8 or 9 changes which the State either requires or recommended for the ordinance to be up to date. The ordinance was modified as is with the recommended changes.

All of the changes except for one are required by the State. The exception has to do with administrative fines (Section 13.12.280 (01) which is the ability to levy fines based on violations. Currently, we are able to fine up to \$100,000 per day per violation. Just for the record in his 25 years of working for the City, there has only been one fine issued of this amount. Typically, the industry quickly responds and reacts to fix the issue. This is not something that is used very often, but it does give the program the teeth that are needed. The change is found in Section 13.12.280 (F2) which allows us to further fine a chronic violator. In the instance of a chronic violator, any fines issued can exceed the set amount of \$100,000 per day per violation up to \$25,000 more. The proposed changes are presented to the Council and have been sent to the State as well and will be returned to the Council with any recommendations from the State.

Councilmember Simmonds asked if there was any surprise due to the number of 9 changes made to the code.

Mr. Harper answered no, since in 2017, the code needed a major overhaul, and successfully was brought up to code. The changes were largely just broadening the definition of an existing definition.

Mayor Daines inquired if the definition needs to be defined even more.

Craig Carlston, City Attorney replied that the definition is similar to the Vexatious Requestor in GRAMA law for the State. This is a case-by-case analysis, of the gravity of the offense, the number of occasions, etc. Flexibility is needed in order to apply it.

Vice Chair A. Anderson asked if there is an appeals process if the offender disagrees.

Mr. Hamud responded there is an appeals process in the code. Typically, there are steps prior to issuing a fine such as a notice of violation, a hearing to show cause, after the hearing, we continue, and so forth. The request is to approve the ordinance in October, since any State recommendations are currently pending, and must wait to include the State's comments and if any recommendations. Furthermore, there will be a change of limits for the plant in two years based on the study currently being conducted and will be completed over the course of two years and that after which the results will be presented to the Council.

Tim Lindsay, Pre-Treatment Inspector gave an example for clarification purposes. There was an industry that dumped 10,000 lbs. of butter into the Wastewater Treatment Plant. The effects were quite dramatic on the filters and show why it is so crucial for businesses to remain in compliance because it can affect the treatment process for the plant. The plant is a working organism if it isn't treated right it won't perform.

The proposed ordinance will be an action item and public hearing at the October 3, 2023, Council meeting.

**Budget Adjustments FY 2023-2024 appropriating: \$15,000 funds the City will receive from the State of Utah to purchase emergency management supplies and materials; \$96,601 funds Dispatch received to support 911 operations; \$150,000 a grant Parks & Recreation received from the State of Utah to construct a bridge at Trapper Park - Resolution 23-39 – Richard Anderson**

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

Mayor Daines added that the grant received from the State to build a bridge at Trapper Park must be matched. In other words, with the grant and City contribution match the total would be \$300,000.

The proposed resolution will be an action item and public hearing at the October 3, 2023, Council meeting.

**OTHER CONSIDERATIONS:**

Vice Chair A. Anderson suggested extending an invitation to the Neighborhood Chairs to update the Council on their neighborhoods.

Mayor Daines commented that Neighborhoods Chairs have not met for some time. The City is working to implement a meeting of the Neighborhood Chairs to share ideas. A neighborhood can spend up to \$500.00 a year provided by the Community Development Department.

Councilmember Simmonds remarked that there should be a discussion for Neighborhood Chairs to be aware of what may be required to hold an event.

Vice Chair A. Anderson asked if the Council would be invited to be part of the discussion as well.

Mayor Daines responded that it could be noticed as a public meeting if the Council would like to attend.

Councilmember Jensen was glad to see neighborhoods coming together and funds for neighborhoods to use is a wise investment.

Vice Chair A. Anderson gave an update on the Bear River Local Homeless Council. Underway are updates to the Strategic Plan for the Bear River Area to be in compliance with the State Strategic Plan on Homelessness. If any community members are interested, please email her. New State legislation called Code Blue is that when the temperature drops below a certain temperature (15 degrees) the County will integrate into the emergency management plan. For example, for the warming center the conditional permit occupancy would be lifted and would instead be limited to fire department restrictions. There is a requirement to do outreach and provide clothing or blankets if they choose not to avail themselves of a shelter.

Vice Chair A. Anderson asked what the City's cost would be regarding taking on Deer Crest's private roads and sewer.

Mayor Daines answered that Paul Lindhardt, Public Works Director will meet with them and can run the numbers.

Councilmember Simmonds pointed out that Country Manor's private roads were not accepted into the City because the water and sewer infrastructure including the road was aged and not up to code. If the community brought them back up to code, the City could assume responsibility having to be careful not to assume a liability greater than it would have assumed had it been done according to current code from the beginning.



614  
615 Mayor Daines added the code has been changed so these types of developments are no  
616 longer allowed.  
617 Councilmember Jensen remarked that though it is a homeowner's association it is not  
618 active.  
619  
620 Vice Chair A. Anderson added nor has the HOA ever collected any membership funds to  
621 cover costs.  
622  
623 Mr. Anderson stated that there was a figure submitted, but the HOA believes it is too  
624 much. The problem is that they desire to have the City come and fix everything but it  
625 would not be equitable.  
626  
627 Mayor Daines said if it is done for one, then it may be setting a precedent.  
628  
629 No further items were discussed.  
630  
631 **ADJOURNED.** There being no further business, the Logan Municipal Council adjourned  
632 at 7:12 p.m.  
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634  
635

636 Esli Morales, Deputy City Recorder  
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638  
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640