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3      Minutes of the meeting of the Logan Municipal Council convened in regular session on  
4      Tuesday, September 19, 2023, in the Logan Municipal Council Chambers located at 290  
5      North 100 West, Logan, Utah 84321 at 5:30 pm. Logan Municipal Council Meetings are  
6      televised live as a public service on Channel 17 and the City of Logan YouTube channel  
7      at: [https://www.youtube.com/channel/UCFLPAOK5eawKS\\_RDBU0stRQ](https://www.youtube.com/channel/UCFLPAOK5eawKS_RDBU0stRQ)

8  
9      Council Members present at the beginning of the meeting: Chairman Ernesto López, Vice  
10     Chair Amy Z. Anderson, Councilmember Jeannie F. Simmonds, Councilmember Mark  
11     A. Anderson, and Councilmember Tom Jensen. Administration present: Mayor Holly H.  
12     Daines, City Attorney Craig Carlston, Finance Director Richard Anderson, and Deputy  
13     Recorder Esli Morales.

14     Excused: City Recorder Teresa Harris

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

17     **OPENING CEREMONY:**

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

20  
21     Council Candidate (Councilmember) Mark A. Anderson introduced himself briefly. He  
22     has lived in various parts of the world but primarily is a native Logan resident. He and his  
23     wife have raised four children along with multiple pets. He has served on the City  
24     Council for 4 years and hopes to be able to serve for more. He is grateful for the  
25     opportunity to serve and work with staff, the Mayor, and the City Council. One of his  
26     greatest accomplishments while serving on the Council is helping elect Chairman Ernesto  
27     López to the Council.

28  
29     Council Candidate Erin Bennett introduced herself briefly. She was raised in Cache  
30     Valley and currently resides in the Woodruff neighborhood. She has three grown  
31     children. She is a recovered alcoholic and was homeless at one point in her life but in  
32     2009 she was fortunate enough to gain employment and move into a home and then  
33     enrolled in Western Governors University earning a bachelor's degree in information  
34     technology management and a master's in business. She hopes to improve the community  
35     with more ethics statements, mission statements, and more training available for staff and  
36     all. She is most excited and passionate about community empowerment and wants to  
37     open up the library and city hall for more organizations to come in.

38  
39     Council Candidate Mike Johnson thanked the Council for the opportunity to speak. He  
40     was raised in Ogden and moved to Logan 13 years ago to attend USU. He owns a small  
41     business doing photo and video production mostly for small business advertising. He has  
42     a wife and a three-year-old. He recognizes there are growth issues regarding housing

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

45  
46 Council Candidate Katie Lee-Koven was absent.

47  
48 Council Candidate Joe Needham was born and raised in Logan and continues to reside in  
49 Logan. At age 15, he got a job as a goldsmith and jeweler. He has 4 children and his  
50 beautiful wife, Jenni-Lyn and has been married for 19 years. He currently has a jewelry  
51 manufacturing company. There are 16 bicycles at home for 6 people. He had the privilege  
52 to serve on the City Council, but it has been 16 years since then. Since then, he has also  
53 served on the library board, president of the Downtown Alliance, and helped to create the  
54 non-profit, Summerfest. It was recently moved from the tabernacle and now is at the  
55 County Fairgrounds. He can see the City has needs and wants to address specifically  
56 housing developments moving into residential neighborhoods.

57  
58 Council Candidate (Councilmember) Jeannie F. Simmonds introduced herself. She  
59 resides in inner city Logan and is well aware of the growth and change ongoing in the  
60 City. This is her 10<sup>th</sup> year on the City Council and has served on the Planning  
61 Commission prior to that. She has a distinct and overwhelming passion for the City and  
62 she wants it to be the best place it can possibly be. She is aware there are ongoing growth  
63 issues, especially affordability issues, especially since COVID-19. Working through  
64 these concerns and working to create a better environment for the future that is as  
65 beautiful as today. She loves working with the neighborhoods and staff to improve and  
66 learn more in the same process. She would sincerely appreciate a vote as she is not quite  
67 done yet and would like to continue to serve the citizens and the city.

68  
69 Chairman Ernesto López led the audience in the pledge of allegiance.

70  
71 **Meeting Minutes.** Minutes of the Council meeting held on September 5, 2023, were  
72 approved with no corrections.

73  
74 **Meeting Agenda.** Chairman López announced there are two public hearings scheduled  
75 for tonight's Council meeting.

76  
77 **ACTION. Motion by Vice Chair A. Anderson seconded by Councilmember**  
78 **Simmonds to approve the September 5, 2023, minutes and approve tonight's**  
79 **agenda. Motion carried by roll call vote.**

80 **A. Anderson: Aye**  
81 **M. Anderson: Aye**  
82 **Jensen: Aye**  
83 **López: Aye**  
84 **Simmonds: Aye**  
85

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

89

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

91

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

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

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

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

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

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

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

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

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

129 **MAYOR/STAFF REPORTS:**

130

131 **Day of Service – Mayor Daines**

132

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

143

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

145

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

150

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

152

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

160

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

166

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

170

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

173

174 **Center Street Plaza – Mayor Daines**

175

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

178

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

182

183 No further Mayor/Staff Reports were presented.

184

185 **COUNCIL BUSINESS:**

186

187 **Planning Commission Update – Councilmember Simmonds**

188

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

196

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

199

200 Councilmember Simmonds confirmed that is the case and the discussion and  
201 recommendation will all be forwarded to the Council for review. The minutes and audio  
202 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).

203

204

205

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

212

213 No further Council Business items were presented.

214

215 **ACTION ITEMS:**

216 **Consideration of a proposed resolution consenting to the Logan Redevelopment**  
217 **Agency Receiving Tax Increment Attributable to the City of Logan's Tax Levy**  
218 **Generated in the 1400 Main Community Reinvestment Project Area – Resolution**  
219 **23-40 – Kirk Jensen, Economic Development Director**

220  
221 Economic Development Director Kirk Jensen addressed the Council regarding the  
222 proposed resolution. The approval and adoption of a project area budget with consent  
223 from the taxing entities and afterward a budget has been proved by the City, County, and  
224 Logan City School District. This occurs prior to the project receiving tax increment from  
225 the project area with the last step being to provide the actual funding. If the resolution is  
226 approved, the City will be consenting for Logan City to direct its portion of the tax  
227 increment generated in the boundaries of the project area for a time spent for 20 years and  
228 afterward have that redirected to the redevelopment agency for its use to carry out the  
229 development objectives of the project area plan. As a footnote, Cache County and Logan  
230 School District will be meeting next Tuesday, September 26, 2023, for approval of their  
231 portion of the tax increment.

232  
233 **Interlocal Agreement:**

- 234 • Logan City's portion of project area tax increment.
- 235 • 20 years
- 236 • Cap = \$1,591,200
- 237 • RDA authorized (consent) to use 5% for administrative purposes.
- 238 • RDA authorized (consent) to use 10% for housing purposes.

239  
240 **Tax Increment:**

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

243  
244 Councilmember Simmonds for clarification purposes stated that tax increment is the  
245 increase of what we receive now and what will be generated by the new project. It is not  
246 taking away any existing tax revenue received.

247  
248 Mr. Jensen confirmed that is the case. Tax increment is not existing tax revenue but  
249 rather tax revenue that is generated by the new project.

250  
251 Vice Chair A. Anderson asked if there are parameters on the 10% for affordable housing,  
252 and can it be used for any type of housing, etc.

253  
254 Mr. Jensen clarified that the 10% is to be used for affordable housing.  
255 Chairman López requested confirmation that the cap should be met within 20 years.  
256 Mr. Jensen confirmed that is the case according to estimations.

257  
258 Chairman López queried that if the developer completed the project within 10 years and  
259 wanted access to the tax increment, would they have to wait.

260 Mr. Jensen responded that the developer only receives what the project generates. If the  
261 project generates less than or the taxable value falls short that is all they will receive.  
262

263 Mayor Daines restated the question on behalf of Chairman López. Once the project is  
264 finished there is an annual payment to the developer.  
265

266 Mr. Jensen answered that is the case in essence every spring. Once the project is  
267 completed it is appraised by the appropriate entity. It is put on the tax rolls; the developer  
268 then pays the property tax which is due in full. Next spring, the Cache County  
269 Auditor/Assessor works to distribute the money, the portion to the RDA. The amount is  
270 calculated by what the developer has earned based upon the value minus what it was  
271 originally. After distributing the first incentive payment, the process is repeated for up to  
272 20 years.  
273

274 Chairman López requested confirmation on the fact that the developer cannot receive  
275 more than what is scheduled as payment for the first year and so forth.  
276

277 Mr. Jensen confirmed that is the case. The developer cannot receive more than what is  
278 made and calculated per year. This will go on for 20 years until the Cap is hit.  
279

280 Vice Chair A. Anderson, after approval of the motion requested Mr. Jensen report on  
281 how the meeting with the Cache County Council and Logan School District went.  
282

283 Mr. Jensen answered he would. It is a requirement to return to the Redevelopment  
284 Agency where the Council approves the Interlocal agreement consents given and lastly  
285 adopts them.  
286

287 Vice Chair A. Anderson said that there are questions among the citizens on when the mall  
288 will close and if Mr. Jensen would be at liberty to share or rather disclose the information  
289 in terms of time frame.  
290

291 Mr. Jensen responded that the first part of November when the agreement between the  
292 developer and the current property owner will be closed upon. Once that is done the  
293 developer anticipates that the businesses will be able to continue to operate through the  
294 Christmas season and begin to wind down by March when demolition is expected to  
295 commence.  
296 Vice Chair A. Anderson requested confirmation that the Mall will remain open through  
297 the Christmas season and begin to wind down afterward.  
298

299 Mr. Jensen confirmed that is the case and those are the plans of the developer.  
300

301 Vice Chair A. Anderson asked if there is any certainty as to whether the sale will go  
302 through between the owner and the developer.  
303

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

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

308 **A. Anderson: Aye**  
309 **M. Anderson: Aye**  
310 **Jensen: Aye**  
311 **López: Aye**  
312 **Simmonds: Aye**

313  
314 **PUBLIC HEARING - Consideration of a proposed resolution approving the Second**  
315 **Amended and Restated Transaction Scheduled for Steel 1B Solar Project –**  
316 **Resolution 23-38 – Mark Montgomery, Light & Power Director**

317  
318 At the September 5, 2023 Council meeting, Light & Power Director Mark Montgomery  
319 addressed the Council regarding the proposed resolution. He stated that Steel Solar  
320 Resource is an 80 MW solar photovoltaic generation facilitation to be located in Box  
321 Elder County. This is the amended transaction schedule for the Steel 1B Solar Project  
322 with Steel Solar, LLC. The changes are mostly due to the recent IRA changes in the  
323 PTCs (Production Tax Credits) and to take advantage of them. The tax credits are being  
324 split between the developer and UAMPS (Utah Associated Municipal Power Systems).  
325 One of the requests is possible land use for a battery project in the future. The amended  
326 contract amount is for 5,747 KW at \$34.66 per MWH for a 25-year term.

327  
328 Chairman López opened the meeting to a public hearing.

329  
330 There were no further comments and Chairman López closed the public hearing.

331  
332 **ACTION. Motion by Vice Chair A. Anderson seconded by Councilmember Jensen**  
333 **to approve Resolution 23-38 as presented. Motion carried by roll call vote.**

334 **A. Anderson: Aye**  
335 **M. Anderson: Aye**  
336 **Jensen: Aye**  
337 **López: Aye**  
338 **Simmonds: Aye**

339  
340 **PUBLIC HEARING - Budget Adjustments FY 2023-2024 appropriating: \$20,107**  
341 **funds toward equipment repair; \$21,000,000 funds toward the Natural Gas Power**  
342 **Plant Project; \$20,444 a grant the Fire Department received from the State of Utah**  
343 **to be used to send paramedics to EMS training; \$40,000 funds the City will receive**  
344 **from Cigna to be used to promote wellness among the City employees with activities,**  
345 **newsletters, and other wellness programs - Resolution 23-39 – Richard Anderson**

346  
347 At the September 5, 2023 Council meeting, Finance Director Richard Anderson  
348 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

393 Dr. Gail B. Yost, a resident of Logan wanted to commend the Council and Staff for  
394 keeping the City in good financial shape. It is important for the community to be  
395 financially stable and ensure the City is consistently above the fray.  
396

397 Joshua Molitor, a resident of Logan inquired what company will be providing gas for the  
398 natural gas power plant.  
399

400 Mr. Montgomery answered the gas will be purchased on the open exchange or hedge if  
401 necessary (in terms of light and power, hedge means energy suppliers buy energy in  
402 advance to match the demand of their customers and protect suppliers from unexpected  
403 price surges).  
404

405 There were no further comments and Chairman López closed the public hearing.  
406

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

409 **A. Anderson: Aye**  
410 **M. Anderson: Aye**  
411 **Jensen: Aye**  
412 **López: Aye**  
413 **Simmonds: Aye**

414

415 **WORKSHOP ITEMS:**

416

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

422 Environmental Director Issa Hamud briefly addressed the Council to introduce staff.  
423

424 Tyler Richards, Operations Manager addressed the Council regarding the Logan Regional  
425 Wastewater Treatment Plant performance as of 09/19/2023. The plant has been optimized  
426 since it was opened. We are currently on our 4<sup>th</sup> optimization. The plant can take up to  
427 18,000,000 gallons which is the max daily, but 21,000,000 gallons for a short duration of  
428 a few hours in the case it is necessary.  
429

430

431 **Milestones of Treatment Plant:**

432 07/01/2022 – Logan City completed the construction of wastewater treatment upgrades  
433 and began the startup and optimization of upgraded wastewater treatment processes.  
434

435 01/01/2023 – Logan City shall achieve compliance with all effluent limits prescribed in  
436 UPDES Permit # UT0021920 and Bear River Middle and Cutler Reservoir TMDL  
437 including all new phosphorus and ammonia effluent limits.

438  
439 01/01/2023 - Logan City shall achieve compliance with all effluent limits prescribed in  
440 UPDES Permit # UT0021920. Final Limits for Dissolved Oxygen, Monthly Minimum  
441 Summer, 5.0 mg/L, Fall, 4.5 mg/L, Winter 4.0 mg/L, Spring, 5.0 mg/L.  
442

443 **PRETREATMENT LOCAL LIMITS**  
444

- 445 • Local Limits protect the Treatment Plant.  
446 • Current Local Limits are based on Lagoon.  
447 • New/Revised Local Limits are being developed for the New Treatment Plant.  
448 • Treatment System Sampling  
449 • Data Analysis  
450 • Local Limits Set  
451 • Allocation of Pollutants (Residential, Commercial, Industrial, Growth, Safety  
452 Factor)  
453 • Surcharge Limits Set  
454

455 Councilmember M. Anderson referenced the Influent Flow graph from Jan-September  
456 2023, and asked if the large peaks shown on the graph are in fact storms.  
457

458 Mr. Richards confirmed that the peaks on the graph are in fact storms. A particularly  
459 large peak was the wet, rainy March and pointed out the latest peak on the graph which  
460 was the storm that occurred around Labor Day.  
461

462 Councilmember M. Anderson referenced the Plant Effluent TTS graph and inquired what  
463 was the goal and if the goal was better than anticipated.  
464

465 Mr. Richards responded that the State limit is 25 mg/L, which must be met, but on  
466 average it is between 5 or 15 mg/L. The goal is to keep it within that range and lower  
467 than the State limit at all times.  
468

469 Councilmember Simmonds referenced the Plant Effluent Ammonia 30-day average graph  
470 and asked if the graphs could be drawn in the way they are ideal, would they not have  
471 any of the spikes, or are the spikes due more to environmental rainfall, etc.  
472

473 Mr. Richards gestured to the graph on screen and traced the level ideally where it  
474 remained below 0.5 mg/L. However, if there is a surge of industry waste or rainfall, the  
475 sediment washed into the water means the plant is working more to clean the water hence  
476 the spikes of ammonia. Despite the spikes and upset, the plant worked rather well to  
477 handle them to 15 mg/L which is a large improvement in comparison to how the lagoon  
478 would have done.  
479

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

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

485

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

488

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

494

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

504

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

511

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

523

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

526  
527 Mr. Harper answered no, since in 2017, the code needed a major overhaul, and  
528 successfully was brought up to code. The changes were largely just broadening the  
529 definition of an existing definition.

530  
531 Mayor Daines inquired if the definition needs to be defined even more.

532  
533 Craig Carlston, City Attorney replied that the definition is similar to the Vexatious  
534 Requestor in GRAMA law for the State. This is a case-by-case analysis, of the gravity of  
535 the offense, the number of occasions, etc. Flexibility is needed in order to apply it.

536  
537 Vice Chair A. Anderson asked if there is an appeals process if the offender disagrees.

538  
539 Mr. Hamud responded there is an appeals process in the code. Typically, there are steps  
540 prior to issuing a fine such as a notice of violation, a hearing to show cause, after the  
541 hearing, we continue, and so forth. The request is to approve the ordinance in October,  
542 since any State recommendations are currently pending, and must wait to include the  
543 State's comments and if any recommendations. Furthermore, there will be a change of  
544 limits for the plant in two years based on the study currently being conducted and will be  
545 completed over the course of two years and that after which the results will be presented  
546 to the Council.

547  
548 Tim Lindsay, Pre-Treatment Inspector gave an example for clarification purposes. There  
549 was an industry that dumped 10,000 lbs. of butter into the Wastewater Treatment Plant.  
550 The effects were quite dramatic on the filters and show why it is so crucial for businesses  
551 to remain in compliance because it can affect the treatment process for the plant. The  
552 plant is a working organism if it isn't treated right it won't perform.

553  
554 The proposed ordinance will be an action item and public hearing at the October 3, 2023,  
555 Council meeting.

556  
557 **Budget Adjustments FY 2023-2024 appropriating: \$15,000 funds the City will**  
558 **receive from the State of Utah to purchase emergency management supplies and**  
559 **materials; \$96,601 funds Dispatch received to support 911 operations; \$150,000 a**  
560 **grant Parks & Recreation received from the State of Utah to construct a bridge at**  
561 **Trapper Park - Resolution 23-39 – Richard Anderson**

562  
563 Finance Director Richard Anderson addressed the Council regarding the proposed budget  
564 adjustments.

565  
566 Mayor Daines added that the grant received from the State to build a bridge at Trapper  
567 Park must be matched. In other words, with the grant and City contribution match the  
568 total would be \$300,000.

569  
570 The proposed resolution will be an action item and public hearing at the October 3, 2023,  
571 Council meeting.

572 **OTHER CONSIDERATIONS:**

573  
574 Vice Chair A. Anderson suggested extending an invitation to the Neighborhood Chairs to  
575 update the Council on their neighborhoods.

576  
577 Mayor Daines commented that Neighborhoods Chairs have not met for some time. The  
578 City is working to implement a meeting of the Neighborhood Chairs to share ideas. A  
579 neighborhood can spend up to \$500.00 a year provided by the Community Development  
580 Department.

581  
582 Councilmember Simmonds remarked that there should be a discussion for Neighborhood  
583 Chairs to be aware of what may be required to hold an event.

584  
585 Vice Chair A. Anderson asked if the Council would be invited to be part of the discussion  
586 as well.

587  
588 Mayor Daines responded that it could be noticed as a public meeting if the Council would  
589 like to attend.

590  
591 Councilmember Jensen was glad to see neighborhoods coming together and funds for  
592 neighborhoods to use is a wise investment.

593  
594 Vice Chair A. Anderson gave an update on the Bear River Local Homeless Council.  
595 Underway are updates to the Strategic Plan for the Bear River Area to be in compliance  
596 with the State Strategic Plan on Homelessness. If any community members are interested,  
597 please email her. New State legislation called Code Blue is that when the temperature  
598 drops below a certain temperature (15 degrees) the County will integrate into the  
599 emergency management plan. For example, for the warming center the conditional permit  
600 occupancy would be lifted and would instead be limited to fire department restrictions.  
601 There is a requirement to do outreach and provide clothing or blankets if they choose not  
602 to avail themselves of a shelter.

603  
604 Vice Chair A. Anderson asked what the City's cost would be regarding taking on Deer  
605 Crest's private roads and sewer.

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

608  
609 Councilmember Simmonds pointed out that Country Manor's private roads were not  
610 accepted into the City because the water and sewer infrastructure including the road was  
611 aged and not up to code. If the community brought them back up to code, the City could  
612 assume responsibility having to be careful not to assume a liability greater than it would  
613 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.  
633  
634  
635  
636 Esli Morales, Deputy City Recorder  
637  
638  
639  
640