

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, July 16, 2024, 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 Amy Z. Anderson, Vice Chair Mark A. Anderson, Councilmember Ernesto López, Councilmember Mike Johnson, and Councilmember Jeannie F. Simmonds. Administration present: Mayor Holly H. Daines, City Attorney Craig Carlston, Finance Director Richard Anderson, and City Recorder Teresa Harris.

Chair Amy Z. Anderson welcomed those present. There were approximately 8 in attendance at the beginning of the meeting.

OPENING CEREMONY:

Carol Foht, Chair of the Logan Tabernacle Interfaith Event Committee offered the opening ceremony/prayer and led the audience in the pledge of allegiance.

Ms. Foht invited the community to participate in the free ongoing summer concert series. The hope is for community members to get to know each other resulting in a positive impact on the community. The attendees of the concert were enthusiastic and grateful for the performers. We are blessed to have so much talent in the valley. There has been a total of 41 performances with a total of 9,900 attendees. There are ten more performances left this year. On average there are more than 200+ attendees per performance.

Meeting Minutes. Minutes of the Council meeting held on June 18, 2024 were reviewed and approved with no corrections.

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

ACTION. Motion by Councilmember Johnson seconded by Vice Chair M. Anderson to approve the June 18, 2024 minutes as presented and to approve tonight's agenda. Motion carried by roll call vote.

A. Anderson: Aye

M. Anderson: Aye

Johnson: Aye

López: Aye

Simmonds: Aye

Meeting Schedule. Chair A. Anderson 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, August 6, 2024.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL:

Chair A. Anderson 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 and items that are germane or relevant to the authority of the City Council. 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.

Joshua Molitor, a resident of Logan referenced the increase by Newton in water impact fees for future development. He said that if Logan City is doing anything similar to ensure developers are paying the fees rather than the citizens taking the brunt of the fees.

Joann Bennett, a resident of Logan thanked Councilmember Johnson for voting against the tax increase.

Gail Yost, a resident of Logan expressed concerns regarding the lack of respect for bike trails and thought it would be prudent for there to be more public education in regard to bike trails.

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

MAYOR/STAFF REPORTS:

Board Appointments (Civil Service Commission and Planning Commission) – Mayor Daines (18:27)

Mayor Daines requested ratification to appoint the following:

Civil Service Commission – Reappointment *Jeff Miller*

Planning Commission – New Appointment *Sarah McNamara*

ACTION. Motion by Vice Chair M. Anderson seconded by Councilmember López to approve ratification of Jeff Miller and Sarah McNamara as presented. Motion carried by roll call vote.

A. Anderson: Aye

M. Anderson: Aye

Johnson: Aye

López: Aye

Simmonds: Aye

PacificCorp Rate Increase – Mark Montgomery, Light and Power Director (20:06)

Light & Power Director Mark Montgomery addressed the Council. Typically, the UAMPS (Utah Associated Municipal Power Systems) board increases transmission rates by 2-3% every year. This year, Rocky Mountain Power dropped a 45% transmission increase which is largely due to fires caused by negligent powerlines in the Northwest which have been passed down to their customers including the City. UAMPS has filed an appeal to FERC (Federal Energy Regulatory Commission) stating the increase was drastic nor is their area the responsible party, who should take the cost for the negligence of another area as the City is served by the Pacific Core East section, not the Pacific Core West. The projected estimate is \$80,600 more in projected transmission fees. The Light & Power department budgets conservatively, and should be fine, but the final amount may be more which may require a surcharge fee.

Mr. Montgomery clarified that as an entity, the City is required to pay the 45% transmission increase by Rocky Mountain Power, however, the hope is that FERC determines otherwise on the appeal resulting in the refund of the payment made.

Mayor Daines added that Rocky Mountain Power proposed to the Public Service Commission an increase of 30%. The Public Service Commission may deny the request entirely, approve it entirely, or only a partial amount.

Chair A. Anderson asked if there is a timeline for the appeals process.

Mr. Montgomery answered the appeal process will be slow, there is no estimate at this time.

No further Mayor/Staff Reports were presented.

COUNCIL BUSINESS:

Planning Commission Update – Councilmember Simmonds (25:35)

Councilmember Simmonds reported that an item will come to the Council as a rezone request by the proponent, who desires to build storage units in the commercial zone. The request was denied by the Planning Commission. The updated Hillcrest Neighborhood Plan was reviewed, and it will also come before the Council.

Chair A. Anderson stated for the benefit of the public that the Hillcrest Neighborhood Plan is available online for the public to view.

Board and Committee Reports – Vice Chair M. Anderson and Councilmember Simmonds

Vice Chair M. Anderson reported the Economic Development Committee, Golf Advisory Board, and the Solid Waste Advisory Board did not meet. UDOT held a meeting in

regard to HWY 89/91. UDOT presented three plans for the parallel corridor plan to alleviate traffic on Main St.

Mayor Daines remarked that UDOT is planning a public meeting in August to gain public feedback.

Councilmember Simmonds reported that she participated in the interviews for the Planning Commission, the interviews were conducted in a series of three. She also attended the UDOT meeting, and some of the alternatives presented were interesting and viable but would require the City to agree to the proposal as there may be a future impact on development patterns. UDOT is committed to the proposals as the pavement is deteriorating and must be replaced. In the process of replacing the entire street, UDOT would like the City to consider what it could be used for instead of lanes of traffic.

The Adams Neighborhood Plan is coming along, there were two CMPO meetings and an executive meeting.

The airport authority met and presented the results of the consultant, who reviewed the airport. The report has many questions and challenges facing the airport. In anticipation, Councilmember Simmonds will be serving on the airport fee subcommittee to analyze fees around the State to try to maintain the viability of the airport. Several million dollars must be used to maintain the 139 licensing for the airport. The 139 certification is for landing jets, for example, when football teams come to play or the USU football team flies out.

Mayor Daines interjected that the consultant questioned whether the 139 certification was actually required, but ultimately new equipment is needed including a traffic tower. The recommendation is to separate the joint partnership of the City and the County and be only under one sole entity.

Truth In Taxation Meeting – Chair Amy Z. Anderson (33:40)

Chair A. Anderson announced that a Truth In Taxation meeting will be held on Thursday, August 1, 2024 at 6:00 p.m. in the Council Chambers. The public is invited to attend.

No further Council Business were presented.

ACTION ITEMS:

Consideration of a proposed resolution endorsing changes to the Logan Wastewater Pretreatment Ordinance – Resolution 24-28 – Craig Carlston, City Attorney (37:15)

City Attorney Craig Carlston addressed the Council regarding the proposed resolution. He explained that the Utah Division of Water Quality (DWQ) has reviewed the proposed revisions to Logan City's Wastewater Pretreatment Ordinance found in Logan Municipal Code §13.12.005 *et seq.* ("Pretreatment Ordinance"). The DWQ must provide public notice and a comment period for the proposed revisions to the Pretreatment Ordinance

before the Logan Municipal Council can adopt these revisions. DWQ has found that the proposed revisions of the Pretreatment Ordinance can be approved for public notice and comment by DWQ. Section § 403.9(b)(2) requires the Logan City Municipal Council to provide DWQ with a statement endorsing the revisions to the Pretreatment Ordinance prior to the DWQ public notice and comment period.

Councilmember Johnson requested further clarification on the changes being made.

Issa Hamud, Environmental Director explained the ordinance is already in existence and most of the changes are minor and are required/recommended by the DWQ.

Tyler Richards, Operations Manager clarified that the exception is 13.12.280, F (2) - Administrative Fines. Administrative fines in the past have been used as a means of enforcement action. The amount of fines for recurring violators was not where it needed to be resulting in an adjustment of fees. The change creates a new category for chronic violators with the fine being significantly higher.

Vice Chair M. Anderson inquired if the reason is that it is cheaper to pay the fine than for the violator to dispose of the material.

Mr. Richards responded that this is sometimes the case where paying the fine is the cheaper option.

Councilmember Johnson asked if there were many violators.

Mr. Hamud replied that the change is a result of a particular business, who is a recurring violator.

Mr. Richards added that in his time in Pretreatment, administrative fines have only been used twice for the same entity.

ACTION. Motion by Vice Chair M. Anderson seconded by Councilmember Johnson to approve Resolution 24-28 as presented. Motion carried by roll call vote.

A. Anderson: Aye

M. Anderson: Aye

Johnson: Aye

López: Aye

Simmonds: Aye

(Continued from April 16, 2024) – PUBLIC HEARING – 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 (44:15)

Chair A. Anderson opened the meeting to a public hearing.

There were no comments and Chair A. Anderson closed the public hearing.

Chair A. Anderson said that as required by the State a 30 - 40-day comment period must be held so it is recommended that the ordinance be continued until the requirement is met.

ACTION. Motion by Vice Chair M. Anderson seconded by Councilmember López to continue Ordinance 23-31 to the November 19, 2024 Council Meeting without a public hearing as presented. Motion carried by roll call vote.

A. Anderson: Aye

M. Anderson: Aye

Johnson: Aye

López: Aye

Simmonds: Aye

PUBLIC HEARING – Consideration of a proposed ordinance amending Section 5.10 of the Loan Municipal Code Regulating Alcoholic Beverages – Ordinance 24-13 – Aaron Smith, Business License Administrator (48:17)

Business License Administrator Aaron Smith addressed the Council regarding the proposed ordinance. He explained that during the extensive revisions of the LMC 5.10 Alcoholic Beverages earlier this year, the bar population limits were removed by accident. It was not the intention of staff to remove the limits, and it was not presented to the City Council as the desire of the amendment to remove that portion of the code. The intention was to move the code section to the new Article II Local License Requirements. This amendment reinstates the code language as previously constituted and places it in Article II. The amendment will allow 1 bar license per 10,000 population.

5.10.220: Bar:

The division may grant consent to a state bar establishment license based on one per ten thousand (10,000) population.

Councilmember Simmonds requested confirmation on whether the amendment was changed.

Mr. Smith answered the amendment in question was not changed in any shape or form and is simply being reinstated in the code as before.

Chair A. Anderson opened the meeting to a public hearing.

There were no comments and Chair A. Anderson closed the public hearing.

ACTION. Motion by Councilmember López seconded by Councilmember Simmonds to adopt Ordinance 24-13 as presented. Motion carried by roll call vote.

A. Anderson: Aye

M. Anderson: Aye

Johnson: Aye

López: Aye

Simmonds: Aye

**PUBLIC HEARING – Application to the Council of Governments (COG) 2024
Funding Cycle for the street improvement projects located at 1000 North 600 West
and 1400 North 200 East – Sam Odd, Public Works Program Manager (51:17)**

Public Works Program Manager Sam Odd addressed the Council regarding the application for funding. COG or CCCOG (Cache County Council of Governments) provides transportation funding through a .25 country-wide sales tax. This year \$6 to \$7 million in funding is available. To apply for and receive funds, the City must follow the Transportation Fund Program requirements including a public hearing addressing the topic, the concept of the project, the estimated cost, and making the jurisdiction aware of their financial responsibility if the project is funded.

The first project is the 1000 North 600 West intersection which requires improvements, the estimated cost is \$5 to \$6 million, and the City is requesting from COG is \$3.2 million. The City's obligation is at least 8% which is \$260,000, the match already in the budget is 40% at \$2.4 million.

The second project is 200 East; 1350 North to 1800 corridor. This is a project in conjunction with North Logan City. The estimated cost is \$8 million, the City provides \$2 Million. The request to COG is \$7 million which will be split between the City and North Logan. The City's obligation is at least 8% at \$160,000 and is budgeted for Fiscal Year 29. The project is within the five-year plan.

Councilmember Johnson asked if the estimates on the first project will be close to the actual cost as two projects of similar size have recently been completed.

Mr. Odd responded that estimates would be reasonably close to the cost.

Councilmember Simmonds requested confirmation if traffic improvements include a traffic light on the first project.

Mr. Odd confirmed that at the intersection there will be a traffic light installed.

Vice Chair A. Anderson inquired if the funding received from COG could be used for property acquisitions if needed.

Mr. Odd answered that the funding received could be used for property acquisitions if needed.

Councilmember Johnson said the second project is slated as part of a five-year plan but are there any changes happening further south.

Mr. Odd responded that it would be estimated in FY 2029, that it would occur around the same time or would directly follow the project.

Chair A. Anderson opened the meeting to a public hearing.

Joshua Molitor, a resident of Logan requested clarification on where the project location will be, and if there will be further funding for down south.

Chair A. Anderson indicated the location and clarified that this is the application for funding that specific portion of the project. The southern portion of the project can still occur, but this portion of the project will be in conjunction with North Logan.

There were no further comments and Chair A. Anderson closed the public hearing.

No action is needed by the Council, only a public hearing is required.

WORKSHOP ITEMS:

Budget Adjustments FY 2024-2025 appropriating: \$1,000 donated funds toward the youth sport programs; \$85,000 allocated funds the State Task Force was awarded from the State of Utah to reduce, prevent, and investigate drug usage; \$7,270 police forfeitures toward police equipment – Resolution 24-29 – Richard Anderson, Finance Director (1:07:21)

Finance Director Richard Anderson addressed the Council regarding the proposed resolution.

Councilmember Simmonds requested clarification on what reduce, prevent, and investigate drug usage means.

Police Chief Jeff Simmons explained it is a grant from the State that funds the task force. There are three full-time task force officers and one full-time employee provided by the County. Their job is strictly to find drug distributors not only in the valley but in Rich County as well. The other portion is prevention in cooperation with USAP, which provides messaging and education in schools.

The proposed resolution will be an action item and public hearing at the August 6, 2024, Council meeting.

Consideration of a proposed resolution indicating the Intent to Adjust the Municipal Boundary between the City of Logan and Nibley City – Resolution 24-27 – Mike DeSimone, Community Development Director (1:09:51)

Community Development Director Mike DeSimone addressed the Council regarding the proposed resolution.

Mr. DeSimone explained that the owners of the property described have a desire to further develop their property, and these property owners believe their proposed developments can be better facilitated by a boundary adjustment between the City of Logan and Nibley City. Each City believes it is in the best interest of their respective residents to have an easily identifiable common boundary between the two jurisdictions to avoid duplication of services. Due to constraints associated with providing public

utilities, each City believes it is in the best interest of their respective jurisdictions to agree to a boundary adjustment to facilitate service provision. This boundary adjustment will rectify a municipal boundary discrepancy involving the existing Thomas Edison Charter School property. UCA 10-2-419 requires that the Municipal Council of each municipality so desiring to adjust their common boundary adopt a resolution indicating their intent.

Tax ID	Name	Property Address
03-007-0023	Watermark Project, LLC	1262 W 2200 S
03-007-0011	Watermark Project, LLC	1262 W 2200 S
03-007-0010	Watermark Project, LLC	1262 W 2200 S
03-007-0022	Cindy H Denning	2230 South Hwy 89/91
03-007-0009	Ernest Leroy Eck	2240 South Hwy 89/91
03-007-0013	KMP Construction, Inc.	2250 South Hwy 89/91
03-007-0027	Thomas Edison Charter School, Inc. (Portion)	1275 W 2350 S

He further explained that a public hearing must be conducted by the Municipal Council, no less than sixty (60) days from the passage of this resolution, to receive public input regarding this proposed boundary change.

Chair A. Anderson requested confirmation that the additional three properties in proximity consented to the proposed city boundaries change.

Mr. DeSimone replied the three property owners have been notified. However, no opposition or consent has been made known.

Councilmember Simmonds stated the rezone was initially denied because residents of Nibley in close proximity to the project were in disfavor. The presumption is that the owners of the company have to come to some sort of resolution if that is the case.

Mr. DeSimone is unaware if that is the case or not. The City of Nibley has looked at the property, reviewed it, and agreed the annexation should occur. The project has not yet gone through the public process, there may or may not be opposition when it does.

Councilmember Johnson asked if there was a reason to deny the annexation.

Councilmember Simmonds responded in this instance no. The Council is not approving a project or rezone. The Council is only permitting the annexation to occur, any project or rezone will have to go through the public process in Nibley City if annexed.

Mr. DeSimone stated that the Council could say “no” on the basis of being a part of the City.

The proposed resolution will be an action item and public hearing at the August 6, 2024, Council meeting.

Consideration of a proposed resolution approving rates for the City of Logan Solid Waste Collection and Disposal Fees – Resolution 24-26 – Issa Hamud, Environmental Director & Tyler Richards, Operations Manager (1:20:20)

Environmental Director Issa Hamud & Tyler Richards, Operations Manager addressed the Council regarding the proposed resolution in conjunction with the Solid Waste Study which included independent consultants, national best waste management practices, industry-leading evaluation and performance modeling, and utility cost-of-service/rate analysis.

Cost of Service Study:

- Identified costs of a full system on 06/30/2024.
- The costs of a full system going forward with in-city collections only.
- The cost of specific lines of service.
- Compared existing revenue sources to full costs.
- Identified rates for user groups to cover costs:
 - Collection – Residential & Commercial
 - Processing of Recyclables
 - Processing of Compostables
 - Disposal

Logan North Valley Landfill on average has 16 city transfer trailers. Limited access due to community traffic restrictions and is not open to private haulers. It is nearing the end of its life cycle within three to five years. After which the City will haul to NVL.

Proposed in 2023, a new facility adjacent to the Transfer station, the Logan HHW.

The compost facility will have an expansion of incorporating biosolids and will have EPA SWIFR funding for the compost facility.

Solid Waste Fund Budgets

	Actual	Actual	Approved	Department
Account Type	2022	2023	2024	2025*
Revenues	\$20,334,090	\$21,056,267	\$22,205,876	\$14,330,000
Expenses	\$17,617,787	\$18,110,153	\$21,657,702	\$13,603,902

* First year of budgeting for city-only collection

Routes Reduced

Service	Total Routes for Countywide Service	Total Routes Starting Oct. 2023	Change	Percent Change
Residential Garbage	40	15	-25	-63%
Residential Recycling	20	10	-10	-50%
Residential Green Waste	13	5	-8	-62%
Frontload Garbage	26	16	-10	-38%
Frontload Recycling	5	5	0	0%
Frontload OCC	5	5	0	0%
Roll-Off Garbage	26	16	-10	-38%
Total Weekly Routes	135	72	-63	-47%

- Extra trucks sold
- Staff used in other operations or vacancies

Full Cost of Service - \$15,418,050

Current Rate Revenue - \$12,729,952

Service	Current Rate	Full Cost Rate	Recommended Rate	Change %
1x/wk Garbage 60-Gal Cart, EOW Recycling 90-Gal Cart	\$15.40	\$15.66	\$15.90	3.2%
1x/wk Garbage 90-Gal Cart, EOW Recycling 90-Gal Cart	\$17.65	\$16.92	\$18.15	2.8%
1x/wk Green Waste	\$5.00	\$6.05	\$4.00	-20%

The first rate increase since 2018.

- Garbage 15-25% increase depending on dumpster size
- Recycling 15% increase
- Roll-off
- Solid waste services are critical for maintaining a healthy standard of living.
- The city operates state-of-the-art regional facilities for the disposal of MSW, C&D, green waste, HHW, and most recently, biosolids.
- Rates have not been increased since 2018.

- Rising costs of labor, equipment & fuel in the past few years resulted in full costs being more than current rate revenue.
- Rate increases are required to maintain the financial health of the enterprise for the future.

Chair A. Anderson referenced the vehicle/equipment replacement slide and inquired why the dramatic spike in cost for vehicle/equipment in 2029.

Mr. Richards answered vehicles and equipment are on a ten-year schedule. Some equipment or vehicles may go out sooner or last one year more. Without being able to clearly anticipate which equipment or vehicle will do so, a budget is built in anticipation/preparation for such an event.

Chair A. Anderson requested confirmation that the proposed rate will not cover the full cost of service at the rates proposed.

Mr. Richards confirmed that is the case, the full cost rate is more than the recommended rate being proposed. The rate proposed today will be less than the full-cost rate.

Chair A. Anderson inquired if the City and County had not separated environmental services would it have been comparable or incomparable.

Mr. Richards responded it would have been comparable, but there was no mechanism for collecting revenue.

Chair A. Anderson asked when the proposed rates would go into effect.

Issa Hamud, Environmental Director replied that in September, the rates will go into effect for landfill and collection services. In January 2025, the rate will go into effect for green waste. The rate for green waste was pushed back to allow the green waste season for 2024 to be over and not have a detrimental effect for this year. And in 2027, the rate will automatically adjust again per the study recommendation.

The proposed resolution will be an action item and public hearing at the August 6, 2024, Council meeting.

No further workshop items were presented.

OTHER CONSIDERATIONS:

Chair A. Anderson invited the public to participate in the various activities in the City for Pioneer Day, July 24, 2024.

Vice Chair M. Anderson inquired what time the parade would start.

Chair A. Anderson answered the parade was at noon.

Mr. Anderson informed the Council and public that the utility services payment portal is being changed to give customers more payment options. Existing customers will have to create new accounts/set up new recurring payments in the new portal using their utility account number found on their utility bill. The new portal goes online on August 01, 2024.

Councilmember Simmonds asked if late fees would be waived for the month of August resulting from the change to a new portal for customers who pay online using bill payment.

Mr. Anderson responded that they would work with customers on a case-by-case basis.

No further items were discussed.

ADJOURNED. There being no further business, the Logan Municipal Council adjourned at 7:20 p.m.

Esli Morales, Deputy City Recorder