

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, November 19, 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 Jeannie Simmonds, Councilmember Ernesto López, and Councilmember Mike Johnson. Administration present: Mayor Holly H. Daines, City Attorney Craig Carlston, Finance Director Richard Anderson, and Deputy City Recorder Esli Morales.

Excused: City Recorder Teresa Harris.

Chair Amy Z. Anderson welcomed those present. There were approximately 30 in attendance at the beginning of the meeting.

OPENING CEREMONY:

A representative from the Logan City Youth Council offered the opening ceremony and led the audience in the pledge of allegiance.

Logan City Youth Council introduced themselves to the community.

Chair A. Anderson thanked the Youth Council for their interest in local government.

Meeting Minutes. Minutes of the Council meeting held on November 5, 2024 were reviewed.

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

ACTION. Motion by Vice Chair M. Anderson seconded by Councilmember Simmonds to approve tonight's agenda and minutes from November 5, 2024 as presented. 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, December 3, 2024. Council meeting on December 17, 2024 has been cancelled.

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

46
47 **Chair A. Anderson explained that any person wishing to comment on any item not**
48 **otherwise on the agenda may address the City Council at this point by stepping to the**
49 **microphone and giving his or her name and address for the record. Comments should**
50 **be limited to not more than three (3) minutes unless additional time is authorized by**
51 **the Council Chair. Citizen groups will be asked to appoint a spokesperson. This is the**
52 **time and place for any person who wishes to comment on non-agenda items and items**
53 **that are germane or relevant to the authority of the City Council. Items brought**
54 **forward to the attention of the City Council will be turned over to staff to respond to**
55 **outside of the City Council meeting.**

56 Gail B. Yost, a resident of Logan expressed her gratitude for books, nature, family, health,
57 community, municipal government, and countless more items. She is truly grateful for the
58 example of service provided by the Council and has hence determined to serve others in
59 the community.

60 Malena Haler, a resident of Logan spoke in regard to Municipal Code 10.52.285, and said
61 in her opinion, there are issues with the local booting company. She feels the booting
62 company is in violation including charging more than a \$75 fee, holding a car hostage,
63 and not offering a refund. She said that prior complaints have not been addressed,
64 therefore it is her request that the situation be appropriately addressed at this time.

65 Brandon Elwood, a resident of Logan reiterated the impact of the waterline project on
66 Canyon Road and its detrimental impact on the community with the removal of the trees
67 as a result of the project. The neighborhood has not felt they have been made aware of
68 ongoing projects. They will continue in their efforts to make the community aware.

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

70 **MAYOR/STAFF REPORTS:**

71 **FY2024 Financial Statement Presentation – Richard Anderson, Finance Director**
72 **and Steven Rowley, Accountant from K&C Certified Accountants ([16:08](#))**

73
74 Richard Anderson addressed the Council and stated that most funds are in good standing.
75 There are several projects that are coming up in the electric fund such as electric turbines,
76 the public works fund such as the public works building, the water fund such as the
77 upcoming water tank project, the environment fund such as the compost facility, and the
78 sewer treatment fund such as the 4th bioreactor for the sewer treatment plant.

79
80 These are large projects and in total will be 170 million dollars. Much of the resources
81 have been accumulated, but there may be the need to bond for some projects in order to
82 complete them. However, that will be once the process is complete. Secondly, our
83 financial statements do not typically have negative disclosures. The only negative note if
84 ever is if any department exceeded their budget, however, no department has exceeded
85 their budget.

Steven Rowley, an independent auditor/accountant from K&C Certified Accountants, reported on how the audit went in regard to whether the financial statements are correct.

“In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Logan, Utah, as of June 30, 2024, and the respective changes in financial position, and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America,” (page 11 of report).

“In performing an audit in accordance with generally accepted auditing standards and Government Auditing Standards, we: • *Exercise professional judgment and maintain professional skepticism throughout the audit. • Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements. • Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City’s internal control. Accordingly, no such opinion is expressed. • Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements. • Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the City’s ability to continue as a going concern for a reasonable period of time,”* (pg 11).

The most important required supplementary information is the management’s discussion and analysis on pages 13-19, budgetary comparison information on pages 68-69, and pension schedules on pages 70-72 be presented to supplement the basic financial statements.

Other information provided comprises the introductory and statistical sections but does not include the basic financial statements and our auditor’s report thereon.

Regarding internal control over financial reporting, *“Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that were not identified,”* (pg 113).

Regarding the report on compliance and other matters, *“The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under Government Auditing Standards,”* (pg 113).

Regarding the report on opinion on each major federal program, *“In our opinion, the City complied, in all material respects, with the types of compliance requirements referred to*

above that could have a direct and material effect on each of its major federal programs for the year ended June 30, 2024,” (pg 115).

State compliance requirements were tested for the year ended June 30, 2024, in the following areas: • Budgetary Compliance • Fund Balance • Justice Court • Restricted Taxes and Related Restricted Revenue • Fraud Risk Assessment • Governmental Fees • Cash Management • Enterprise Fund Transfers, Reimbursements, Loans, and Services • Public Treasurer's Bond.

Regarding the report on compliance, “In our opinion, the City complied, in all material respects, with the state compliance requirements referred to above for the year ended June 30, 2024,” (pg 119).

Mr. Rowley thanked staff and the Council for their effort, support, and encouragement of a strong finance department that is concerned about the wellbeing of the City funds. Staff of the finance department were helpful in providing all requested information in a timely manner. Staff do a wonderful job of getting ready for the audit, which makes it as good of an audit experience as it can be.

Councilmember López requested an example of what would be considered a finding.

Mr. Rowley gave an example if there was spending that was not related to the after-school program such as paying a bonus to a sports coach not specifically related to the after-school program in this instance would be considered a violation. The term used would be "question cost" meaning that the funding was not spent appropriately and could require the City to repay the funding or use other funds to fill in the gap. Another example is if a proper report was not submitted to show they are in compliance. These reports are required quarterly or annually to show how the funding was spent.

Councilmember Simmonds remarked that during the audit, the Audit Committee can privately meet with the auditors and ask questions regarding the audit. In all her years on the audit committee, there have been no negative audits. She is grateful to staff for all that they do and the City is fortunate to have such great staff.

Councilmember López asked how many hours of labor are required to complete the audit.

Mr. Rowley responded that many hours are required to complete the audit.

Councilmember Simmonds requested further clarification of how many hours are spent on site.

Mr. Rowley clarified that the team of two or three auditors are on site for a week each year. He typically works on-site from 7:30 a.m. to 11:30 p.m. or midnight to get through as much work as possible. The equivalent of 16 to 17 hours per day for five days is roughly 80 to 85 hours for himself not including the rest of the team. There is additional

added time for reviewing documentation and addressing further questions. At least, a total of 300 work hours is a rough estimate needed for the completion of the audit.

Open & Public Meetings Act Training – Craig Carlston, City Attorney ([41:33](#))

City Attorney Craig Carlston addressed the Council and gave an update on the Annual Open and Public Meetings Act training which is required by law to be completed annually. He stated the Open and Public Meetings Act was enacted upon the premise that the State, its agencies, and its political subdivisions exist to aid in the conduct of the people's business. As such, a public body should deliberate and act openly. The Open and Public Meetings Act requires that members of a public body be provided with annual training on the requirements of the Open and Public Meetings Act.

Mr. Carlston, for the benefit of the public clarified that the municipal employee ethics act permits employees and elected officials to contract with the City, so long as there is prior disclosure.

Mr. Carlston also said the public notice requirement of 24-hour notice is still the same, but there is a requirement of a Class A notice. The requirements are satisfied by posting the notice on the Utah Public Notice Website, the city's website, and it is no longer required to be posted in various public locations beyond City Hall.

There was a change in a definition that is not on the outline. House Bill 36 passed changed the definition of a meeting. "Meeting" means a gathering: (a) of a public body or specified body; (b) with a quorum present; and that is convened: (i) by an individual: (A) with authority to convene the public body or specified body; and (B) following the process provided by law for convening the public body or specified body; and (ii) for the express purpose of acting as a public body or specified body to: (A) receive public comment about a relevant matter; (B) deliberate about a relevant matter; or (C) take action upon a relevant matter. (Utah Code Anno. §52-4-103)

A reminder that a closed meeting may be held if: (a) (i) a quorum is present; (ii) the meeting is an open meeting for which notice has been given under Section 52-4-202 ; and (iii) (A) two-thirds of the members of the public body present at the open meeting vote to approve closing the meeting; (B) for a meeting that is required to be closed under Section 52-4-205, if a majority of the members of the public body present at an open meeting vote to approve closing the meeting. (Utah Code Anno. §52-04-204)

1. Intent of the Act:
 - a. Public bodies “exist to aid in the conduct of the people’s business.”
 - b. Public bodies should “take their actions openly; and conduct their deliberations openly.” (Utah Code Ann. §52-4-102)
2. Definition of a Meeting:
 - a. The convening of a public body, with a quorum present (whether in person or by electronic means), “for the purpose of discussing, receiving comments from the public about, or acting upon a matter over which the public body...has jurisdiction or advisory power.”
 - b. “Meeting” does not mean a chance or social gathering. Cannot use a chance meeting or social gathering to circumvent the purpose of the Open and Public Meetings Act. (Utah Code Ann. §§52-4-103(6), 52-4-208)
3. Definition of a Quorum: “Quorum” means a simple majority of the membership of a public body, unless otherwise defined by law. (Utah Code Ann. §52-4-103 (11))
4. Public Notice for a Meeting:
 - a. At least 24-hour notice of the meeting, including the agenda, date, time, and location of the meeting.
 - b. Notice must be posted at the principal office of the public body and on the Utah Public Notice website and newspaper or local media correspondent.
 - c. The schedule of regularly scheduled meetings must also be noticed once a year.
 - d. Emergency meetings once approved by a majority of the public body require the best notice practicable. (Utah Code Ann. §52-4-202)
5. Agenda for Meeting:
 - a. Agenda items should have reasonable specificity to notify the public.
 - b. Items raised by the public, but not on the agenda, may be discussed but no action may be taken. (Utah Code Ann. §52-4-202)
6. Written Minutes/ Meeting Recording:
 - a. Written minutes of an open meeting include the date, time, and place of the meeting; the names of the members present and absent; and the substance of the matters discussed; a record of each vote taken; a summary of public comments.
 - b. A recording of an open meeting shall be a complete and unedited record of the open meeting. (Utah Code Ann. §52-4-203)
7. Closed Meeting:
 - a. A closed meeting may be held if a quorum is present; the meeting starts out as an open meeting for which proper notice has been given; two-thirds of the members' present vote to approve closing the meeting; the reasons for closing the meeting are entered into the record of the public portion of the meeting; a recording of the closed meeting is kept (exception for discussion on individual or for security issues).

215
216
217
218
219
220

Outstanding Community Leader from Utah Homeless Services Board – Mayor Daines ([43:17](#))

221 Mayor Daines addressed the Council and announced that Chair A. Anderson received an
222 award from the Utah Homeless Services Board as the Outstanding Community Leader
223 and extended her congratulations to Chairman A. Anderson.

224
225 Chair A. Anderson thanked Dr. Gail B. Yost for suggesting attendance at the local
226 homeless council meetings.

227
228 No further Mayor/Staff Reports were presented.

229
230 **COUNCIL BUSINESS:**

231
232 **Planning Commission Update – Councilmember Simmonds ([44:22](#))**

233
234 Councilmember Simmonds reported that the first item an Airbnb passed. The second item
235 was an annexation of a property in an industrial zone which will come to the Council.
236 The third item is Ladder-41, which is a proposed mixed-use project, the item has been
237 continued until the December meeting. Lastly, Willow Lakes presented its PUD Overlay
238 and will also come to the Council.

239
240 **Board and Committee Reports – Vice Chair M. Anderson and Councilmember**
241 **Simmonds**

242
243 Vice Chair M. Anderson reported that the Solid Waste Committee and the Economic
244 Development Committee did not meet. He was unable to attend the Golf Advisory Board
245 meeting. He has attended the Watershed Project meetings and has been visiting residents
246 of Canyon Road to discuss their concerns regarding the proposed waterline/tank project.

247
248 Councilmember Simonds reported participating in the Audit Committee meeting and the
249 PL566 public informational meeting. There was a meeting regarding the 400 North 600
250 West intersection and proposed changes.

251
252 No further Council Business items were presented.

253
254 **ACTION ITEMS:**

255
256 ***(Continued from July 16, 2024)* – Consideration of a proposed ordinance amending**
257 **Section 12.36.020 of the Logan Municipal Code Regulating Sewers and Sewage**
258 **Disposal – Ordinance 23-31 – Craig Carlston, City Attorney ([48:00](#))**

259
260 Craig Carlston requested the continuation of Ordinance 23-31 as the State Division of
261 Water Quality has yet to approve the presented information. Furthermore, there is a 40-
262 day public comment period that has not yet been met.

ACTION. Motion by Councilmember Simmonds seconded by Councilmember Johnson to continue Ordinance 23-31 to February 18, 2025 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 sale of real property owned by the City of Logan located at 48 North 100 West in Logan, Utah consisting of approximately 0.16 acres – Kirk Jensen, Economic Development Director ([49:40](#))

Economic Development Director Kirk Jensen addressed the Council regarding the proposed sale of property. This is a single-structure building, the back one-third of the building is independently owned. The portion owned is 5,800 square feet. The intent is to sell the property by means of a request and proposal process. An RFP will be publicly noticed and issued.

Councilmember Simmonds for the benefit of the public stated that the reason why the Council does not vote on the item is because the City sells the property, while the Council is involved in the purchasing of property.

Mr. Jensen confirmed that is the case and clarified that the Mayor has authority over the disposition of property. If the property in size is significant, meaning over 1 acre in size or of the value of \$100,000 or greater, then the public ordinance requires the item to be brought before the council in a public hearing format.

Councilmember M. Anderson requested confirmation that the property was purchased with RDA funding.

Mr. Jensen confirmed that the property was purchased with RDA funding and the earnings received from the sale will be returned to the RDA.

Richard Anderson, Finance Director interjected that the earnings received from the sale must return to the RDA.

Councilmember López asked if there was any parking allocated with the sale of the property.

Mr. Jensen replied there is no parking allocated with the sale of the property. There is public parking around the property, but no onsite parking is allocated to the property.

Councilmember Simmonds inquired whether the parking lot is purely public or owned.

Mr. Jensen answered the City owns the sliver of property to the north of the property. The property to the east is Anderson Seed and Garden, which has a seventy-five-year lease of the public parking lot.

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

Michael Bingham, the founder/director of the Jump the Moon Studio requested the building not be sold so it can continue to work with the disabled community that it serves. In the event the building is sold, they requested to be permitted to continue to lease the space.

Craig Adams, a resident of Logan stated that Jump the Moon is an important avenue for the disabled community. He implored the Council and Mayor to reconsider the displacement of the community that currently uses the building.

David Zook, a resident of Logan also implored the Council and Mayor to preserve the location for Jump the Moon purposes. The value that is brought to the community by the mission purpose of Jump the Moon.

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

PUBLIC HEARING - Budget Adjustments FY 2024-2025 appropriating: \$6,600 a grant the Police Department was awarded from the State of Utah to be used to purchase early intervention software; \$184,771 funds received from the planned interfund sale of a vehicle from the Water Fund to the Streets Department; \$140,000 increased engineering fees toward inspection services associated with right of way permit inspections – Resolution 24-43 Richard Anderson ([1:05:25](#))

At the November 5, 2024 Council meeting, Finance Director Richard Anderson addressed the Council regarding the proposed budget adjustments.

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

Dr. Gail B. Yost, a resident of Logan asked what early intervention software does.

Curtis Hooley, Assistant Police Chief answered that the State is requiring police departments to have early intervention software which helps identify officers who are having issues. The software will help intervene before it becomes a problem.

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

ACTION. Motion by Councilmember Simmonds seconded by Councilmember López to approve Resolution 24-43 as presented. Motion carried by roll call vote.

A. Anderson: Aye

M. Anderson: Aye

Johnson: Aye

López: Aye
Simmonds: Aye

PUBLIC HEARING - REZONE – Consideration of a proposed rezone (Jed Willets) of approximately 1.80 acres of property located at 1360 North 200 West from Mixed Residential Low (MR-12) to Mixed Residential Medium (MR-20) – Ordinance 24-23 – Russ Holley, Planner ([1:08:55](#))

At the November 5, 2024 Council meeting, Planner Russ Holley addressed the Council regarding the proposed rezone.

RECOMMENDATION

Staff recommended that the Planning Commission recommend denial to the Municipal Council for a rezone of approximately 1.80 acres of property located at approximately 1360 North 200 West (TIN# 05-041-0056) from Mixed Residential Low (MR-12) to Mixed Residential Medium (MR-20).

Land use adjoining the subject property

North: CS: Commercial Uses East: COM: Commercial Uses
South: NR-6: Residential Uses West: MR-12: Residential Uses

Background

In 1992, the Logan City Planning Commission approved the six (6) lot Royal Point Subdivision located south of 1400 North between 200 and 400 West. Each lot was approximately 1.30 to 1.80 acres in size. Lot #6 is 1.80 acres and the location of this request. In 1992, the zoning was R4, which allowed multi-family at a rate of one unit per every 6,000 square feet (SF) and an additional 1,000 SF for each subsequent unit (4-plexes would require 9,000 SF). Over the course of two (2) years, seven 4-plexes were built on Lot #6. In 1995, after the seventh fourplex was built, the owners illegally subdivided lot #6 into eight tax identification numbers (TIN) at the county and never received city permits or approvals for this action. The remainder eighth area (0.24-ac.) was subsequently sold off and is now the subject property for this request. In 2000 zoning changed to MFH-14 and the project became "legally existing nonconforming" because lot#6 (the city recognized 1.80-acre building lot) sits at 15.5 units-per-acre with the existing seven permitted four-plex's. In 2013 zoning changed to MR-12, and the project remains nonconforming. Since 2000, zoning has been based on a units-per-acre density rather than the 6,000 SF plus 1,000 SF formula.

The current applicant (Jed Willets) purchased this remainder property (illegal building lot) thinking he could build a duplex because it was zoned MR-12, and it was a 0.24-acre property size. Logan City decided to rezone the 1.80 acre building lot to MR-20 in 2016 to allow for a duplex to be built. This same applicant received a Design Review Permit for a duplex but never pulled a building permit and allowed this entitlement to expire. Again in 2023, the City upzoned the 1.80 acres to MR-20 and issued a new Design

Review Permit for the duplex. Again, this same applicant let this entitlement expire in March of 2024 without obtaining a building permit.

This request is from the same applicant; however, this request is an upzone to build a four-plex rather than the duplex. If up-zoned to MR-20, the 1.80 acre building lot could support 36 dwelling units max. With seven existing four-plex's (28 units existing), that could allow for a new 12-plex.

GENERAL PLAN

The Future Land Use Plan (FLUP) identifies this area as Mixed Residential. It does not distinguish between medium and high. As part of the revised Land Development Code {LDC} and Zoning Map update in February of 2011, the area was zoned Mixed Residential Medium (MRM) rather than Mixed Residential High (MRH) because this area was over-saturated with multi-family structures exceeding the balance of housing options outlined in the General Plan.

Numerous Bridger Neighborhood meetings and public comments from the Logan City School District has indicated a desire to down-zone developable areas to get more low-density detached single-family homes for better neighborhood balance and longer-term occupancy in a neighborhood that struggles with transiency. There have been several down zones in the area and new housing developments in the neighborhood over the last several years have been predominately single-family homes (Quayle Meadows, Lloyd Estates, Cottonwood Estates).

LAND DEVELOPMENT CODE

The Land Development Code (LDC) allows for up to 20 residential units per acre of land in the MR-20 zone. The MR-20 zoning district permits a range of multi-family residential structures. The current zoning designation of MR-12 allows for similar structures but at a lower density.

SUMMARY

Jed Willets originally purchased the property thinking he could build a duplex. After discovering the illegal subdivision, the City of Logan rezoned the property twice. Once in 2016 and again in 2023, for the applicant to build a duplex. Both times, the applicant failed to build a duplex. The most recent entitlement was issued in March of 2023. The applicant submitted a duplex building permit application just days prior to the one-year (March 2024) deadline of that entitlement.

Over the last six months, since March of 2024, the applicant has not completed the building permit plans as instructed and paid the fee for final building permit issuance. The Logan City Building Department cancelled the building permit application after six months and the failure of the applicant's part to finalize and pay the fee, in September of 2024. A typical duplex building permit application is finalized and issued with fees paid in 2-4 weeks.

This application is requesting an upzone for a different reason now, the applicant is seeking to build a four-plex, not a duplex. A four-plex was never discussed or contemplated on this property and in this situation. Staff is recommending denial of this rezone because the Bridger Neighborhood has deliberately made numerous and consistent efforts to downzone remaining developable areas into single-family zones, to better balance out the housing stock that currently has a much higher concentration of multi-family as compared to other Logan City neighborhoods. Going from a duplex to a fourplex is contrary to this neighborhood goal.

AGENCY AND CITY DEPARTMENT COMMENTS

No comments.

PUBLIC COMMENTS

Notices were mailed to property owners within 300 feet of the subject property. As of the time of this report, no comments have been received.

PUBLIC NOTIFICATION

Legal notices were published in the Herald Journal on 10/12/24, posted on the City's and Utah Public Meeting website on 10/14/24, and mailed to property owners within 300 feet on 10/7/24.

RECOMMENDED FINDINGS FOR REZONE DENIAL

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

1. The Logan City FLUP identifies the area as MR. The surrounding areas are zoned MR-12 and this property should also be zoned MR-12 for consistency.
2. The Bridger Neighborhood was specifically downzoned to reduce the number new multi-family developments in order to better balance housing stock in this neighborhood as compared to other Logan City neighborhoods.
3. The MR-12 zone would prevent future multi-family development as this 1.80 acre lot is already above the maximum density of 12 units per acre.

On October 24, 2024, the Planning Commission recommended denial to the Municipal Council for the Willets Rezone from MR-12 to MR-20. Planning Commissioners vote (4-0).

Councilmember Simmonds inquired if the property was a legal subdivision.

Russ Holley, Planner responded that unfortunately, that was not the case. It was not a legal subdivision.

Chair A. Anderson requested a summary of the reasons for the denial.

Mr. Holley responded that firstly there is the land use plan. Secondly, the Bridger Neighborhood has been downzoned due to a high density of multifamily ratio in the entire city. Lastly, the proposal would allow up to 8 units.

Councilmember Johnson asked what could be built on site without the rezone.

Mr. Holley replied that the HOA could purchase the site to build a playground, a storage shed, and landscaping amenities. However, no new unit dwellings could be built.

Councilmember Simmonds expressed concerns that this is a serial request, this is the third request made by the proponent. She inquired if it would be possible to reinstate the prior building permit for the duplex.

Mr. Holley answered that it may be possible but is not necessarily ideal.

Mr. Carlston responded that it may be possible, but Community Development Director Mike DeSimone would need to review the possibilities.

Chair A. Anderson recommended continuing the ordinance to permit the possibility of reinstating a prior building permit as suggested.

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

Bonnie Hoffman, a resident of Logan suggested no more than a duplex be approved as parking is very limited in that area.

Jed Willets, the property owner stated that the intent was to blend the duplexes with the existing duplexes. There have been three different builders who have been interested in it, but the finances do not line up. Proponent is willing to do a deed restriction to address the Council's concern.

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

Councilmember Johnson understands the desire to downzone the area which is necessary and needed. He also understands the desire to fill the existing lot which is the only use for it.

Councilmember López did express frustration with the repeated application but is willing to view the proposal on its own merit rather than history.

Councilmember Johnson asked if the rezone was approved, what is the maximum that can be built there.

Mr. Holley replied that an eight-plex can be built if the rezone is approved, but the proponent would have to willingly file a deed restriction prior to the Council approving the deed restriction to limit it. However, the Council cannot approve a rezone conditionally.

Chair A. Anderson requested an explanation of what the process would be for a deed restriction.

Mr. Carlston explained that the proponent must voluntarily offer the deed restriction. The deed restriction cannot be a condition of the rezone. The deed restriction will apply to the next property owner if sold.

Councilmember Johnson asked how long it takes for a deed restriction to be processed.

Mr. Carlston responded the deed restriction would need to be drafted and sent to the Attorney's office to be reviewed. The process can be done within a two-week time frame. However, the proponent needs to commence the process.

ACTION. Motion by Councilmember Simmonds seconded by Councilmember Johnson to continue Ordinance 24-23 to December 03, 2024 without a public hearing. Motion carried by roll call vote.

A. Anderson: Aye

M. Anderson: Aye

Johnson: Aye

López: Aye

Simmonds: Aye

PUBLIC HEARING - CODE AMENDMENT – Consideration of a proposed ordinance amending Land Development Code Chapter 17.62 “Definitions” to modify the definition of Behavioral and Mental Health Receiving Center to include a provision for supportive housing on a Behavioral and Mental Health Receiving Center Campus (BMHRC) – Ordinance 24-22– Mike DeSimone ([1:32:40](#))

At the November 5, 2024 Council meeting, Community Development Director Mike DeSimone addressed the Council regarding the proposed code amendment.

RECOMMENDATION

Staff recommended that the Planning Commission recommend approval to the Municipal Council of the proposed amendments to Chapters 17.62 of the Land Development Code.

REQUEST

This is a proposal to update the definition of a Behavioral and Mental Health Receiving Center in 17.62 to address the placement of supportive housing with a Behavioral and Mental Health Receiving Center in a Public Zone.

BACKGROUND

The Planning Commission approved a Conditional Use Permit for the Bear River Mental Health Receiving Center on September 12, 2024. The site is zoned Public and the proposed project included a supportive housing component. The Public Zone does not permit most types of housing. The approval was conditioned upon an amendment to the

definition of a receiving center in the Land Development Code to clarify that supportive housing is a permitted element of a receiving center.

SUMMARY OF CHANGES

The proposed definition in the Code Amendment Application is as follows:

"Behavioral and Mental Health Receiving Center" means a 23 hour nonsecure program or facility that is responsible for, and provides mental health crisis services to, an individual experiencing a behavioral or mental health crisis. A Behavioral and Mental Health Receiving Center may also provide on-site, supportive long-term, short-term term or transitional housing for individuals needing a supervised living environment due to emotional, psychological developmental or behavioral dysfunctions or impairments.

After additional internal discussions, the proposed definition has been modified as follows:

"Behavioral and Mental Health Receiving Center" means a 23 hour nonsecure program or facility that is responsible for, and provides mental health crisis services to, an individual experiencing a behavioral or mental health crisis. A Behavioral and Mental Health Receiving Center may also provide on-site, supportive long term, short term or transitional housing for individuals needing a supervised living environment due to emotional, psychological developmental or behavioral dysfunctions or impairments. Supportive housing shall be designed and integrated into the overall site design as an accessory use. Stand-alone housing without a receiving center is not permitted.

STAFF RECOMMENDATION AND SUMMARY

With the exception of some very specific types of living arrangements , housing is not a permitted use in the Public Zone. Supportive housing, as used in the proposed definition, fits into a narrow type of living arrangement that is consistent with the purpose of the Bear River Mental Health Department and aligns with other types of unique living arrangements outside of regular housing. Staff's approach in this proposed language is to not permit general or market rate housing in the Public Zone, but rather to allow for supportive long term, short term, or transitional housing for individuals that need some form of supervised living arrangement due to some underlying emotional, psychological developmental, or behavioral dysfunction or impairment. The services provided to individuals requiring some level of supportive housing are typically aligned with either a governmental or non-profit entity providing supportive types of services. The definition is narrow enough with the additional proposed language that ties housing into the overall receiving center's campus design, is considered "accessory" to the receiving center, and is not permitted without the receiving center.

GENERAL PLAN

The Land Development Code was prepared and adopted to implement the vision expressed in the General Plan. The purpose of these code changes is to update and clarify provisions in the Land Development Code relative to the provision of housing in

conjunction with a Behavioral and Mental Health Receiving Center. The proposed updates are consistent with the General Plan.

PUBLIC COMMENTS

As of the time the staff report was prepared, no comments have been received.

PUBLIC NOTIFICATION

Legal notices were published in the Herald Journal on 9/28/24 and posted on the City's website and the Utah Public Meeting website on 9/30/24.

AGENCY AND CITY DEPARTMENT COMMENTS

As of the time the staff report was prepared, no comments have been received.

RECOMMENDED FINDINGS FOR APPROVAL

The Planning Commission bases its decisions on the following findings:

1. Utah State Law authorizes local Planning Commission to recommend ordinance changes to the legislative body (Municipal Council).
2. The Code Amendments are done in conformance with the requirements of Title 17.51 of the Logan Municipal Code.
3. The proposed Code Amendments are consistent with the Logan City General Plan.
4. The proposed Code Amendments are consistent with UCA Title 10, Chapter 9a, Part 5 & Part 6.
5. No public comment has been received regarding the proposed amendments.

On October 10, 2024, the Planning Commission recommended to the Municipal Council approval of the following Land Development Code Amendments: Amend Land Development Code (LDC) Chapter 17.62 "Definitions" modifying the definition of a Behavioral and Mental Health Receiving Center to allow for supportive housing. Planning Commissioners vote (7-0).

Updated Proposed Amendment:

"Behavioral and Mental Health Receiving Center" means a 23 hour nonsecure program or facility that is responsible for, and provides mental health crisis services to, an individual experiencing a behavioral or mental health crisis. A Behavioral and Mental Health Receiving Center may also provide on-site, supportive long-term, short-term term or transitional housing for individuals needing a supportive living environment due to emotional, psychological developmental, or behavioral dysfunctions or impairments. Supportive housing shall be designed and integrated into the overall site design as an accessory use. Stand-alone housing without a receiving center is not permitted.

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

Dr. Gail B. Yost, a resident of Logan asked if it is anticipated that there is any need in the near future. She is very much in favor of the approval of the ordinance.

674 Mayor Daines responded that there is a need right now for the definition.

675
676 Chair A. Anderson clarified for the benefit of the public that the purpose is not just
677 housing for the homeless but rather supportive housing for individuals with emotional,
678 psychological, or developmental problems. However, it is applicable if the criteria are
679 met even if they are homeless. The term is not designated as a homeless shelter or
680 homeless housing.

681
682 Beth Smith, the CEO of Bear River Mental Health offered her gratitude to the Council
683 and staff for listening and helping. Individuals who struggle with mental health also
684 struggle with housing. It is a valuable resource and hopes the Council will approve the
685 ordinance.

686
687 There were no further comments and Chair A. Anderson closed the public hearing.

688
689 Councilmember Simmonds for the benefit of the public briefly explained the reason for
690 the ordinance. The original definition of a behavioral health receiving center did not
691 include any opportunities for housing. The proposal presented to the Planning
692 Commission included a housing option. Without a change in the definition, the Planning
693 Commission would be unable to approve the proposed project.

694
695 Chair A. Anderson stated that public zones are not eligible for housing, this definition
696 would permit housing in public areas if it were part of a receiving center.

697
698 Mr. DeSimone confirmed that housing will be permitted in the public zone if it is part of
699 a receiving center.

700
701 Councilmember López requested an explanation of the type of housing that is available
702 as part of the receiving center, and what is the duration of stay.

703
704 Ms. Smith explained that there are approximately 20 units being proposed. The 20 units
705 will be studio apartments for individuals, although there are other apartments available
706 elsewhere available to couples or families. These studio units will be built very sturdily.
707 The occupants can stay there for a year, but if they are unable to find housing, they can
708 stay longer as needed.

709
710 **ACTION. Motion by Vice Chair M. Anderson seconded by Councilmember**
711 **Johnson to adopt Ordinance 24-22 as presented. Motion carried by roll call vote.**

712 **A. Anderson: Aye**

713 **M. Anderson: Aye**

714 **Johnson: Aye**

715 **López: Aye**

716 **Simmonds: Aye**

717
718 No further action items were presented.

719

WORKSHOP ITEMS:

1000 West Airport Properties Annexation – Consideration of a proposed annexation petition filed by Steven C. Taylor on behalf of RC Smithfield LLC, Above Tree Line Properties LLC, George L. Talbot Trust and Knowles Development LLC. Property located on the East side of 1000 West at approximately 2200 North, consisting of approximately 57.99 acres – Ordinance 24-25 – Mike DeSimone ([1:41:45](#))

Community Development Director Mike DeSimone addressed the Council regarding the proposed annexation. There is a tentative project for a portion of the proposed annexation. The design review process will commence in January of 2025.

Councilmember Simmonds inquired why there is a small section of the airport (AP) on the map was delineated.

Mr. DeSimone said considering the distance to the airport and use of the airport, it would make sense in that location.

Vice Chair M. Anderson requested confirmation that the proponent requested the rezone to industrial.

Mr. DeSimone confirmed that the proponent requested the rezone to industrial.

Chair A. Anderson referenced the map and inquired about the airport parcel to the East, bordered by Industrial.

Mr. DeSimone replied that he did not have an explanation at this time.

Councilmember Simmonds was under the impression that there is a geographic overlay for the Airport. She expressed concerns that the overlay is growing smaller and wants to ensure that there is sufficient airport overlay for the needs of the airport. She wants to ensure that the airport zone is not being encroached upon and will limit the ability of the airport to function in the future.

Mr. DeSimone referred to the overlay map and explained there will be restrictions on height, and though it is a part of the overlay zone, the requested section for annexation is outside of the approach zone. The proposed project will not have a height issue as the project will be a single-story industrial type of building.

Chair A. Anderson asked if the proposal came in as Airport if the proposed project would not be allowed in AP or if it would be allowed.

Mr. DeSimone showed a table of what can be built in each zone. There is a wider range of services available in IP (Industrial) than AP. The project in question could go in the AP zone, but there is a wider range of uses in the IP zone.

Chair A. Anderson inquired if the airport regulations would supersede the City's code regarding the IP zone.

Mr. DeSimone responded that the airport regulations would only do so when it came to height restrictions and any buildings built are restricted to a said height.

The proposed ordinance will be an action item and public hearing at the December 3, 2024, Council meeting.

BOUNDARY ADJUSTMENT - Consideration of a proposed ordinance adjusting the boundary between the City of Logan and the City of Providence – Ordinance 24-21 – Mike DeSimone (1:50:00)

Community Development Director Mike DeSimone addressed the Council regarding the proposed boundary adjustment.

He explained that this Ordinance adopts the proposed municipal boundary adjustment between Logan and Providence due to a discrepancy in the location of the jurisdictional boundary. The parcel in question #02-005-0004 on the Logan side (formally Rinderknecht/now Watterson) was annexed into Logan on 5/19/94 under Resolution 94-28 (Attachment B & C) while the parcels in question #02-005-0005/02-05-0010 on the Providence side (formally Checketts/Chugg Farms/now Shoreline Estates) were annexed into Providence on 1/26/05 (Exhibit D). Waterson and Checketts recorded a Boundary Line Agreement on 2/3/21 to clarify that their common boundary correlated to an existing fence line which was the assumed boundary.

The rest of the municipal boundary adjustment involves a small portion of #02-005-0004 with the Logan/Providence boundary shifting to the south (middle arrow) to coincide with the northern boundary of the Providence Hollow Subdivision (parcels #02-295-0314, 02-295-313, 02-295-310, 02-295-309, & 02-295-308). The eastern boundary will shift towards the east (left arrow) to coincide with the eastern boundary of Providence Hollow Subdivision (parcels #02-286-0020 & 02-286-0021) that follows an old ditch line terminating at the corner of #02-005-0004, 02-286-0020 & 02-335-8001.

The proposed municipal boundary adjustment either affects or is adjacent to the following properties:

List of Affected Parcels		
Tax ID	Name	Property Address
02-005-0004	Scott R Waterson	n/a
02-005-0005	Cree & Gene Svauldin2	n/a
02-005-0010	Shoreline Estates 2021LLC	n/a
02-001-0002	Paul Gibbons	n/a
02-295-0314	Mark & Patricia Jensen	570 N Sarah Street
02-295-0313	Michael & Brooke Daines	573 Sarah Street
02-295-0310	Michelle Zilles	629 E 525 N Providence

02-295-0309	Vaughn & Suzanne Nelson	621 E 525 N Providence
02-295-0308	Zachary & Kelli Ross	612 E 525 N Providence
02-286-0020	Scott R Waterson	598 N 520 E Providence
02-268-0021	Eric & Caroline Watterson	574 N 520 E Providence
02-335-8001	Ronald & Daina Zollinger	n/a

Utah Municipal Code 10-2-419 governs the adjustment of common municipal boundaries. Procedurally, (1) each municipal shall adopt a resolution indicating their intent to adjust the common boundaries; (2) hold a hearing no less than 60 days after the adoption of the resolution; (3) publish a public notice for three weeks in the newspaper and on the Utah Public Notice Website; (4) hold a public hearing; (5) adopt an ordinance; and (6) file with the County and the State.

Logan adopted Resolution of Intent #24-38 supporting the modification of municipal boundary and met all of the required noticing and publication requirements.

Once both Cities have adopted ordinances approving the municipal boundary adjustment, the final plat document will be filed with both Cache County and the State for approval and recordation.

The proposed ordinance will be an action item and public hearing at the December 3, 2024, Council meeting.

Consideration of a proposed resolution approving the Program Year 2023 (PY2023) Consolidated Annual Performance and Evaluation Report (CAPER) in accordance with the entitlement community requirements of the U.S. Department of Housing and Urban Development (HUD) for the receipt of Community Development Block Grant (CDBG) Funds – Resolution 24-44 – Mike DeSimone, Community Development Director ([1:52:00](#))

Community Development Director Mike DeSimone addressed the Council regarding the proposed resolution. He explained that the 2023 Consolidated Annual Performance and Evaluation Report (CAPER) provides an analysis of the fifth and final project year (July 1, 2023 – June 30, 2024) of the City's 5-Year ConPlan completed in 2019. The CAPER is prepared annually to report accomplishments of the funded activities and to measure the success in achieving the vision, goals, and objectives identified in the ConPlan and the Annual Action Plan.

The main objectives of the ConPlan and AAP are to:

- Invest 40% towards infrastructure projects in LMI areas throughout the City.
- Invest 10% towards the remediation of access and mobility barriers in all areas throughout the city.
- Invest 30% towards community needs that support LMI residents of Logan (20% towards public facilities, 10% towards public service activities).

Projects completed During 2023:

- 900 North 100 West Sidewalk (PY22)
- 100 South Main Sidewalk (PY22)
- 100 East Poplar Ave Crossing (PY22)
- Whittier Center Exterior Paint Remediation (PY22)

These projects benefit approximately 19,810 Logan residents of which 67% (13,360) are Low Moderate Income.

Administration and Planning:

- Total Costs \$104,723.62
- \$97,503.82 towards CDBG Administration
- \$7,219.80 towards 2024-2028 Conplan

The proposed resolution will be an action item and public hearing at the December 3, 2024, Council meeting.

RIGHT OF WAY VACATION – Consideration of a proposed ordinance vacating Public Right of Way adjacent to Parcel 02-061-0001 100 West 600 South – Ordinance 24-26 – Paul Lindhardt, Public Works Director & Russ Holley, Planner (1:55:25)

Russ Holley, Planner addressed the Council regarding the proposed right of way vacation. The 100 West Street Expansion project was recently completed. There are two residual properties on both sides of the street, the location is 600 South 100 West. The current zoning is MR-12. The intent is to create affordable housing for essential workers. There would also be a deed restriction, so the property can't simply be flipped for more money.

In order to create the west parcel, there is a need for a vacating of public of right of way. There would be 8 total individually owned townhome units to be built by Visionary Homes. The West parcel is 14,648 sf. (.33 acres), and the east parcel is 14,819 sf. (.34 acres). There would be landscaping included, but there is an amenity package being worked on.

Councilmember Johnson requested confirmation that with the deed restriction in place, the units will be restricted to owner occupied dwellings.

Mr. Holley confirmed that the dwellings will be restricted to owner occupancy.

Councilmember López asked, who were the other companies that bid for the project.

Mr. Holley replied that one of the bidders was JJAB, and the other was Neighborhood Nonprofit Housing.

Public Works Director Paul Lindhardt addressed the Council regarding the proposed right-of-way vacation.

890 Councilmember Simmonds inquired why a portion of the road wasn't included as part of
891 the vacation.

892
893 Mr. Lindhardt explained that the portion of the road is for safety purposes and to meet the
894 fire code which allows emergency services to turn around.

895
896 Chair A. Anderson asked if the portion of property to the north of the property would be
897 maintained by the owners.

898
899 Mr. Holley referenced the site map of the dwelling units. These areas of landscaping will
900 be maintained by the HOA.

901
902 The proposed ordinance will be an action item and public hearing at the December 3,
903 2024, Council meeting.

904
905 **Consideration of a proposed resolution authorizing and approving the Millard**
906 **County Power Project Power Sales Contract with Utah Associated Municipal Power**
907 **Systems (UAMPS) and related matters - Resolution 24-46 – Mark Montgomery,**
908 **Light & Power Director ([2:04:40](#))**

909
910 Light & Power Director Mark Montgomery addressed the Council regarding the
911 proposed resolution.

912
913 2023 Integrated Resource Plan (IRP) identified significant need for both baseload and
914 peaking dispatchable resources:

- 915 • Natural Gas is cost competitive with other forms of dispatchable power.
916 • IRP also recommended UAMPS project ownership (versus PPA) to hedge against
917 future volatility in the electricity market.
918 • Member 20-year forecasts show need for individual members.

919

	<u>Capacity</u>	<u>COD</u>	<u>Technology</u>
920 Peaker	200 MW	2029	Gas-Fired Recip Engines
921 Baseload	360 MW	2031	Combined Cycle

922
923

924 **Peaking Facility:**

- 925 • Located in Millard County
926 • 200 MW fleet of 10-12 Reciprocating Internal Combustion Units (RICE)
927 • Able to ramp on and off quickly to meet the members' changing load needs
928 • Each engine ramps to full load in 2 to 5 minutes
929 • Fast ramp times enable integration of additional clean, less expensive, renewable energy
930 • Natural gas peaking units compliment members' intermittent resources
931 • Capable of burning hydrogen mix when available in the future
932 • Ideally located near natural gas and transmission lines

933
934 **Combined Cycle Facility:**
935 Located in Power County, Idaho

- 360 MW 1x1 frame-style combined cycle plant
- Highly efficient system includes a gas turbine and steam turbine, decreasing overall energy cost.
- Natural gas baseload generation is critical to support members' reliable generation needs.
- Capable of burning hydrogen mix when available in the future.
- Ideally located near natural gas and transmission lines.

Levelized Cost of Energy:

- Peaker LCOE: \$93-\$167 (2024\$)
- CF 20% = \$167/MWh (2024\$)
- CF 60% = \$93/MWh (2024\$)
- \$112/MWh (2024\$) at 40% CF
- Baseload LCOE: \$66-\$94 (2024\$)
- CF 40% = \$94/MWh (2024\$)
- CF 80% = \$66/MWh (2024\$)
- \$69/MWh (2024\$) at 75% CF
- Values compare well with Lazard data analysis.

Market Comparison:

- Other market opportunities have been investigated.
- Best alternative is a long-term agreement to utilize an entity's plant as needed (tolling agreement).
- Another entity owns and operates the plant.
- UAMPS would purchase the gas and schedule the output.
- LCOE Pricing • Equivalent usage to the baseload project.
- Between \$160/MWh and \$220/MWh.

Subscription Recommendation:

- 26.25 MW subscription for Millard County Peaker
- 31.35MW subscription for Power County Base Load

Mark Montgomery, Light & Power Director noted that the reasoning for the rush is that PacifiCorp is changing its application system for cluster and transmission studies including cost structure. The hope is to get it in in order to take advantage of the cheaper study cost.

Chair A. Anderson asked if both gas peakers are capable of burning hydrogen in the future.

Mr. Montgomery answered that both units will be able to use a hydrogen mix in the future.

Chair A. Anderson inquired if there would be a waiting period for transmission lines.

981 Mr. Montgomery referred to the timeline and explained that the cluster study is in
982 essence the transmission study.
983
984 Councilmember Simmonds asked if the timeframe leaves room for another State to
985 swoop in and take the output.
986
987 Mr. Montgomery responded that UAMPS would own and operate the plant. The
988 individual member cities will have a share, but UAMPS can schedule output.
989
990 Councilmember López inquired where there would be any liability in terms of the plant.
991
992 Mr. Montgomery replied that the facility will be owned and operated by UAMPS and
993 members, there is some liability as there is ownership.
994
995 Councilmember Simmonds requested confirmation that the \$5 million granted to
996 PacifiCorp is merely a deposit to conduct a cluster study, and what is the total cost for the
997 cluster study.
998
999 Mr. Montgomery confirmed that this is the case as the \$5 million for PacifiCorp is merely
1000 a deposit for the cluster study to be conducted, and both studies will be conducted at the
1001 same time. There is not a definitive number at this time, but he will confirm the total
1002 amount during the public hearing.
1003
1004 Councilmember López asked if the location influenced the feasibility of acquiring an Air
1005 Permit for the facility.
1006
1007 Mr. Montgomery answered that typically in a rural area the acquirement is more feasible.
1008
1009 Chair A. Anderson requested clarification that the voting system is not one vote per
1010 member but rather per share.
1011
1012 Mr. Montgomery clarified that the voting system within UAMPS is not one vote per
1013 member but rather by the number of shares owned by the City.
1014
1015 Chair A. Anderson requested confirmation that the costs will remain the same once the
1016 project passes the pre-determined development milestones.
1017
1018 Mr. Montgomery confirmed that it is the case that the costs will remain as discussed.
1019
1020 Chair A. Anderson asked in the event the target price has been exceeded whether the
1021 entire project would be terminated or just the City.
1022
1023 Mr. Montgomery responded that the entire project would be terminated.
1024
1025 Chair A. Anderson requested a comparison of the subscription for the two proposed
1026 projects in comparison to the wind farm or solar field.

1027
1028 Mr. Montgomery explained there is a 7 MW subscription from the solar field, there is 5
1029 MW from Red Mesa. There is 45 MW from IPP, but once it downsizes to gas only 22
1030 MW will be available. The subscription is substantially comparable in comparison.
1031
1032 Councilmember Simmonds requested clarification of where they will be in five years.
1033
1034 Mr. Montgomery clarified that the hope is to grow as projected, it is better to have more
1035 than less as the City will need it.
1036
1037 Chair A. Anderson inquired as to why there would be market block purchases.
1038
1039 Mr. Montgomery replied that market block purchases can be relied on as needed, but
1040 when there is an urgent need as in 2022, market block purchases were \$1000 per MG.
1041 They can be extraordinarily high as shown in 2022 which is consumer-driven and though
1042 reliable, they are not fiscally feasible long-term as they do not give budget certainty.
1043
1044 Councilmember Simmonds remarked that the considerations proposed such as limiting
1045 EV chargers that draw 7 KW out of peak demand window could be done by the Council
1046 and not necessarily wait for UAMPS to implement them.
1047
1048 Mayor Daines added that the City is not set up with a day rate, but that may be a
1049 suggestion to be considered for the future.
1050
1051 Councilmember Johnson requested a comparison of the price per MW of what is being
1052 paid now and the proposed projects.
1053
1054 Mr. Montgomery responded that the blended wholesale is \$67 per MW hour. The
1055 baseload would be more, but the only caveat is that the blended wholesale takes into
1056 account the Hunter project which is an extremely cheap energy product from coal. The
1057 Hunter project will be closing. Natural gas is \$40 to \$50 per MW and the wind product is
1058 \$80 per MW. A new plant is being built, construction costs will be much higher than
1059 twenty years ago, and the cost will be reflected as power costs continue to climb.
1060
1061 Councilmember Johnson requested an estimate of construction costs and if 100%
1062 membership for the project is reached what would be the City's participation.
1063
1064 Mr. Montgomery stated an estimate of construction for one of the plants is \$700 million.
1065 If 100% of the membership is reached for the project, the City's participation would be
1066 between 26% to 31%.
1067
1068 ***Chair A. Anderson excused herself at 8:07 p.m.***
1069
1070 Councilmember Johnson requested clarification on whether baseload usage is 100.
1071

Mr. Montgomery corrected Councilmember Johnson, the baseload usage of 100 is only for peak times. The average baseload is between 50 to 60 all year long except during the summer and other peak times. Some of the baseload avenues will go away such as the Hunter project, there is a need to relish baseload energy.

Councilmember Johnson expressed concerns regarding the cost of investment for the City to participate in the two suggested non-renewable energy proposals in order to receive power.

Councilmember Simmonds reminded that the Hunter project will be going away, the proposed project would merely be replacing the Hunter project as part of portfolio of power for the City.

Councilmember Johnson requested confirmation that once the facility is built, the City will enter into a twenty-year contract.

Mr. Montgomery confirmed that the City would be entering into a contract for twenty years. If Natural Gas is still a viable option, the life of the plant is expected to be thirty to forty years.

Mayor Daines commented that if nuclear comes into the equation, power may become more readily available.

Mr. Montgomery stated that everything indicates that nuclear power will become a viable option, but the question is when.

Councilmember López inquired what the likelihood is that the natural gas facility will change to hydrogen power, and if hydrogen is a clean energy source.

Mr. Montgomery replied that there is a likelihood that the facility will change to hydrogen. IPP in Delta has dug out salt domes to store Hydrogen and supplement the natural gas generation. Hydrogen can be a clean energy source.

Vice Chair M. Anderson asked what the average cost per MW was in 2019.

Mr. Montgomery estimated the average cost in 2019 was \$55 per MW.

Vice Chair M. Anderson indicated that currently, it is \$65 per MW, but \$85 per MW in a few years is not a stretch.

Councilmember Johnson reiterated his reservations regarding the project.

Mr. Montgomery indicated that the two proposed projects are bridging sources until other viable projects are available, however, there are none at this time.

Mr. Anderson stated that the biggest risk faced with the project is the energy source becomes obsolete. The opposite question is equally valuable, there are no other viable projects at this time. The market share is a viable option now, but 18 months ago it was not. Market shares simply are not a viable option from a fiscal perspective.

Councilmember Simmonds added that with the proposed project, the City will receive a fixed amount of energy at a specific, affordable price point rather than at a fluctuating price point on the market. It is the Council's job to create stability for the City.

Vice Chair M. Anderson agreed with Councilmember Simmonds sentiments and reiterated the importance of providing such services to the citizens of the City.

The proposed resolution will be an action item and public hearing at the December 3, 2024, Council meeting.

Consideration of a proposed resolution authorizing and approving the Power County Power Project Power Sales Contract with Utah Associated Municipal Power Systems (UAMPS) and related matters – Resolution 24-47– Mark Montgomery

Light & Power Director Mark Montgomery addressed the Council regarding the proposed resolution. The presentation was combined with the above presentation of Resolution 24-46.

The proposed resolution will be an action item and public hearing at the December 3, 2024, Council meeting.

Budget Adjustments FY 2024-2025 appropriating: \$8,502 fund received from HUD for CDBG programs that need to be allocated in FY25 – Resolution 24-45 - Richard Anderson ([2:52:15](#))

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

No further workshop items were presented.

OTHER CONSIDERATIONS:

Vice Chair M. Anderson asked if the Watershed Project should be scheduled to speak this year or next.

Councilmember Simmonds recommended postponement since the latest update was merely informational. The EIS will be submitted in December, nothing further can be done until a response is received.

Mayor Daines inquired if the information meeting had been recorded.

1163 Vice Chair M. Anderson confirmed the meeting had been recorded and was available to
1164 the public.

1165
1166 The Council agreed to withhold from having another meeting on the watershed project
1167 until further information is brought forward.

1168
1169 Councilmember Johnson stated for the benefit of the public that the Public Works
1170 Department will be presenting before BPAC in regard to 500 North and possibly on
1171 Canyon Road.

1172
1173 Mayor Daines added that invitations will be sent out regarding the 5:30 p.m., December
1174 05th JUB public meeting who will be presenting in regard to the water tank project on
1175 Canyon Road. This public hearing will be held at City Hall.

1176
1177 There being no further business, the Logan Municipal Council adjourned at 8:26 p.m.

1178

1179

1180

1181 Esli Morales, Deputy City Recorder