

1 **Providence City Council Meeting**
2 **Providence City Office Building**
3 **15 South Main, Providence UT 84332**
4 **Tuesday, January 18, 2005 6:00 p.m.**

5 **Attendance:** Mayor: Alma H. Leonhardt
6 Council: Randy Eck, Stacie Gomm, Deon Johnson, Ron Liechty, Vic
7 Saunders
8 City Manager: Vern Keeslar
9 City Recorder: Skarlet Bankhead
10 Public Works Director: Dee Barnes

11 **The Providence City Council will meet for a study session at 6:00 p.m. in the City**
12 **Council Chambers. This is a public meeting; however, no public comment will be heard**
13 **and no action will be taken on the agenda items.**

14 Discussion Items:

15 a. Water Conveyance Agreement:

16 Mark Cohen and Rick Arnold, Imagine Development, attended this discussion.

17 Bruce Jorgensen, City Attorney, attended this discussion.

- 18 • B Jorgensen explained he and V Keeslar have gone through several drafts.
19 The packet contains the final proposal.
- 20 • V Keeslar explained the agreement has been slightly modified at the
21 suggestion of the City staff. The modifications have been discussed with the
22 developers.
- 23 • V Keeslar felt the major change was in 2.3. S Gomm felt the fee in lieu was a
24 risk. V Keeslar agreed there was a risk. However, the first phase will be the
25 only phase allowed the fee in lieu. V Keeslar explained the City is confident
26 the water transfer will take place; however, as a safeguard, the fee in lieu will
27 be allowed for Phase One only.
- 28 • R Liechty expressed concern the agreement did not address the second source
29 water issue. B Jorgensen explained this Agreement is for the conveyance of
30 water rights. The second source is required in other documents, such as the
31 development agreement.
- 32 • R Liechty expressed concern the development was being allowed to build
33 before the water was transferred. V Keeslar explained this concurs with the
34 Letter of Understanding. Mark Cohen explained their risk is that they have
35 purchased water and conveyed the rights to the City before the first phase has
36 been approved.
- 37 • B Jorgensen explained even if the water did not transfer, the City could still
38 receive revenue from the water rights. V Saunders felt there were many
39 options. B Jorgensen explained once the City acquires water rights they
40 cannot be sold. However, they can be traded for something of equal value.
- 41 • B Jorgensen explained the City currently sells the right to use the water share.
42 The City does not sell or lease the water right.
- 43 • V Saunders asked if the City should set up a foundation to hold the water. B
44 Jorgensen explained it was possible; but would not advise it. If the water is in
45 the City's name, the City can receive an extension for 50 years for future
46 growth.
- 47 • R Eck felt the initial fear was the size of the overall development. He felt this
48 agreement was beneficial because it allows the City to purchase rights above

1 and beyond the development need. If the City has extra water, it can accept
2 the fee in lieu from small developments when acquiring water rights would
3 not be reasonable.

- 4 • V Keeslar explained this is different from the Checketts annexation because
5 of the previously accepted Letter of Understanding. S Gomm expressed
6 concern about allowing development on the Checketts property before
7 obtaining the water rights for the entire parcel. She was not comfortable
8 allowing the water to transfer with each development. V Keeslar explained
9 the City Code and the annexing ordinance protects the City. R Eck felt it
10 would be difficult to require property owners that are being annexed as part of
11 a larger annexation to provide the water before they are ready to develop. B
12 Jorgensen also agreed the City is protected with the City Code and the
13 annexing ordinance. B Jorgensen agreed with R Eck: it would be difficult to
14 require water from owners who were not ready to develop.
- 15 • V Keeslar also explained the conveyance requires the City to purchase
16 remaining rights for the agreed price. The positive is that the price is known
17 and will be very reasonable in the future; the negative is that the City must
18 purchase the water. V Saunders and S Gomm did not view this as a negative.

19 b. FEMA LOMR outcome for Brookside Subdivision:

- 20 • V Keeslar reported the City received a letter taking the Brookside Subdivision
21 out of Flood Zone A. This reduces the City's liability in the case of a flood
22 and the liability of a class action suit. The building permit applicants no
23 longer need a certificate of elevation, and the new revision allows the
24 developer to sell the lots without restriction. The effective date is February
25 11, 2005. V Keeslar explained the City is making the information available
26 to building permit applicants.

27 Future Agenda Items:

- 28 a. Board of Equalization meeting January 25, 2005 at 5:00 p.m.
- 29 b. Study Session on the January 25, 2005 at 6:00 p.m. will feature Craig Smith, water
30 attorney.
- 31 c. Service dogs code amendment

32 City Councils' Report:

33 Mayor Leonhardt:

34 Snow Removal

- 35 • Mayor Leonhardt reported he had a few calls about snow in front of mailboxes. He
36 felt for the most part, the problems were resolved. D Barnes will continue to follow
37 up on complaints.

38 Council Member Ron Liechty:

39 300 South street light:

- 40 • R Liechty reported a shield was placed on the recently moved street light. The
41 homeowners are now satisfied.

42 District 7 Soccer:

- 43 • R Liechty reported the Cooperative Agreement has been signed by the City and
44 District 7.

45 Trailer in the right-of-way:

- 46 • R Liechty reported the trailer has been moved from 100 N and approximately 250
47 East.

48 Council Member Stacie Gomm:

49 Web Page:

- 1 • S Gomm requested information for the web page, including bios and pictures
2 (optional), by the 24th of January
3 Grandview area resident concerns:
4 • S Gomm reported some Grandview area residents feel additional speed limit signs
5 will help with the speeding problem. V Keeslar explained the speed limit in the City
6 is 25 mph unless otherwise posted.
7 • S Gomm reported the Grandview area residents would like to make a proposal for
8 improving 1000 South.
9 • S Gomm reported the Grandview area residents would like street lights. V Keeslar
10 explained some residents have complained about the street lights that were installed.

11 Council Member Deon Johnson:

- 12 • No new report.

13 Council Member Randy Eck:

14 Snow removal:

- 15 • R Eck commended the Public Works Department for their snow removal efforts, in
16 spite of having three plows down.
17 • R Eck expressed concern about property owners putting the snow back into the
18 streets. R Eck explained the City utilizes the park strips to hold the snow. D Barnes
19 reported residents will push the snow into the curb instead of the parking strip. D
20 Barnes explained with the current equipment the City has, they cannot move the big
21 piles off the street.
22 • V Keeslar reported the City is giving warnings instead of ticketing snow removal
23 violations.

24 Council Member Vic Saunders:

25 Mosquito Abatement Board:

- 26 • V Saunders reported the Mosquito Abatement Board has held two meetings. They
27 have appointed the Mayor of Amalga as chair. V Saunders felt the individual being
28 proposed to take his place on the Board will be an asset to the Board; particularly
29 because of his knowledge of bees.

30 Park strips:

- 31 • V Saunders felt the type of plantings allowed in park strips should be limited. He felt
32 for maintenance and snow removal policies, the park strips should be relatively free
33 of plantings.
34 • B Jorgensen commented that the salt from the snow can harm certain vegetation.

35 City Manager's and Directors' Report:

- 36 • V Keeslar reported the Local Official Day at State Legislature is January 19, 2005.
37 • V Keeslar informed the Council the EIS open house for Logan/Providence 100 East
38 project will be at the Logan City Justice Center on January 27 at 6:30 p.m.
39 • V Keeslar reported D Johnson, D Barnes, and Clayton Nelson will be attending the
40 Rural Water Conference March 1 - 4.
41 • V Keeslar informed the Council the next Planning Commission meeting will be held
42 on January 26.
43 • R Eck asked if a statement could be included on the Planning Commission
44 posting that Council Members may be in attendance. V Keeslar felt council
45 member attendance may be intimidating to the Commission Members.
46 • Mayor Leonhardt explained if council members want to attend, they should
47 be allowed to do so. He felt adding a statement to the Planning Commission
48 agenda would work.

- V Keeslar felt because the Council has confidence in the council member assigned to Community Development, instead of attending the meeting, they should rely on the assigned Council Member's report.
- Bruce Jorgensen will check on the proper posting.

Agenda Items:

Pledge: Mayor Leonhardt

Opening: R Eck

Minutes:

Motion to approve the minutes of December 14, 2005– V Saunders, second – R Liechty

Corrections:

- Page 4 lines 50 and 51: Yea: ~~R Eck~~, D Johnson, R Liechty, V Saunders
Nay: **R Eck**, S Gomm

Vote: Yea: R Eck, S Gomm, D Johnson, R Liechty, V Saunders

Nay: none

Abstained: none

Item No. 1. Introduction. Lieutenant Jensen, Cache County Sheriff Patrol Lieutenant, will introduce himself to the Providence City Council.

- Lt Jensen did not attend tonight's meeting.

Item No. 2. Ordinance Modification 001-2005 (formerly 026-2004). The Providence City Council will consider for adoption an ordinance granting a petition of annexation filed by Stan Checketts for a 220.04 acre (+/-) parcel of property located adjacent to the northeast boundary of Providence City.

- Mayor Leonhardt explained the Council has entertained public discussion at numerous past meetings. This will be a Council discussion only.
- Mayor Leonhardt explained the difference in the two ordinance proposals. Proposal One requires water transferred for the entire 220 acres; Proposal Two requires water transferred at each proposed subdivision development.

Motion to approve Ordinance Modification 001-2005 (formerly 026-2004) Proposal Two – V Saunders, second – D Johnson

Vote: Yea: R Eck, D Johnson, R Liechty, V Saunders

Nay: S Gomm

Abstained: None

Item No. 3. Public Hearing - Ordinance Modification 002-2005. The Providence City Council will consider for adoption an ordinance amending Providence City Code 10-6-2:E. Professional Services, to allow for colon hydrotherapy as a conditional use in the Single Family Traditional (SFT) zone, requested by Colette Yates.

Mayor Leonhardt opened the public hearing.

- Mary Hubbard, 360 Edgewood Drive, felt a medically-oriented business was not a home business. She felt a medically-oriented business belonged in a business zone. M Hubbard felt it was an invasive procedure that would be considered medical. M Hubbard also felt the fact that businesses approach the Planning Commission and City Council piecemeal for approval, is a problem. First it is one, then another; it compromises the neighborhood. M Hubbard reported she spoke with many people and only one felt this was an appropriate home business. She also reported she spoke with realtors who did not feel it would help property values.
- Mayor Leonhardt explained he attended the Planning Commission meeting where C Yates presented the business information. He reported she made an excellent

1 presentation. Mayor Leonhardt asked C Yates to make her presentation to the
2 Council and audience.

- 3 • C Yates reported there are cosmetology and massage businesses operating in homes
4 within the City.
- 5 • C Yates thanked the Council for coming to her home on an individual basis and
6 allowing her to explain her business. C Yates stated she was appalled at the media
7 attention and their insinuation she is fighting the City. C Yates stated she does not
8 intend to fight with the City. She wants to comply with the City's rules and
9 regulations.
- 10 • C Yates reported she had given the Mayor and each Council Member a binder
11 containing information explaining the business, the licensing, and insurance
12 requirements. She has met with each council member at her home.
- 13 • C Yates explained that during her meeting with Vic Saunders, he questioned the
14 safety of the procedure. C Yates explained the safety of the procedure. She uses
15 only one instrument, the DoTolo Colon Hydrotherapy Instrument – Toxygen®
16 Model BSC-UV. She explained there are instruments that do not have the safety
17 mechanisms the DoTolo Instrument uses. Problems may result when using an
18 instrument that does not have safety mechanisms. Because of the design and safety
19 mechanisms of the DoTolo Instrument, hers is a very safe procedure. She monitors
20 the clients during the entire session. She is in continual conversation with the client
21 during the session. She explained how the pressure gauge works. She keeps much
22 lower than the dangerous range of pressure. She also provided a copy of an email
23 from the president of DoTolo verifying the safety of the Instrument. She also gave
24 the Council a copy of a web search for problems resulting from the use of the
25 DoTolo Instrument; the FDA web site referenced stated no record found with
26 manufacturer DoTolo, brand name Toxygen®. She explained this is a very simple
27 procedure.
- 28 • C Yates reported that during her meeting with R Liechty, he questioned using the
29 procedure on a client diagnosed with diverticulitis. If diverticula are inflamed, she
30 will not proceed and will advise the client to consult his/her physician. If the client
31 is no longer taking medication and no longer in pain, the procedure can be done.
- 32 • C Yates explained the State of Utah considers this a homeopathic procedure, not a
33 medical procedure. She also included letters from chiropractors stating they refer
34 clients to her.
- 35 • C Yates reported during her meeting with R Eck, he asked if she continued to do
36 business after the original application had been submitted. C Yates explained she
37 originally submitted an application, signed by neighbors, and the required fee. She
38 curtailed her business due to other personal duties, except for family members. C
39 Yates explained she had a clothing line in her home licensed by the City. She
40 assumed this application would be the same process. At the time the City Manager's
41 secretary called, she curtailed her business.
- 42 • C Yates explained she has a certified nursing assistant certificate and plans to keep it
43 current. She will also continue to work full-time. This will be a very part-time
44 business. She will not have frequent clients coming to the home. She will only have
45 one or two clients per night. She did not feel there would be a negative impact on
46 the neighborhood. If the Council votes negatively, she requested their decision be
47 mailed to her in writing.
- 48 • Colleen Marshall, 400 Spring Creek Road, stated she is in favor of home businesses
49 in Providence.

- 1 • Liz Sampson, 320 Spring Creek Road, is definitely in favor of home businesses. She
- 2 explained the thoroughness of C Yates' presentation is representative of her
- 3 personality. She is very detailed and thorough. L Sampson did not feel this home
- 4 business would be a problem.
- 5 • Del Raye Searle, 389 Edgewood Place, felt the nature of this business would not
- 6 have negative impact on the neighborhood.
- 7 • Gayle Vest, 368 Spring Creek Road, did not understand why this business would be
- 8 more intrusive than piano or choral lessons. She also explained there are people in
- 9 the neighborhood doing tattooing. She felt the business should be allowed.
- 10 • Joe Marshall, 400 Spring Creek Road, stated he did not notice any increase in traffic
- 11 when C Yates was seeing clients. He has been in the home. She has very clean
- 12 conditions and makes sure disposal is done properly.
- 13 • Mary Hubbard felt C Yates had done a wonderful job on the presentation. She felt it
- 14 was the type of business that should not be allowed as a home businesses. She felt
- 15 traditional home businesses were fine, but felt zoning had a purpose and a point. She
- 16 felt perhaps there needed to be better definition. She felt medical businesses should
- 17 not be in residential zones.
- 18 • C Yates explained this is a homeopathic procedure, not a medical procedure.
- 19 • M Hubbard was against the whole notion of medical-type businesses.
- 20 • Michael Yates felt the home business trend is extremely encouraged.
- 21 • Chad Vernon, 525 Rockwood Circle, stated he was supportive of the business. He
- 22 said there were already chiropractic businesses in homes in Providence. He felt
- 23 people, in general, complain about a lot of things. He felt as long as there were no
- 24 large trucks, backhoes, etc. it would be okay.
- 25 • C Yates stated traffic will not be a issue. She will only have one or two clients in an
- 26 evening. She felt the nature of the procedure is a very private thing. Having the
- 27 business in the home is a private setting. She also explained keeping the business in
- 28 the home allows her to keep her fees lower.
- 29 • Jeff Strong, 839 Grandview Dr, did not feel the City Council meeting was the proper
- 30 place to discuss the merits of homeopathic vs. medical. He stated colon
- 31 hydrotherapy was an invasive procedure, and whether it was homeopathic or
- 32 medical, he felt it would be better suited in a physician or chiropractic office.

33 Mayor Leonhardt closed the public hearing.

- 34 • D Johnson stated he appreciated the opportunity to meet with C Yates in her home.
- 35 He explained the conditional use can be reviewed at any time. This is something
- 36 new and felt the privacy of the home was better than some of the clinics. D Johnson
- 37 suggested allowing the conditional use and reviewing it in a year.
- 38 • S Gomm looked at it more as a massage therapist. After reviewing the procedure,
- 39 she agreed with D Johnson; it is more comfortable in a home setting. S Gomm
- 40 explained the Council can put conditions such as no more than 10 clients per week.
- 41 She suggested trying it for a year.
- 42 • R Liechty reported he had spent time on the internet and talking with doctors, clinics,
- 43 and people at the university. He got different opinions about the procedure, but it
- 44 was consistent they did not feel this should be done in a home. They felt medically
- 45 this should be done in a medical type facility. His only concern was if this be should
- 46 done in a home. He suggested C Yates talk with some in the medical field. C Yates
- 47 requested names to contact.

- 1 • R Eck agreed with J Strong this was not the place to determine if it was a medical
2 procedure; the purpose is whether this should be allowed in the home. He just does
3 not feel this was something that should be in a residential neighborhood. He felt if
4 chiropractors were willing to work with her, she should consider moving in to that
5 realm. He felt the clients would go to the business if it was in an office. R Eck did
6 not feel this should be located in the home.
- 7 • V Saunders explained he has kept his options open. He did not want to argue the
8 merits of the procedure. He felt if people wanted this procedure, they should be able
9 to find it. He cannot find an argument that goes against approving. He explained he
10 will vote in favor with the condition to review. He felt the day will come when
11 piano and other businesses will be scrutinized. At some point the line will be drawn,
12 but tonight is not the night.
- 13 • V Keeslar explained this is not issuing the conditional use. This is amending the
14 code to include colon hydrotherapy as a conditional use.
- 15 • R Eck explained the staff and Planning Commission recommended denial. He felt
16 there was a reason they did that. He asked the Council to remember they represent
17 every citizen, not a special interest group, not a friend. He requested they give some
18 thought to the process. Mayor Leonhardt agreed that the staff and Planning
19 Commission make recommendations, but the Council is not tied to the
20 recommendations. V Saunders reported the Planning Commission vote was three to
21 two. The Council meets to discuss and argue the merits of every proposal.
- 22 • D Johnson explained he respected R Eck's comments, but felt the conditional use
23 could be allowed and then reviewed.

24 Motion to approve Ordinance Modification 002-2005 – D Johnson, second – S Gomm

- 25 • S Gomm stated she believed in the power of the Council. She explained there are 5
26 for a reason. She was not in favor of field user fees. However, the Council voted to
27 approve them, and she felt it was a good decision.

28 Vote: Yea: S Gomm, D Johnson, V Saunders

29 Nay: R Eck, R Liechty

30 Abstained: None

31 **Item No. 4. Public Hearing - Ordinance Modification 003-2005. The Providence City**
32 **Council will consider for adoption an ordinance amending Providence City Code 10-9,**
33 **Supplemental Regulations Within All Districts, to regulate parkways within the City**
34 **right-of-way, requested by Providence City.**

35 Mayor Leonhardt opened the public hearing.

- 36 • V Saunders drew an illustration on the white board and explained the Planning
37 Commission has recommended amending the width and what can be placed between
38 the sidewalk and the street.
- 39 • Sherm Sanders, 1010 Foothill Dr, felt whatever was done should be easy for the
40 property owners, as they have to maintain it. V Saunders agreed. He read the
41 proposal for 4' and 6' parkways. He explained the park strips serve a dual purpose;
42 they are an extension of the city right-of-way,
- 43 • Nathan Ballstaedt, 688 Eagleview Dr, felt gravel would be safer than 2" rock. He felt
44 an ankle could easily be turned on 2" rock. V Saunders explained the Planning
45 Commission is looking for uniformity.
- 46 • Curt Webb asked if this was retroactive. Mayor Leonhardt stated this will not be
47 retroactive.
- 48 • R Eck clarified this would be 2" rock or larger.

1 Mayor Leonhardt closed the public hearing.

- 2 • S Gomm questioned if H. complies with the section. V Keeslar explained as long as
3 the change complies with the ordinance it can be changed. She felt the wording
4 “unlawful to remove” prohibited the intent.
- 5 • R Eck felt we may be getting in a situation that could cause grief. He explained
6 someone may use decorative rock that matches the ordinance, then when Public
7 Works makes a repair, the rock is damaged. He felt it was a burden to place on the
8 City to have to replace decorative rock. He explained landscaping companies come
9 and go, and some rock cannot be matched. Grass is grass. R Eck felt N Ballstaedt
10 brought up a double-edged sword. Small rocks also get kicked out, causing someone
11 to trip on the sidewalk. R Eck felt there needed to be more thought. He also felt the
12 homeowner needed to understand this is the City’s property and may not be repaired
13 to the homeowner’s expectations.

14 Motion to table Ordinance Modification 003-2005 – V Saunders, second – R Liechty,

- 15 • D Johnson clarified this change describes what is allowed in the park strip based on
16 the width. It is not changing the park strip width. V Keeslar explained the City staff
17 and Planning Commission are waiting to see how the pilot projects work before
18 recommending an ordinance changing the park strip width.
- 19 • D Johnson reported the State recommends not grassing park strips for water
20 conservation. V Saunders explained it is very difficult to water a small park strip;
21 water goes on the sidewalk and the asphalt. That is one reason to increase the width.

22 Vote: Yea: R Eck, S Gomm, D Johnson, R Liechty, V Saunders

23 Nay: none

24 Abstained: none

25 **Item No. 5. Public Hearing - Ordinance Modification 004-2005. The Providence City**
26 **Council will consider for adoption an ordinances amending Providence City Code 10-8-**
27 **1, Area Regulations, to allow principle uses a combination front and rear yard setback**
28 **totaling at least 50 feet, with a minimum front or rear yard setback of 20 feet in the**
29 **Single Family Estate (SFE), Single Family Traditional (SFT), and Single Family**
30 **Residential (SFR) zones, requested by Providence City.**

31 Mayor Leonhardt opened the public hearing. He explained with the amendment, the front
32 setback can be varied, breaking up the uniform street appearance.

- 33 • Jason Christensen, 633 Dover Circle, felt it was better to have larger back yards. He
34 felt this made sense. R Eck asked if this could be a selling point. J Christensen felt it
35 would allow flexibility when fitting a home on a lot.
- 36 • Greg McDonagh, 983 Grandview Dr, asked if the homes could be staggered or if all
37 the homes on the street had to choose the same front setback. The Council explained
38 the homes could be staggered.
- 39 • R Eck asked for staff’s feeling on new development. He wondered if the staff would
40 be encouraging this. V Keeslar reported the staff felt this allowed the property owner
41 flexibility. The staff is not interested in mandating the setback. They want to allow
42 flexibility.

43 Motion to approve Ordinance Modification 004-2005 – R Liechty, second – V Saunders

44 Vote: Yea: R Eck, S Gomm, D Johnson, R Liechty, V Saunders

45 Nay: none

46 Abstained: none

1 **Item No. 6. Resolution 05-003. The Providence City Council will consider for adoption a**
2 **resolution appointing a representative to serve on the Cache County Mosquito**
3 **Abatement Special District Board.**

- 4 • Mayor Leonhardt recommended Bryan Cox be appointed to serve on the Mosquito
5 Board. He felt his experience with bees was very important. V Saunders agreed.

6 Motion to approve Resolution 05-003 – V Saunders, second R Eck

7 Vote: Yea: R Eck, S Gomm, D Johnson, R Liechty, V Saunders

8 Nay: none

9 Abstained: none

10 **Item No. 7. Discussion. The Providence City Council will discuss the new City logo and**
11 **City motto.**

- 12 • V Saunders requested this discussion be moved to the end of the meeting. The
13 Council agreed.

14 **Item No. 8. Resolution 05-002. The Providence City Council will consider for adoption**
15 **a resolution approving a water conveyance agreement and authorizing the mayor to**
16 **sign the agreement.**

17 Mayor Leonhardt explained the City has worked with the City Attorney and Imagine
18 Development to make sure this agreement is good for the City.

- 19 • D Johnson felt V Keeslar and B Jorgensen had done a great job with the agreement.
20 • Sheryl Eames asked if this would come before the State Water Engineer. V Saunders
21 explained all transfer of water rights goes through the State. D Johnson reported the
22 City has talked with the State. The proposal is to transfer some of the rights. V
23 Saunders explained the water will be pumped from the underground aquifer. V
24 Saunders felt this preserved the ability to serve the residents of Providence with
25 water.
26 • V Saunders explained this developer had been very proactive. They have not only
27 found the water but purchased it without assurance the City would purchase it. This
28 will ensure the homes they intend to build will have water. This will give people who
29 own land in Providence a chance to utilize it. Mayor Leonhardt explained the City
30 has an option to purchase excess water.
31 • D Johnson explained the City does not go out and find water; it is the developer that
32 finds it. He stated this will go through the proper legal procedure.
33 • Mayor Leonhardt explained the City has four wells. The water impact fees generated
34 from the new growth will allow the City to drill another well.
35 • R Eck felt the Council had come full circle with this item. He felt the Council had set
36 forth the ground work to solve some of the large concerns for future growth. He
37 commended the developer and staff for all their hard work.

38 Motion to approve Resolution 05-002 – R Eck, second – V Saunders

39 Vote: Yea: R Eck, S Gomm, D Johnson, R Liechty, V Saunders

40 Nay: none

41 Abstained: none

42 **Item No. 9. Resolution 05-001. The Providence City Council will consider for adoption**
43 **a resolution approving a preliminary plat for Providence Highlands Subdivision Phase**
44 **One located generally at 1100 South Grandview Drive.**

45 Mayor Leonhardt explained there will be limited questions from the audience.

- 46 • V Saunders explained this issue has been discussed for approximately 6 months. The
47 developers have put together a very good proposal. The plan is well thought; they

- 1 have provided answers to the City's concerns. He recommended other developers
2 follow Imagine Development's proactive approach to resolving issues.
- 3 • S Gomm asked about leaving Lot 9 as an option for a road. Mark Cohen, Imagine
4 Development, reported they initially had a road there, but felt the proposed location
5 was better. He explained it was the staff's recommendation to change it.
 - 6 • Curt Webb, 500 Hillsborough, expressed concern about the proposal to connect to
7 Hillsborough. He reported the current property owner, Garth Thompson, is not
8 interested in selling.
 - 9 • R Eck felt the staff was trying to plan ahead. He felt the City lost nothing by
10 stubbing a road to connect, but gained a possible access option. V Saunders felt
11 stubbing the road to connect to Hillsborough was harmless.
 - 12 • V Keeslar explained the 2000 general plan does have the connection occurring.
 - 13 • Mark Humpherys, 1012 Grandview Dr, expressed concern about the narrow width of
14 Grandview Drive. He felt it would be hard to widen, at the same time he did not like
15 the additional traffic. He suggested not accessing Grandview Drive. V Keeslar
16 explained the City has a 50 foot right-of-way. Gary Lowder, 1050 Grandview Dr, did
17 not feel having the access of 50 feet would solve the problem for the driveways. He
18 liked the suggestion of not accessing Grandview.
 - 19 • Jeff Strong expressed appreciation to M Cohen for meeting with the Grandview area
20 residents. He asked about the crushing operation. M Cohen explained they are not
21 planning a crusher. They do not intend to operate a gavel plant or a batch plant.
22 They may do some screening; but they are not planning on a crusher. He felt the
23 screening would be adequate. They plan on working within the normal business
24 hours of operation. M Cohen explained they are looking at ingress and egress for
25 construction traffic through a neighboring property to avoid the residential area as
26 much as possible.
 - 27 • R Eck explained with the new storm water regulations, conventional crushing and
28 screening would not be allowed. He felt because of the regulations and the work
29 ethic displayed by the developer, the impact would be minimal. He stated the
30 Council will look out for the City and the residents.
 - 31 • M Cohen explained the more on-site material used, the less truck traffic, so it is a
32 double-edged sword. They are concerned with construction traffic and are looking at
33 routing plans.
 - 34 • Sheryl Eames asked about the traffic flow. Mayor Leonhardt felt the main road
35 would be 1000 South. A few would travel Canyon Road.
 - 36 • Larry Hogge, 988 Foothill Dr, asked about storm water. R Eck explained the federal
37 storm water regulations are very restrictive. R Eck felt if anything, this would help
38 current homeowners.
 - 39 • Sherm Sanders expressed concern with the current drainage from the gravel pit area.
40 V Keeslar explained there are three on-site retention basins in this phase. About 5%
41 will run down the road. R Eck explained this 5% is the natural amount that would
42 run down the road. The only parcel without retention is near Hillsborough Dr. M
43 Cohen reported he spoke with the contractor at the gravel pit. As soon as it is
44 possible, they will begin reshaping the area, use hay bales, and perhaps a channel to
45 direct the storm water. They will do the best they can with the current situation.
 - 46 • M Cohen reported some of the people along 1000 South are interested in curb and
47 gutter.

- 1 • Mayor Leonhardt reported at some point in the future, 1000 South will be widened. S
- 2 Sanders stated he would like a stop sign and a street light at the corner of Foothill and
- 3 1000 South.
- 4 • Mayor Leonhardt explained UP&L is slow to work with.
- 5 • V Saunders felt impact fees could be used to address specific issues. The developers
- 6 are also addressing the issues. V Saunders felt the sidewalk, right-of-way, and street
- 7 lights would be addressed.
- 8 • V Keeslar explained impact fees can only go so far. The current Grandview
- 9 development was developed in the sixties without sidewalks. It takes time to deal
- 10 with old neighborhoods.
- 11 • G Lowder asked if the recommendation not to connect to Grandview would be
- 12 considered. V Keeslar explained Grandview Drive is not a cul-de-sac. It was built to
- 13 extend to the south. V Keeslar felt eliminating the access would kill the preliminary
- 14 plat. He felt the traffic burden needed to be spread so one area was not overloaded.
- 15 • Darrel South, 370 Spring Creek Rd, requested the Council look at Grandview Dr. It
- 16 is very narrow.
- 17 • Dennis Carlsen, 825 Foothill Dr, explained there were some existing homes that,
- 18 prior to coming into Providence City, were built too close to the road. He explained
- 19 several years ago the area residents stayed away from sidewalks and curbs to give the
- 20 homes as much space as possible.
- 21 • R Eck felt the Grandview connection was necessary for emergency services. M
- 22 Humphries felt it would be cheaper to acquire the Hillsborough access.

23 Motion to approve Resolution 004-2005 – V Saunders, second – R Eck

24 Vote: yea: R Eck, S Gomm, D Johnson, R Liechty, V Saunders

25 Nay: none

26 **Item No. 7. Discussion. The Providence City Council will discuss the new City logo and**

27 **City motto.**

- 28 • R Eck liked the fact that the top of Utah was represented. He liked the mountains.
- 29 He liked the rich heritage, vibrant future.
- 30 • V Saunders did not like any of the designs.
- 31 • S Gomm did not feel the slogan should be included in logo. She felt it better to have
- 32 the option of using the slogan and the logo separately or together, depending on the
- 33 project.
- 34 • All agreed to keep the slogan; a rich heritage – a vibrant future.
- 35 • V Keeslar explained whatever is decided, it will be perfected by a graphic artist.
- 36 • The majority of the Council felt the mountains should extend out of the state, there
- 37 should be no circle, and the slogan should be separate.

38 **Item No. 10. The Providence City Council will consider assigning members of the City**

39 **Council to areas of emphasis within City departments.**

- 40 • Mayor Leonhardt felt everyone had done an excellent job.
- 41 • V Saunders was willing to accept the change. He felt each council member should
- 42 have been informed of the change. He also felt if some change, all change. He is
- 43 now in favor of the change.
- 44 • R Eck felt if someone had something in a certain area to offer, the Council should
- 45 utilize that. He did not feel it should be the intent of the Council to make someone
- 46 “well rounded.”

1 • S Gomm felt if positions were kept the whole term, then it would limit when to run
2 for office.

3 • V Saunders explained the positions were liaisons; they were not over an area.

4 Motion to accept the Mayor’s recommendation for V Saunders – Public Safety, R Liechty –
5 Planning, S Gomm – Recreation, R Eck – Streets, and D Johnson – Water and Sewer – V
6 Saunders, second – R Liechty

7 Vote: Yea: R Eck, D Johnson, R Liechty, V Saunders

8 Nay: none

9 Abstained: S Gomm

10 • S Gomm will not be attending the February 22 Council meeting.

11 Motion to adjourn – V Saunders, second – R Liechty

12 Vote: Yea: R Eck, S Gomm, D Johnson, R Liechty, V Saunders

13 Nay: none

14 Abstained: none

15 The meeting adjourned at approximately 9:30 p.m.

16

17 Minutes taken and prepared by S Bankhead.

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Alma H. Leonhardt, Mayor

Skarlet Bankhead, City Recorder