

1 **PROVIDENCE CITY COUNCIL MINUTES**

2 **January 27, 2009**

3 **Providence City Office Building**

4 **15 South Main Providence, UT**

5

6 Call to order:	Mayor Simmons
7 Roll Call of City Council Members:	Mayor Simmons
8 Attendance:	D Astle, K Baker, J Russell, D Low
9 Excused:	R Liechty
10 Pledge of Allegiance:	Denali Weibel

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12 **Approval of the minutes for January 13, 2009 City Council Meeting:**

13 Motion to approve the minutes from January 13, 2009: K Baker, D Low second

14 K Baker gave T Lewis the corrections earlier.

15 All in favor with corrections –

16 Vote: Yea: K Baker, D Astle, J Russell, D Low
 17 Nay: None
 18 Abstained: None
 19 Excused: R Liechty

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21 **PUBLIC COMMENTS:**

22 S Eames said she would like to thank the Council for listening to the public at the hearing on the County Library. She talked
23 about the Cutler Dam issue. Logan City seems to be opposed to this issue. She read an article from the newspaper and asked
24 the Council to look into this situation.

25 R Simmons said this could raise our sewer prices considerably. The City is looking into other options if this passes.

26 S Eames asked if it would be worth her time to get some people involved in this.

27 R Simmons said public comment doesn't hurt.

28 S Bankhead said her intent is to have M Pierce and someone from the State come to the March Council meeting. Staff would
29 like to have some kind of presentation presented to the Council.

30
31 **REPORT: Jill Parker will present the annual report for Bear River Health Department.**

32 Mike Weibel will present for Jill Parker. He is the Governmental Affairs Coordinator for the Bear River Health Department.
33 The Health Department is trying to present their annual report to the municipalities.

34 This is a report for 2007-2008. He passed out a pamphlet to the Council and then went through it and talked to the Council
35 about some of the different agencies that they have. He explained how they are governed. They are not part of the State
36 Department of Health. A lot of funding and rules and regulations are passed on to them from the State. He went over the
37 budget. They will be facing massive cuts from Capital Hill. He gave them the legislative update. They have 7 divisions. He
38 explained the Environmental Health Division. He talked about the Health Promotion Division. He went over the Preventive
39 Health Division. This is the area that most people know about. This division gives you your immunizations. They try to catch
40 the people that have fallen through the cracks. They have a Substance Abuse Program. With this program they have a Drug
41 Court. This is one of the programs that are on the cutting board. He talked about the WIC Program. They provide food and
42 prescriptions for children.

43 R Simmons asked what the Council does if someone's home is considered a risk.

44 M Weibel said that if the risk is only to the home they don't do anything. If they can demonstrate that there is a mouse or rat
45 problem then they can use some of their enforcement programs with the Environmental Health Division.

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48 Motion to move to the next item on the agenda: J Russell, D Low second

49 Vote: Yea: D Astle, K Baker, D Low, J Russell
 50 Nay:
 51 Abstained:
 52 Excused: R Liechty

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1 **PUBLIC HEARING (6:30 P.M.): The Providence City Council will hold a public hearing to receive comment on**
2 **amending the General Fund Budget using revenue received in a prior year for expenses in Recreation.**

3 Motion to open the public hearing: J Russell, D Low second

4 S Bankhead said in the 2008 budget in Recreation we had some expenses for our baseball program. We worked with a vendor
5 to pay them in May 2008 but they didn't get us all of their invoices. At the end of the year each account goes into a fund
6 balance. She is asking that they move some of that fund balance into this year. We need to be able to pay the old invoices that
7 didn't come until early January.

8 Vote: Yea: D Astle, K Baker, D Low, J Russell

9 Nay: None

10 Abstained: None

11 Excused: R Liechty

12 Motion to close the public hearing: K Baker, D Astle second

13 Vote: Yea: J Russell, D Low, K Baker, D Astle

14 Nay: None

15 Abstained: None

16 Excused: R Liechty

17
18 **NEW BUSINESS:**

19 **Item No. 1. Resolution 09-003: The Providence City Council will consider for adoption a resolution amending the 2009**
20 **General Fund Budget using revenue received in a prior year for expenses in Recreation.**

21 Motion to approve: D Low, K Baker, second

22 Vote: Yea: J Russell, D Low, K Baker, D Astle

23 Nay: None

24 Abstained: None

25 Excused: R Liechty

26
27 **Item No. 2. Resolution 09-004: The Providence City Council will consider for adoption a resolution rescinding**
28 **Resolution 08-047, a resolution requesting UDOT change the SR-165 Corridor Agreement.**

29 Motion to approve: K Baker, D Astle, second

30 R Simmons said we asked them to change from a category 4 to a category 5.

31 K Baker said she would still like to have a category 5.

32 D Astle asked if all it would take was cooperation from the other cities.

33 S Bankhead said she can't remember if it is a simple majority or a major majority.

34 D Astle asked who would oppose the category change.

35 R Simmons said probably Nibley.

36 S Bankhead said we have Hyrum, Nibley, Millville and Providence along with UDOT as part of the Corridor Agreement. If
37 these cities listened to their citizens they would probably disagree with us. The citizens don't want to slow down.

38 K Baker asked if Nibley was looking at changing their classification.

39 S Bankhead said it is UDOT that wants to change theirs.

40 K Baker asked if they could refuse.

41 R Simmons said no it is a State Road.

42 D Astle feels like it needs to be a category 5. If we can get it to a 5 he feels like we have a much better chance of getting a
43 signal light.

44 J Russell said he doesn't see why it can't be a 5.

45 D Low said he feels like we are all on board for a category 5. If we don't have a category 5 the economic future of
46 Providence could be stifled. He feels like this is very important to the City.

47 There was a unanimous vote to change to a category 5.

48 Motion to approve Resolution 09-004: K Baker, J Russell second

49 Vote: Yea: None

50 Nay: K Baker, D Low, J Russell, D Astle

51 Abstained: None

52 Excused: R Liechty

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54 **Item No. 3 Discussion: Ordinances regarding brew pubs.**

55 R Simmons said that Iron Gate Grill is asking that Providence discuss the possibility of having a brew pub in Providence.
56 This will require that 50% of their revenue come from food.

57 D Astle asked if this was light beer sales.

58 R Simmons said he believes they can only manufacture light beer.

1 S Bankhead said Logan City has taken what the State allowed and made it more restrictive.
2 D Astle said the State only allows one license for every 20,000 people. Why would they want to restrict this?
3 R Simmons said because they can.
4 K Baker said no competition.
5 R Simmons asked if an Iggy's or Chili's came to town could we give them a license.
6 S Bankhead said she didn't know.
7 J Russell said this is for a brew restaurant.
8 R Simmons said this is to be able to brew their own beer.
9 D Low asked if they smelled bad.
10 R Simmons said no. Everything is enclosed.
11 D Astle asked who would enforce these regulations.
12 S Bankhead said most of the enforcement has been left to the State.
13 K Baker asked if the requirements are the same as the State. They already have a liquor license and now they want a brew
14 license. Is the distance the same from schools and churches?
15 R Simmons said he believes so.
16 K Baker asked if there is an advantage to Providence.
17 R Simmons said this is a very different clientele than the White Owl. It is a place where lots of families go to these like Chili's
18 or Iggy's. It gives people a place to go for good brew and good food. Brew Pubs or restaurants are nice places to go.
19 K Baker said you can go to a Brew Pub and take it home.
20 D Astle said that is not correct. You have to buy it and consume it with your meal. Liquor sales can't exceed 50%.
21 D Low said this would be the first one in the valley.
22 K Baker said Liz Hunsaker said Logan City has been approached by someone but nothing has been done yet.
23 J Russell said this won't change the Iron Gate Grill except to increase their clientele.
24 D Low said the State gives the municipality the choice to draw the line somewhere. He doesn't like the idea of alcohol being
25 sold at restaurants at all. We need to draw a line. The City doesn't need it.
26 D Astle said this just allows Iron Gate Grill to brew their own beer. They already sell alcohol.
27 R Simmons asked if the Council would like to have an ordinance brought to the Council or just say no.
28 A young man in the audience said that he feels like there are more reasons to not give it to them than to give it to them. He
29 feels like the people in Providence wouldn't like it.
30 S Bankhead said if you give this to them it will control the amount of bars that can come into Providence. The State limits the
31 amount of businesses that sell alcohol.
32 D Low said that he would vote no.
33 D Astle said that the State has a lot of restrictions.
34 J Russell said that he would like to know more about the restrictions.
35 S Bankhead asked if the Council would like someone to come from the State to talk about this.
36 R Simmons said that is an excellent idea.
37 D Low said it is always good to listen. What would the citizens of Providence think? He feels like the consensus would be
38 no.
39 S Bankhead said the people at the last hearing for alcohol were there for removing a stop sign. They stayed for the alcohol
40 discussion. More of the citizens were for it than against.
41 R Simmons said he feels like the Iron Gate is hoping for more customers. Someone from the State will come talk to us next
42 meeting.
43 D Astle reminded the Council that the restaurant already has an alcohol license.
44 D Low asked if we really want a brew pub in Providence.
45 A lady in the audience said the Council needs to remember why they are here and who they represent.
46 S Eames said that Bobby Corey would be an excellent person to have come.
47 R Simmons said that is an excellent idea.

48
49 **CONTINUED BUSINESS:**

50 **Item No. 1. Resolution 08-047: The Providence City Council will consider for adoption a resolution allocating \$3,027**
51 **to the office of the Cache County Water Manager to study water brokering and aquifer storage and recovery options**
52 **for Cache County and its citizens.**

53 Motion to have an action item for the next Council meeting: D Low, K Baker

54 J Russell said he felt like R Fotheringham must not feel like this is very important.

55 D Astle said if we don't hear anything from him by next meeting we will vote on it.

56 Vote: Yea: D Low, K Baker, D Astle

57 Nay: J Russell

58 Abstained: None

1 Excused: R Liechty

2
3 **STAFF REPORTS:**

4 S Bankhead said it is getting close to budget goals for next year.

5 D Astle said he would like to see a couple of budget workshops.

6 S Bankhead suggested a retreat to look at what the Council would like.

7 D Astle said Zion's Bank has a very nice conference room.

8 R Simmons asked if they would like to do it on an off Tuesday.

9 K Baker said she hates to do that.

10 D Low said he would rather keep it on a Council night.

11 S Bankhead asked about February 17th. She would like to start sooner than later.

12 R Simmons said February 17th works.

13 D Astle asked if they could get a packet ahead of time to look at.

14 S Bankhead said she has started on that.

15 S Eames asked if this would be open to the public.

16 R Simmons said it has to be.

17 R Simmons said that last year we doubled the amount of salt that we used. This year Public Works is salting the hills and the intersections. If the Council sees a problem we need to talk about it.

19 K Baker said she hasn't seen any problems.

20 D Low asked if there were any accidents in Providence.

21 S Bankhead said she believes on 3rd South. There were numerous accidents in the County.

22 R Eck is really working hard at managing the overtime. He is sending the guys home early when they have overtime. They get the benefit of some overtime but not the large amounts we have seen in the past.

24 S Bankhead said there was an article in the newspaper on the 4 ten work week. She feels like we have been able to meet the needs of the citizens nicely.

26 R Simmons said we don't know what our budget will be like later on this year. The staff is looking for ways to cut expenses instead of employees.

28 S Bankhead said the sales tax revenue is up so far this year about \$2,000. We are holding our own. We should continue to hold our own. She asked the Mayor about the legislative decision about the schools getting more of the sales tax.

30 D Astle said he believes a lot of flags went up the flag pole this week.

31 R Simmons said it will cost millions more for bonding. They will be in a catch 22. It is a bond guarantee fund.

32 R Simmons said the slow down in the construction industry has caused the panic. There is a serious multiplier in residential construction.

34 S Bankhead said Zion's Bank had their ribbon cutting. R Liechty welcomed them to town.

35 Recreation soccer for district 7 is registering for spring soccer. They pay to use our fields and our building for registration.

36 Baseball and Softball sign-ups will start shortly.

37 We are looking at contracting out the snack stand this year. We do have some interest in that. We are working with our City Attorney to come up with a contract.

39 D Astle asked if we could get more than just rent for the building.

40 S Bankhead said we have talked to some caterer's and they didn't think that enough money could be made to make it worth their time.

42
43 **COUNCIL REPORTS:**

44 D Astle said that some citizens were complaining about the angle parking in front of Old Rock Church.

45 R Simmons said that it was suggested that we make Main and Center a 4 way stop.

46 S Bankhead said she didn't know if going back to parallel parking would make a difference.

47 D Astle said making that a 4 way stop might be a good solution. We need to look into that.

48 K Baker said that the Cache County Sheriff's Department was running a citizens academy. She asked if it was worth her time to attend this.

50 D Astle said he attended last year and it was worth the time. They explain how things are run. He asked if there have been any reports of burglaries in town.

52 S Bankhead asked if the sheriff's report had animal control on it.

53 J Russell said he would look.

54 D Astle said there was an article in the Sunday paper about cemeteries in the valley.

55 S Bankhead said that is something that can be talked about at the budget workshops.

56 D Low said April 20th is the day Providence was founded. There will be a celebration at the Old Rock Church around 6:00 p.m. It will be about an hour and a half with memories and skits. Then the celebration will be June 5th and 6th. He thanked Skarlet, Terri and Sheri for all of their help with this.

1 J Russell asked if anyone participated in the Scrabble contest. He also asked if we could get the letters redone on the Council
2 door.
3 R Simmons said R Eck spoke to D Duersch about a light at 300 South. D Duersch said that would be a very expensive thing.
4 It would require that UDOT use imminent domain on the south east corner. Once it meets warrant UDOT will be more
5 inclined to do it.
6 D Astle said he thought UDOT did it at their expense.
7 R Simmons said that is correct.
8 Keith Thompson came and talked to the Mayor about controlling deer in the City limits. The Mayor said he would talk to the
9 legislature about it but the people are very divided over this. It would be better to put up deer fences.
10 D Astle asked how the County Council received the Library resolution.
11 R Simmons said S Bankhead sent the Council a copy of the non-binding vote resolution.
12 S Bankhead asked if they had done anything on the 100 east funding.
13 R Simmons said we are putting this on the Obama money list. We are shovel ready.
14
15 Motion to adjourn: J Russell, D Low second
16 Vote: Yea: K Baker, D Astle, J Russell, D Low
17 Nay: None
18 Abstained: None
19 Excused: R Liechty
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21 Meeting adjourned at 7:45 p.m.
22 Minutes taken and prepared by Terri Lewis
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25
26 _____
27 Randy Simmons, Mayor

Skarlet Bankhead, City Recorder