

1 **PROVIDENCE CITY COUNCIL MEETING MINUTES**

2 **February 27, 2007**

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:** Kathy Baker, Ron Liechty, Trent Rasmussen

9 **Excused:** D Johnson, S Gomm

10 **Pledge of Allegiance:** Ron Liechty

11 **Opening:** Trent Rasmussen

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13 **PRESENTATIONS AND PROCLAMATIONS:**

14 **Item No. 1. The Providence City Council will thank the members of the Board of Adjustment for their dedication and service.**

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16 This item will be postponed until March 13, 2007.

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18 **APPROVAL OF THE MINUTES for the February 13, 2007 City Council meeting.**

19 **Motion to approve the minutes for the February 13, 2007 City Council meeting – K Baker, Second – R Liechty.**

20  
21 **Vote:** **Yea:** K Baker, R Liechty, T Rasmussen

22 **Nay:** None

23 **Abstained:** None

24 **Excused:** D Johnson, S Gomm

25  
26 **PUBLIC COMMENTS:**

- 27 • Sharell Eames heard a rumor that Mayor Simmons will recommend Larry Boothe to be Chairman of the Appeals Authority. She felt he shouldn't be appointed because he is difficult to work with and is not a current resident of Providence.

30  
31 **UNFINISHED BUSINESS:**

32 **Item No. 2. Ordinance No. 003-2007. The Providence City Council will consider for adoption an ordinance amending Providence City Code 5-1-10 prohibiting animals in City parks.**

33 **Motion to approve Ordinance No. 003-2007 amending Providence City Code 5-1-10 prohibiting animals in City parks – K Baker, Second – T Rasmussen.**

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36 • R Liechty requested that we visit this ordinance after the park ordinance has been approved.
- 37 • K Baker recommended amending the ordinance to not allow dogs in family parks.
- 38 • Mayor Simmons felt the existing parks should be listed that prohibit dogs. They are: Zollinger Park, Cattle Corral Park, Jays Well, North Park, and Meadow Ridge Park.
- 39 • T Rasmussen explained that at the last Council meeting, there was a discussion of using Von's Park to 300 South for an off-leash trail or run for dogs.
- 40 • R Liechty asked if the dogs would be leashed when they are on the trail. T Rasmussen said yes. R Liechty questioned the outcome of a dog in Von's Park during a wedding or a family gathering.
- 41 • T Rasmussen felt the area should be posted indicating no dogs are allowed in the park during the times the park is reserved.
- 42 • Linda Goetze noted that Logan's fairground rules are changed for scheduled events. There is a posting stating when dogs are allowed. She and T Rasmussen were not planning for dogs to be

1 allowed near the front part of Von's Park. They also felt the park is big enough for two areas; one  
2 for dogs, and one where dogs are prohibited. Dogs could be allowed in the wooded area if they  
3 are on a leash, but they would not be allowed near the amphitheater. She recommended placing  
4 the park to be on Spring Creek Parkway and Golf Course Road on the back burner since it is not a  
5 park at this time. Because it is not centrally located, it may never be used as a park. Secondly, she  
6 recommended a general update of dog ordinances. Providence City's ordinances were written in  
7 the 1970's and are outdated. She has ideas for changes and will give specific recommendations to  
8 the Council if they would like to hear them. She also stated that cats are becoming an issue, and  
9 that Providence City may want to look at licensing them as is being done by other cities. She also  
10 has written a provision for cats for the Council's review if they are interested. The codes can be  
11 updated to reflect legislation passed in the State of Utah this year.

- 12 • Mayor Simmons suggested approving the current ordinance now, and when this discussion is  
13 presented at a later time, it can be revised.
- 14 • R Liechty felt that allowing dogs in Von's Park will make problems because postings will be  
15 missed, and it will cause feelings with those who have reserved the park. He also felt that at times  
16 dogs can be hard to control.
- 17 • L Goetze felt that many people do not know dogs are not allowed in the park. She believes that  
18 posting signs on both ends of the park will let people know what the rules are. She also believes  
19 that dogs should be allowed in part of Von's Park.
- 20 • K Baker felt that this ordinance is to keep the dogs off of the athletic fields, and it should be posted  
21 that way. She recommended that the ordinance state that and acknowledge that the City will  
22 explore dog parks.
- 23 • R Liechty felt the ordinance should list the names of the parks that are to be used for athletic  
24 fields.
- 25 • T Rasmussen felt it favorable to have a trail built going to the canyon that allows for dogs on  
26 leashes.
- 27 • Val Simmons doesn't feel dogs have a place in public parks. He believes there are plenty of places  
28 to walk them away from where the families are. He feels that problems will arise if dogs are  
29 allowed in parks.
- 30 • Mayor Simmons said there is a dog policy used by Providence City, but currently there is no  
31 ordinance.
- 32 • K Baker recommended amending the ordinance to say, "City parks will be posted to not allow  
33 dogs, except at Von's Park, which will be taken into consideration the same time the City Council  
34 considers establishing dog parks."
- 35 • Mayor Simmons recommended the ordinance say that dogs are not allowed in City parks, but  
36 exceptions may be made at a later date by the City Council.
- 37 • K Baker did not feel the wording was firm in stating which parks the City does not want to allow  
38 dogs in.
- 39 • R Liechty suggested that the City Council not allow dogs in parks until further notice. Mayor  
40 Simmons felt the exception must be made for service dogs.
- 41 • R Liechty felt that once the discussion comes back, the ordinance can be changed to include Von's  
42 Park. He clarified that the ordinance should say dogs are not allowed in parks until further notice,  
43 with the exception of service dogs or for City approved functions.
- 44 • L Goetze presented a pamphlet published by Logan City.
- 45 • Mayor Simmons stated the ordinance should say dogs are not allowed in any park, except for City  
46 sponsored events, and service dogs. Dogs are not allowed in City parks, except for specific areas

1 authorized and posted by Providence City.

2 Motion to amend Ordinance No. 003-2007 of Providence City Code 5-1-10 to say, “dogs are not allowed  
3 in City parks, except for specific areas authorized and posted by Providence City, and for service dogs” –  
4 K Baker, Second – T Rasmussen.

5 Vote: Yea: K Baker, R Liechty, T Rasmussen

6 Nay: None

7 Abstained: None

8 Excused: D Johnson, S Gomm

- 9 • T Rasmussen felt the ordinance should say “For City sponsored events and service dogs, except  
10 for specific areas posted by Providence City.”  
11 • Mayor Simmons noted that the amendment should specify three things: City sponsored events,  
12 service dogs, or as otherwise posted.

13 Motion to amend Ordinance No. 003-2007 to say, “Dogs are not allowed in City parks, except for City  
14 sponsored events that include any animals, service dogs, and for specific areas authorized and posted by  
15 Providence City – K Baker, Second – R Liechty.

16 Vote: Yea: K Baker, R Liechty, T Rasmussen

17 Nay: None

18 Abstained: None

19 Excused: D Johnson, S Gomm

20  
21 **NEW BUSINESS:**

22 **Item No. 1. Discussion: Evan Olsen, representing Cache County, will discuss water.**

- 23 • Evan Olsen presented handouts of water issues facing the county. He met with the Mayors  
24 Association of Cache County and asked that they take the water questions back to their Councils  
25 for discussion. His purpose is to come to the Councils and ask for suggestions as to what should  
26 be done about water issues facing the County. When he gives his report back to the County  
27 Council, he will have met with over 25 groups and organizations, including the mayors of  
28 Franklin, Preston, the Franklin County Commission, and the Bear River Bird Refuge. There are  
29 ongoing meetings with the State Water Resource Director. Currently, there is no one in authority  
30 in Cache County to speak for the County, except the County Council. There are issues driving this  
31 discussion on water. The first issue is population growth. Cache County’s population will double  
32 in the next 25 years, totaling 210,000 residents. The second issue is the price of water. The  
33 Weber Basin Water Conservancy District said they have received more requests for water in the  
34 last six months than was projected for the next 20 years. He has received a request from a Salt  
35 Lake City law firm to sell his shares in a water canal company. The third item is Cache County’s  
36 water allocation of 60,000 acre feet. It will be lost if the County does not get involved. He asked  
37 for the Council’s recommendations on the three items. He asked the Council what kind of water  
38 entity they recommend that Cache County develop, and what they feel should be done with the  
39 60,000 acre feet of water in the Bear River. He said that at some point, population will outstrip the  
40 water supply. He gave the Council a 108-year water precipitation chart identifying five major  
41 droughts. In 2005, Seth Alder, who lives by Ballard Springs, noticed the wells stopped flowing  
42 for first time in history, indicating a problem that no one is aware of. He said at some point, there  
43 will be another drought. He has given Mayor Simmons a self-addressed, stamped envelope to  
44 send the Council’s recommendation in, and he would like it back within two weeks. He felt that  
45 good recommendations have been turned in by other City Councils. The Powder Mountain  
46 development has been very active in asking for some of the 60,000 feet of water. He asked the  
47 Council to make recommendations as to what should be done at the County level. A committee

- 1 will review all of the recommendations turned in, and then give a report to Cache County Council.
- 2 • Mayor Simmons asked for his recommendation on a County water management system.
- 3 • E Olsen stated that, at this time, he is not giving recommendations, because he wants the City
- 4 Councils to look at their municipalities and make a recommendation they feel is best.
- 5 • Mayor Simmons asked how the 60,000 acre feet in the Bear River would be developed. E Olsen
- 6 replied that he asked Dennis Strom, the Director of Water Resources, and he said it would take
- 7 place by a series of transfers. They are looking at making a dam in Washakie where water would
- 8 be taken out of the Cutler Dam, directed to Washakie, and then funneled to the Weber Basin when
- 9 needed. They have acquired property and have spent more than \$10,000,000 acquiring the rights
- 10 of way for a pipeline to North Salt Lake. Water could be taken from Bear Lake and piped there.
- 11 • T Rasmussen wondered if there are overriding recommendations citizens in the valley have
- 12 presented.
- 13 • E Olsen remarked that he does not want to sway input.
- 14 • K Baker wondered what Providence must do to acquire some of the acre feet of water available to
- 15 Cache Valley; would Providence City buy or apply for it.
- 16 • E Olsen felt the decision should be made by an entity that is developed by the County.
- 17 • S Eames asked who the 60,000 acre feet of water belongs to.
- 18 • E Olsen explained that in 1991, the legislature allocated 220,000 acre feet of unused water going
- 19 in to the Great Salt Lake. At that time, 60,000 acre feet of water was allocated to Cache County,
- 20 60,000 acre feet of water to Box Elder County, and 50,000 acre feet to the Great Basin. The
- 21 60,000 acre feet belong to Cache County, but it has been recommended in the legislative
- 22 community that it be reallocated if Cache County isn't interested in using it. The Weber Basin and
- 23 Jordan Valley are pursuing this quite vigorously. The legislature this year gave the water resource
- 24 committee an extra \$7,000,000 to preplan, and half of the money will pay for the pipeline to Lake
- 25 Powell and to St. George. The other half of the money is to be used in allowing Cache County and
- 26 others to develop the allocated water out of the Bear River. Preston and Franklin have also
- 27 expressed their desire to be included with Cache County.
- 28 • Dennis Carlsen asked if there is a movement that water may be retained and maintained for
- 29 agriculture. E Olsen did not know. D Carlsen also asked if it is possible for Cache County to use
- 30 Bear Lake for storage.
- 31 • E Olsen commented that every July and August, the Bear River in Box Elder County has been
- 32 low. The Bear River Canal Company has the first rights to the water. If Bear Lake fills every
- 33 year, there will be enough.
- 34 • D Carlsen informed everyone that the Bear River Canal Company will have precedence in the
- 35 water if Bear Lake goes down.
- 36 • E Olsen explained that during the last drought, the Bear River Canal Company was one year away
- 37 from drilling wells in Cache County. Bob Fotheringham, the State Engineer in Logan,
- 38 recommended that the canal company not do it, even though they have that right.
- 39 • D Carlsen voiced his opinion that Cache County does want to retain the 60,000 acre feet of water
- 40 and needs a place to store it.
- 41 • E Olsen has asked the Bear River Refuge if they would be willing to lease some of the County's
- 42 water and pay for it. However, once water is leased to an entity like that, Cache County may never
- 43 get it back.
- 44 • Gary Stauffer asked if the water is irrigation, or if it can be converted to culinary water.
- 45 • E Olsen indicated that many options are available. Cache Valley is the best place in the State of
- 46 Utah to have good, clean water. The north end of Cache Valley has water that comes out of the

1 canyon, and is used for both irrigation and culinary. Cache County could build dams to use for  
2 culinary water, and use some of the Bear Lake water as irrigation.

- 3 • G Stauffer wondered if Cache County should use springs from the Wasatch Mountains for culinary  
4 water, and use Bear Lake water for irrigation.
- 5 • Roland Jeppson implied that everyone recognizes that water is a vital issue. He felt that Bob  
6 Fotheringham would be willing to present an educational meeting with the Council. B  
7 Fotheringham is working with the Cache Valley Master plan, and the new approach is that water  
8 can be transferred within Cache Valley. The County is concerned with the economic and political  
9 power located south of the valley. It is cheaper to build a pipeline versus a road to transport water  
10 out of Cache Valley. He suggested that a study take place to determine the needs of the County. If  
11 positive action is not taken now, Cache County will be on the losing end. He recommended that  
12 all of the city councils become proactive and take a very positive approach to the water questions.  
13 He summarized that the responses so far have been very adversarial.
- 14 • Mayor Simmons informed the Council that Las Vegas has bought up thousands of acres of ranch  
15 land as far as 250 miles north to get their water. They are building 450 miles of pipeline to deliver  
16 water from Ely to Las Vegas.
- 17 • R Jeppson also informed everyone that Owens Valley in Nevada used to be a lush valley, but has  
18 become a desert due to the lack of water. He felt Cache County will end up with much of this  
19 valley's water not being available to the residents. He also felt that Bob Fotheringham may not  
20 agree with the County because his role is to allocate water to maximize the use.
- 21 • L Goetze asked if there is a useful model used to govern water. She felt that individual voters  
22 should influence the decision.
- 23 • Mayor Simmons suggested that the public write comments to E Olsen. He invited E Olsen to stay  
24 and listen to K Baker's presentation on water rights.

25  
26 **Item No. 2. Discussion: Kathy Baker will discuss her analysis of the City's water.**

- 27 • K Baker gave handouts of her water analysis to the audience. She has counted all of the empty lots  
28 that were in Providence last year and computed that if the lots were developed, the City must  
29 provide water to 2,822 lots. She did not count the foothill development. She went back and looked  
30 at the original water rights of Providence. She found mistakes on the State Water Engineer's  
31 website. When Dale's well was approved, there was more water in it. The City ended up with  
32 additional water rights in that well. Her paper indicated how many water rights Providence has  
33 from Dale's well and Alder's well. Irrigation wells are for the cemetery, Vons Park, and for a  
34 future well that has been challenged. Additionally, an exchange agreement with the Spring Creek  
35 Water Company specifies that if the City will pump the Blacksmith Fork water the City owns, it  
36 can instead take water from Broad Hollow Spring, located at the top of the canyon. There are 1.75  
37 acre-feet of water there in the exchange agreement. That gives the City water rights to 6,692,975  
38 gallons of water a day. In the wintertime, the City has filed, and it has been granted, that the City  
39 can have all of the water from Broad Hollow Spring for municipal use. The issue is how much  
40 water is used in the summer. For the last few years, the City has used more than the exchange  
41 agreement allows for municipal use.
- 42 • Mayor Simmons indicated that more water is used from Spring Creek during the summer. K Baker  
43 explained that Providence City has the water rights. The question is, if the wells are pumped on a  
44 daily basis in the summer, will the City be able to use those rights. If homes are built on the lots  
45 available, the City would need over 6,113,101 gallons of water for the peak on the hottest part of  
46 the day in the summer.
- 47 • R Jeppson implied that if the value is looked at, the City may be exceeding the limits right now. K

- 1 Baker said no.
- 2 • Mayor Simmons explained that K Baker figured what the peak would be. If everyone used that on
  - 3 a peak day, there would be about 600,000 gallons of excess water.
  - 4 • D Carlsen asked if the water from Porcupine Dam comes to Providence. Mayor Simmons said
  - 5 Providence City does not own any of the water from it. The City has Blacksmith Fork water. D
  - 6 Carlsen felt a previous meeting he attended indicated that Providence may be using that water, and
  - 7 that maybe it was for agriculture only.
  - 8 • K Baker felt it he was referring to the Blacksmith Fork Irrigation Company, which may receive
  - 9 water from Porcupine Dam, and is owned by water users.
  - 10 • Mayor Simmons felt that since Providence owns 50 percent of the water in the Blacksmith Fork
  - 11 canal, another agreement could be worked out where the City could pump Blacksmith Fork water
  - 12 for irrigation, and convert the clean water coming from Providence Canyon to culinary water.
  - 13 • D Carlsen clarified that K Baker's report does not consider irrigation water.
  - 14 • K Baker said she did not address Blacksmith Fork water, but felt it would be the same. In the
  - 15 middle of a drought, other arrangements would be made. The water availability she presented is
  - 16 what rights the City currently has.
  - 17 • Mayor Simmons stated that it has taken a year to figure out what Providence City's water rights
  - 18 are.
  - 19 • S Eames felt that Providence City owns a half of the shares in Spring Creek irrigation water. She
  - 20 wondered if the City owns any culinary shares in Spring Creek.
  - 21 • Mayor Simmons agreed that the shares are only in an exchange agreement in the summer and for
  - 22 the winter use.
  - 23 • Mayor Simmons acknowledged that of all of the developed water in Utah, 80 percent is used in
  - 24 irrigation, and 20 percent is used for municipal and industry. A State Engineer's approval is
  - 25 required to change water from irrigation to culinary.
  - 26 • D Carlsen asked how many homes are in Providence.
  - 27 • K Baker said her last count of residential connections indicated that there were 2,018.
  - 28 • D Carlsen felt that more lots are ready to be developed. K Baker agreed and felt that would make
  - 29 2,822 connections.
  - 30 • D Carlsen wondered if the City could double its size with the water available. Mayor Simmons
  - 31 said not quite. K Baker said no.
  - 32 • R Liechty clarified that the 2,800 number comes if all of the lots available were sold and filled,
  - 33 with the exception of the bench area, and he said the City has enough water for that.
  - 34 • L Goetze felt the study indicates that Providence City has rights to the water if the water is there,
  - 35 but the recharge rate must be re-evaluated. Water going into the aquifer has to be considered as
  - 36 well as how much water is going out.
  - 37 • Mayor Simmons explained that engineering calculations are based on the best available data as to
  - 38 how far the well brought down the aquifer in the worst-case scenarios. They do make estimates,
  - 39 but the City will never know until it is pumped to see how much will be used.
  - 40 • L Goetze asked if the 500,000 extra gallons are enough of a cushion.
  - 41 • K Baker explained that the report said there is enough water for the current condition. Any
  - 42 development on the foothill must bring additional water.
  - 43 • L Goetze felt the report should address global warming, which will decrease the extra amount in
  - 44 the aquifer. Mayor Simmons said the report also does not take into account that global warming
  - 45 could also increase the amount of precipitation.
  - 46 • V Simmons remarked that he has heard there isn't enough water for years, and he commended K

- 1 Baker for getting the facts. The water is there and the citizens should realize it. He commended  
2 the Council for going with the facts.
- 3 • Ned Miller asked K Baker if, in her analysis of water rights, she found any information on the  
4 capacity the wells have to pump.
  - 5 • K Baker explained that the pumps are rated almost to the gallon as to what the rights are.
  - 6 • Mayor Simmons explained that when the wells were drilled, the City installed a pump specifically  
7 for the rights of that well.
  - 8 • K Baker said that in order to check the wells, the pumps were run at peak for three days and it did  
9 not draw down the aquifer. A study showed that it did not draw down the aquifer.
  - 10 • R Jeppson explained the operation of pumps. It takes an analysis to understand whether the pump  
11 can pump at a normal capacity. It takes a study of a computer model to determine if the pump is  
12 capable of providing the pressure available. The Alder pump would not have had the capability to  
13 pump water to the higher areas. He recommended adding Providence water distribution on a  
14 computer model to determine how much water can be pumped from the well. Max Pierce told him  
15 that the system does have the capability and is able to do what it needs to, but R Jeppson felt it  
16 should be verified.
  - 17 • R Liechty felt it should be verified so the City can upgrade if it finds that the system is not fully  
18 capable.
  - 19 • Marilyn Bell questioned why water was rationed a few years ago if the City had more than enough  
20 water.
  - 21 • Mayor Simmons explained that the rationing was before Jay's well was drilled on 400 South and  
22 Main.
  - 23 • K Baker also remarked that the distribution system pumps from each of the wells to the reservoirs.
  - 24 • Mayor Simmons and S Bankhead explained that storage space has been significantly increased in  
25 addition to one well added.
  - 26 • M Bell felt there was always a problem with maintenance of wells. She believes it is expensive to  
27 pump water up the hill.
  - 28 • L Goetze felt there is not enough water for new growth in new annexations. A new well being  
29 drilled enters into new territory, allowing new water to be extracted. Many aquifers drawn on for  
30 years have dried up. She admonished the Council to be aware that aquifers are not replenished at  
31 the rate water is withdrawn. She indicated that the study doesn't take into account the annexation  
32 requests.
  - 33 • Mayor Simmons said that is why the new annexations would bring new water to the City.
  - 34 • D Carlsen said he visited with Darrell Bodrero during the water shortage a few years ago, and  
35 Darrell indicated that there were many breaks in the lines, allowing more water to be lost than to  
36 be used. D Carlsen felt the problem has been taken care of.
  - 37 • Mayor Simmons felt that everyone must remember that Utah is a dry state, but second in water  
38 users per capita. He wondered if irrigation water could be used. He acknowledged that R Jeppson  
39 spoke for years of creating a secondary water system. He indicated that 65-70 percent of water  
40 used in the summer is being spread on grass. He said, "We may want to ask ourselves if we have  
41 the right to be water hogs."
  - 42 • T Rasmussen felt the issues come down to educating the public.
  - 43 • Mayor Simmons announced that the University will put sensors in yards for free to measure water  
44 use.
  - 45 • M Bell felt the reasoning behind transferring water shares to the City was to develop a secondary  
46 water system. She asked why nothing has been done.

- 1 • Mayor Simmons said no one has ever developed a real plan for that to happen.
- 2 • M Bell felt that earlier Planning Commissions ran into problems with neighborhoods making their
- 3 own pressurized systems and not wanting to participate in a new system. She thought that is what
- 4 the City was looking towards. She also questioned how paper water transfers will fill the aquifer.
- 5 • Mayor Simmons explained that a paper transfer is a right to use the water being drawn from the
- 6 aquifer. A State Water Engineer estimates how much unallocated water there is.
- 7 • R Jeppson felt the reason it has to be allocated is because it may interfere with prior surface rights.
- 8 • K Baker said she asked B Fotheringham how he can assume the water is going south when dye in
- 9 the water went north. He explained that there are X amount of water rights, and that is all they
- 10 look at.
- 11 • S Eames felt rights transferred from Richmond were for drainage water.
- 12 • Mayor Simmons explained that the Bear River Irrigation Company has primary rights. Secondary
- 13 rights may be due to runoff, creating a secondary right for someone downstream to use, or drains
- 14 can be installed creating run-off. He said that these rights are not first order rights.
- 15 • S Eames asked if there are still third order rights.
- 16 • R Jeppson explained that the State Engineer held hearings. Part of the reason why the engineer
- 17 felt water could be transferred was because the right was used for ten years. The State Engineer
- 18 stated that testimonies demonstrated that water was flowing all of the time. Therefore, it can be
- 19 transferred to the south part of the valley.
- 20 • R Jeppson said it is the City's responsibility to make sure that Richmond does not use that share of
- 21 water.
- 22 • R Liechty explained that the transfer water was not counted in K Baker's study. If the transfer
- 23 comes through, it will add to what the City has. He is confident that on the worst days there will
- 24 be water. The City went to the best sources, and they say water is there. If the City's wells can't
- 25 pump it, the City must update them.
- 26 • S Eames asked if it will lead to an increase of cost the City.
- 27 • T Rasmussen said yes, all three wells can be running at the same time. Mayor Simmons said there
- 28 is an agreement between the Water Company and the City stating the City will only take the water
- 29 it has a right to. The rest will run down to the Bear River.
- 30 • R Liechty felt the City has the first option to buy excess water. If there is extra, the City can buy it
- 31 at the already agreed prices. Mayor Simmons said impact fees will also help pay for costs.
- 32 • G Stauffer felt another well and reservoir will need to be built. He asked if impact fees will pay
- 33 for that. He was answered yes.
- 34 • G Stauffer believes an accurate measuring system has not been installed for Spring Creek, and it
- 35 should be installed shortly.
- 36 • Mayor Simmons said the City is working on making that happen.
- 37 • Ned Miller commented that the analysis indicates that secondary water for pressurized irrigation
- 38 would be something valuable to the City, and he asked if any studies have been done.
- 39 • R Liechty said he hasn't been able to go as far as he would like with it. Cost is the issue with
- 40 pressurized irrigation.
- 41 • Mayor Simmons said an engineering study is available for the south end of town. R Liechty will
- 42 be looking at it.
- 43 • Mayor Simmons felt the City should use their shares in Blacksmith Fork water before they are lost.

44  
45  
46 **Item No. 3. Discussion: Kathy Baker will discuss traffic counts on 100 East.**



- 1 • K Baker did a study to see if the stop sign removed from 400 South made a difference on how
- 2 many people come down 100 East. R Eck placed plates on the road between 200 South and 300
- 3 South. This count calculated the length and speed of cars. An AEDT count is a 24-hour count.
- 4 She explained that the count took place on February 13th and 14th and gave a good estimate.
- 5 Fewer cars are traveling down 100 East than originally thought, indicating that traffic is being
- 6 diverted to 400 South.
- 7 • L Goetze wondered if peak times were taken into account.
- 8 • R Liechty felt roads would be busier on work days when people travel to and from work.
- 9 • L Goetze felt there was a real speeding problem. The average speed was 34 mph whereas the
- 10 posted speed is 25 mph. She would like to see some traffic calming measures.
- 11 • Mayor Simmons agreed that speeds should be lowered. He was told that if 85 percent of the cars
- 12 are within +/- eight miles per hour above the speed limit, the speed signs and controls are doing
- 13 their jobs. He prefers to have people travel slower on all of the roads.
- 14 • L Goetze felt too many cars are going too fast on that narrow of a street.
- 15 • V Simmons felt Valentines Day is a peak day.
- 16 • L Goetze asked that a speed bump be installed.
- 17 • Mayor Simmons indicated he would like to see jersey barriers. He felt many traffic calming
- 18 procedures can be implemented.
- 19 • M Bell felt those on 400 South aren't happy with the removal of the signs. K Baker felt traffic
- 20 was more evenly distributed. M Bell asked why it was removed. Mayor Simmons said it was to
- 21 distribute traffic evenly.
- 22 • Mayor Simmons said he was opposed the stop sign being installed in the first place.
- 23 • D Carlsen felt 1000 South directs traffic away from that area. He also felt that some people would
- 24 like to stop everything. There must be a thoroughfare somewhere for people to use. He suggested
- 25 that schools be built in cul-de-sacs.
- 26 • Mayor Simmons explained that school boards decide where schools go.

27  
28 **Item No. 4. Resolution 07-003: The Providence City Council will consider for adoption a resolution**  
29 **increasing the reimbursement for mileage to \$0.485 per mile.**

30 Motion to adopt a resolution increasing the reimbursement for mileage to \$0.485 per mile – R Liechty,  
31 Second – T Rasmussen.

32 Vote: Yea: K Baker, R Liechty, T Rasmussen  
33 Nay: None  
34 Abstained: None  
35 Excused: D Johnson  
36

37 **Item No. 5. Resolution 07-004: The Providence City Council will consider for adoption a resolution**  
38 **appointing members to the Providence City Appeal Authority.**

- 39 • Mayor Simmons explained that on February 7, an ordinance was adopted creating an appeal
- 40 authority. He nominated Larry Boothe as Chairman of the Appeal Authority. Larry Boothe lives
- 41 in Providence, and has a second home in Idaho and has resided in Idaho for eight years. He has
- 42 been the planner for Teton County, Idaho. He has been a chair of the Planning Commission for
- 43 Providence, and a member of the Planning Commission for Fairfax County, VA. Mayor Simmons
- 44 also nominated the following members: Dale Astle, Mike Lewis, Mary Hubbard, and Diane Astle.
- 45 Dale Astle is a former member of the Planning Commission and the City Council. He retired as
- 46 the manager of the Bank of Utah branch in Providence. Mike Lewis is a former member of the

1 Providence City Council and was the Contracts Director at Utah State University. Mary Hubbard  
2 is someone who has spent time and energy watching what has been happening in Providence.  
3 Diane Astle was the Human Resource Director for Logan City and has served on appeal boards  
4 across the state and in Logan City. The purpose of the appeal authority is to ask, "Was the law  
5 followed, and was due process followed." They are not judging merits of any proposals that have  
6 come forward.

- 7 • K Baker asked if the Council can nominate people as well. Mayor Simmons said those he  
8 nominated have agreed, but if the Council does not want to vote for them, other nominations can  
9 be made.
- 10 • S Eames didn't remember when the ordinance was passed.
- 11 • B Bagley felt that anyone having input on a previous decision cannot act on the board.
- 12 • Mayor Simmons said he was looking for people dealing with appeal issues. Mike Lewis is a  
13 stickler for rules.
- 14 • T Rasmussen said he is impressed with Diane Astle.
- 15 • R Liechty felt that even though he agrees with the names, there should be a full council before  
16 deciding and requested postponing this until next meeting.
- 17 • K Baker asked if Mayor Simmons would consider Richard Eames and Don Calderwood as  
18 members of the board.
- 19 • T Rasmussen agreed with R Liechty.

20 Motion to continue Resolution 007-004 until the next meeting – R Liechty, Second – T Rasmussen.

21 Vote: Yea: K Baker, R Liechty, T Rasmussen

22 Nay: None

23 Abstained: None

24 Excused: D Johnson, S Gomm

- 25 • M Bell felt that Larry Boothe isn't a resident of Utah and shouldn't be considered as a member of  
26 the Appeals Authority. He was involved in the Planning Commission when she built her home  
27 and feels he was involved with many of the ordinances the City now uses and could have a  
28 conflict.
- 29 • Mayor Simmons felt those kinds of issues would not be brought to the Appeals Authority. B  
30 Bagley felt the issues M Bell is concerned about could come up before the Appeal Authority again.

31 Break at 8:05.

### 32 **STAFF REPORTS:**

#### 33 **Skarlet Bankhead:**

- 34 • S Bankhead explained that R Eck is attending the Rural Water Conference in St. George.
- 35 • S Bankhead said she received a call from Spring Creek Middle School regarding curfews.  
36 Providence does not have a curfew ordinance, although the State Code does deal with it. Jonathan  
37 Jenkins, a member of the Cache County School Board, is going to see what the best system would  
38 be to use. She explained that Providence City should have policies in place to support the State  
39 Code.  
40
- 41 • K Baker asked why the school is asking about curfew. S Bankhead explained that it was brought  
42 up as a daytime curfew, but the call was regarding truancy.
- 43 • G Stauffer asked if Flying J has been contacted regarding their lights.
- 44 • S Bankhead confirmed that new lighting has been installed. She spoke with Carl Pitt and told him  
45 that they still did not meet the City Code.
- 46 • K Baker thought the lights by the pump and by the road were bright. She wondered if they could

- 1 be dimmed a little.
- 2 • S Bankhead explained that the City is trying to learn about illuminated signs and will check into it.
- 3 • B Bagley asked if DRC has addressed the canvas signs by Pier 49.
- 4 • S Bankhead indicated that the Code dealing with signs hasn't been updated yet, but it will be
- 5 looked at.
- 6 • T Rasmussen asked if the Rocky Mountain Sports sign will be moved up. S Bankhead explained
- 7 that the City could not issue a permit until the subdivision was recorded. It has now been recorded
- 8 and the permit will be reviewed and approved.
- 9

10 **COUNCIL REPORTS:**

- 11 • Trent Rasmussen stated that the addition to Von's Park will be happening within the next month
- 12 or so. Dan Turner, who is helping spearhead this project, would like to start clearing the trail and
- 13 cleaning the area around April 7<sup>th</sup>. He would like to have paths poured to the amphitheater in
- 14 May. He will give the Council more organized plans at a later date for approval.
- 15 • Mayor Simmons said this year's RAPZ tax application is due soon. He and S Bankhead are
- 16 thinking of working with the Forest Service next year to create a trail from the mouth of the
- 17 canyon to the south side of the stream all the way to the quarry to keep walking traffic away from
- 18 the road.
- 19 • S Bankhead stated that she needs the costs for the amphitheater tomorrow in order to put in a
- 20 request. T Rasmussen said he would contact Dan Turner tonight.
- 21 • Mayor Simmons asked to go into an Executive Session to discuss property acquisition.

22 **Motion to go into Executive Session – R Liechty, Second – T Rasmussen.**

23 Vote: Yea: K Baker, R Liechty, T Rasmussen  
 24 Nay: None  
 25 Abstained: None  
 26 Excused: D Johnson, S Gomm

27  
 28 Meeting adjourned at 8:00.  
 29 Minutes taken and prepared by B Turley.

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 32  
 33  
 34 \_\_\_\_\_  
 Randy Simmons, Mayor

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Skarlet Bankhead, Recorder