

1 **Providence City Council Meeting**
2 **Providence City Office Building**
3 **15 South Main, Providence UT**

4 **Tuesday, April 12, 2005 6:00 p.m.**

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

11 **Discussion Items:**

12 Name for West Yard Park:

- 13 • V Saunders liked the suggestion of Spring Creek Park. S Gomm felt it may be
14 confused with Spring Creek Soccer Park.
- 15 • The Council discussed a name which will be disclosed at a future date.

16 Accessory Dwelling Units:

- 17 • R Liechty would like to stop issuing accessory dwelling units.
- 18 • V Saunders felt they should be allowed for family members.
- 19 • V Keeslar read the City Code. V Keeslar explained the staff has interpreted the
20 code to mean a second driveway will not be allowed. V Keeslar explained second
21 curb cuts are only allowed on collector streets.
- 22 • S Gomm felt most are not obtrusive or obnoxious. But how do you control the
23 ones that turn obtrusive or obnoxious.
- 24 • V Saunders suggested wording on the deed stipulating the restrictions.
- 25 • V Keeslar felt he could present a proposed ordinance to the Planning Commission
26 on May 17.
- 27 • R Liechty requested a moratorium on accessory conditional use. This will be on
28 the April 26 agenda.
- 29 • Notice of the moratorium will be put in the May newsletter.

30 Future Agenda Items:

- 31 • None presented

32 **City Councils' Reports**

33 Mayor Leonhardt – excused

34 Council Member R Eck

- 35 • R Eck reported the City is still waiting on UP&L to install the street lights in parts
36 of Brookside Village. V Keeslar reported he visited with a resident that has the
37 conduit but no light. V Keeslar reported the City will be calling UP&L weekly
38 until the lights are installed.
- 39 • R Eck reported he was invited to a meeting at the Sheriff's Office on April 14.
40 Cache County is considering purchasing a program for aerial GPS.

41 Council Member S Gomm

- 42 • S Gomm reported she has been corresponding with several City residents.
43 Someone witnessed contractors dumping something in Spring Creek west of the
44 Head State Building. The Council felt more information was needed.
- 45 • S Gomm reported she has been asked where the field user fees are going. She
46 suggested something in the newsletter. V Saunders felt the money for user fees

1 went toward maintenance freeing up money in other areas. V Keeslar explained
2 the City used the fees to make the signs closing the fields.
3 • S Gomm requested a copy of the Library agreement with the County.
4 • S Gomm reported she received a question about intra-block development. V
5 Keeslar explained it can be done through the subdivision process.
6 • S Gomm asked about a whole idea of what Imagine Development is planning. V
7 Keeslar explained the Council is not considering changing the zone for the entire
8 development, therefore there would be no need for the concept.

9 Council Member D Johnson

- 10 • D Johnson reported the meter change out is nearly complete.
- 11 • D Johnson asked about sewer along 100 South. V Keeslar explained this is not
12 planned for this budget year. D Johnson felt this was an important connection.

13 Council Member R Liechty

- 14 • R Liechty reported Ivan Christensen feels multiple families are living in a home
15 near his residence. R Liechty reported D Robinette does not have a problem with
16 the home. R Liechty explained the City is investigating.

17 Council Member V Saunders

- 18 • V Saunders reported he and R Eck had volunteered to visit with Doran Baker
19 about acquiring property for the expansion of 1000 South. Mayor Leonhardt
20 spoke with Doran Baker. Baker is not willing to work with the City. V Saunders
21 suggested leasing the use of water shares.

22 **Agenda Items:**

23 D Johnson excused Mayor Leonhardt

24 **Pledge:** D Johnson **Opening:** D Johnson

25 **Minutes for March 22, 2005**

26 Motion to approve the minutes for March 22, 2005 – V Saunders, second R Eck

27 Corrections:

- 28 • Page 3 line 11 Fotheringham

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

30 Nay: None

31 Abstained: None

32 Excused: None

33 **Item No. 1. Presentation. Employee of the Quarter.**

- 34 • V Keeslar introduced Beth Munson as the Employee of the Quarter for the 1st
35 Quarter of 2005. V Keeslar reported B Munson is the Justice Court Clerk and
36 does an outstanding job when dealing with the defendants. He thanked B Munson
37 for her excellent customer service.

38 **Item No. 2. Proclamation. April 2005 Child Abuse Prevention Month.**

- 39 • V Saunders read the proclamation.
- 40 • Jim Paynt, from the Board of the Child and Family Support Center, expressed
41 appreciation to the City Council for their support.

42 **Item No. 3. Resolution 05-011. The Providence City Council will consider for**
43 **adoption a resolution granting a conditional use for an accessory dwelling located**
44 **generally at 959 South Grandview Drive, requested by Chris and Michelle Dunker.**
45 Chris and Michelle Dunker addressed the Council.

- 1 • M Dunker explained they would like an accessory dwelling unit for her mother-in-law. C Dunker explained this is an alternative to a nursing center. M Dunker explained in the future they can see themselves living in the apartment with their grown children living in the home.
- 2
- 3
- 4
- 5 • V Saunders explained this is a conditional use and the use ends if the home is sold.
- 6
- 7 • S Gomm asked about notification of the neighbors. M Dunker reported they have talked with the neighbors. V Keeslar explained the only formal notification required is posting the council meeting agenda.
- 8
- 9

10 Motion to approve Resolution 05-011– R Liechty, second – V Saunders

- 11 • This home is in the building permit process.

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

13 Nay: None

14 Abstained: None

15 Excused: None

16 **Item No. 4. Resolution 05-012. The Providence City Council will consider for**
 17 **adoption a resolution approving the preliminary plat for Edwards Furniture**
 18 **Subdivision, located generally at 1670 South Highway 165, requested by IHC Health**
 19 **Service.**

20 Tom Uriona, director of Real Estate IHC Services, represented the development.

- 21 • T Uriona reported subject to the plat approval, a clinic will be built on Lot 1. He reported he was not sure if a pharmacy would be included. If so it will not be a retail pharmacy, but for patient use only. This will be an insta-care facility.

24 Motion to approve Resolution 05-012 – V Saunders, second – R Liechty,

- 25 • R Eck felt there may be potential for discussion with the Macey’s Pharmacy. R Liechty did not feel there would be a conflict.

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

28 Nay: None

29 Abstained: None

30 Excused: None

31 **Item No. 5. Resolution 05-013. The Providence City Council will consider for**
 32 **adoption a resolution approving a final plat for Jensen Orchard Subdivision located**
 33 **generally at 530 East Canyon Road, requested by Carma Lee Jensen.**

34 Carma Lee Jensen represented the development.

- 35 • R Eck clarified that Lot 1 shows the existing home.
- 36 • V Saunders asked about unresolved improvements. V Keeslar explained this developer will be responsible for sidewalk along both Lots.
- 37
- 38 • C Jensen asked, because the sidewalk was the responsibility of a previous developer, if the City was willing to share in the expense of the sidewalk. V Keeslar explained, when subdivision occurs, the responsibility of the adjacent improvements is that of the developer.
- 39
- 40
- 41
- 42 • V Keeslar explained some of the sidewalk installed by Dave Wilkes, developer of the Canyon View Subdivision, will be replaced this week because it was not installed properly.
- 43
- 44

- 1 • C Jensen and Larry Hogge, 988 Foothill Drive, felt there was a boundary line
- 2 adjustment that should be shown on the plat. V Keeslar displayed a current copy
- 3 of the Plat.
- 4 • V Keeslar explained the City is not requiring
- 5 • AW Larentzen introduced himself at the attorney for Henry Schilder, the owner of
- 6 Lot 1. He explained his client is opposed to the subdivision. He explained his
- 7 client purchased Lot 1 because he did not feel a home could be built on Lot 2. He
- 8 reported his client was opposed to C Jensen adjusting the boundary line on Lot 2.
- 9 C Jensen reported she had the boundary adjustment before she sold the home to H
- 10 Schilder.
- 11 • R Eck asked if C Jensen had approached H Schilder to purchase the additional lot.
- 12 C Jensen explained it had been discussed at the time of the original purchase.
- 13 • V Keeslar explained the original application was filed in 2003. He explained the
- 14 original lot did not have adequate frontage. C Jensen acquired property from the
- 15 adjacent property owner, L Hogge, to obtain the frontage. V Keeslar explained
- 16 the Planning Commission approved the plat in 2003, but C Jensen requested time
- 17 for D Wilkes to finish the sidewalk. Since that time, C Jensen sold Lot 1 by
- 18 meets and bounds. V Keeslar explained all property owners must sign the plat. If
- 19 the owner of Lot 1 now refuses to sign the plat, the plat cannot be recorded.
- 20 • L Hogge reported there is some discrepancy on the survey lines.
- 21 • AW Laritzen explained three surveys have been done; none are the same.

22 Motion to approve Resolution 05-013 the plat and allow the property owners to negotiate
 23 the problems – V Saunders, died for lack of a second

- 24 • R Liechty expressed concern about approving the plat without knowing the final
- 25 lot lines.
- 26 • V Keeslar reported the City will review the Canyon View Development
- 27 Agreement.
- 28 • L Hogge explained there had been a disagreement on a retaining wall associated
- 29 with the sidewalk. V Saunders reported D Wilkes was not willing to build a
- 30 retaining wall.
- 31 • R Eck did not want to give anyone false hope. He felt the property owners should
- 32 work out the differences before the Council approved the plat.

33 Motion to continue until the property owners can come to an agreement – R Liechty,
 34 second – V Saunders,

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

36 Nay: None

37 Abstained: None

38 Excused: None

39 **Item No. 6. Resolution 05-014. The Providence City Council will consider for**
 40 **adoption a resolution approving a preliminary plat for Eagleview Estates Phase**
 41 **Two Subdivision located generally at Sherwood Drive and Eagleview Drive,**
 42 **requested by Jack Nixon.**

43 V Keeslar reported the applicant has withdrawn the application.

- 44 • D Johnson read the request from Jack Nixon to withdraw the application. R Eck
- 45 expressed concern with the past subdivision. V Keeslar explained there are some
- 46 problems.

- 1 • V Saunders asked if a neighboring property owner was willing to provide
2 property for the extension of Sherwood Dr. V Keeslar stated no serious
3 discussions had been held with the neighboring property owner.

4 **Item No. 7. Public Hearing - Resolution 05-009. The Providence City Council will**
5 **consider for adoption a resolution adjusting the Providence City budgets, continued**
6 **from March 22, 2005.**

7 D Johnson declared the public hearing open.

- 8 • No public comment.

9 D Johnson closed the public hearing.

- 10 • V Saunders asked about a purchasing a sweeping machine with other
11 communities. V Keeslar explained study shows it will be better for the City to
12 purchase its own sweeper. V Keeslar reported the City also contract for sweeping
13 services.

14 Motion to approve Resolution 05-009 – V Saunders, second – R Eck,

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

16 Nay: None

17 Abstained: None

18 Excused: None

19 **Item No. 8. Resolution 05-015. The Providence City Council will consider for**
20 **adoption a resolution declaring a 20' x 25' parcel of property as surplus and**
21 **authorizing a Quit Claim Deed to the adjacent property owner.**

22 V Keeslar explained a 25-foot parcel was deeded to the City in 1977. The City would
23 like to return 20-feet to the adjacent property owner.

24 Motion to approve Resolution 05-015 – V Saunders, second – R Liechty

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

26 Nay: None

27 Abstained: R Eck

28 Excused: None

29 **City Manager's Report:**

- 30 • V Keeslar presented a map showing the location of a waterline to increase water
31 pressure in the Providence Highlands Subdivision. V Keeslar explained the
32 waterline benefits the development. However, they want to install the waterline
33 in the right-of-way of a future street. They are not asking for concept plan
34 approval, but want informal approval from the Planning Commission and
35 Council.
- 36 • R Eck asked if the engineering design looked at future development. He
37 expressed concern that approving the placement of the waterline may imply
38 approval of additional phases. V Keeslar explained, if the Council does not allow
39 this line, the homes will have to be built with additional fire protection. R Liechty
40 felt the City was only giving the go ahead to the waterline. V Saunders felt
41 because the zone is still agricultural, the City would still control approval of
42 future development.
- 43 • S Gomm was comfortable with the waterline, but was not willing to say okay to
44 the street without seeing more detail.

- 1 • D Johnson asked if this would also benefit the Grandview area. V Keeslar stated
- 2 it would; but the majority of the benefit would be to the Providence Highlands
- 3 Subdivision.
- 4 • R Eck felt the benefit would happen when the City ties the line to Grandview. V
- 5 Keeslar felt the loop would be beneficial. V Keeslar explained Phase 1 is already
- 6 connecting to the Grandview waterlines.
- 7 • V Saunders felt the waterline could be installed with no promise of future
- 8 development.
- 9 • The Council expressed concern about the number of times the developers have
- 10 approached the Council with additional requests.
- 11 • The Council could see merit in the line, but were very concerned about any
- 12 implied guarantees.
- 13 • R Eck suggested the engineering be reviewed on topography only, nothing
- 14 including the street.
- 15 • R Liechty asked if the City was liable if the City approves the design and changes
- 16 occur. V Keeslar did not feel the City would be liable.
- 17 • The Council agreed the waterline could be installed with the understanding that
- 18 there were no guarantees with the placement.

19 **At any time during the meeting, the City Council may vote to go into an executive**
 20 **session pursuant to Utah Code 52-4-5.**

21 Motion to enter into an executive session – V Saunders, second – D Johnson,

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

23 Nay: None

24 Abstained: None

25 Excused: None

- 26 • The Council entered into an executive session at approximately 8:35 p.m.

27 Motion to close the executive session – R Liechty, second – D Johnson,

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

29 Nay: None

30 Abstained: None

31 Excused: None

- 32 • Council entered the open session at 9:40 p.m.

33 Motion to adjourn – S Gomm, second – R Eck,

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

35 Nay: None

36 Abstained: None

37 Excused: None

38 Meeting adjourned at 9:45 p.m.

39
 40 Minutes taken and prepared by S Bankhead.

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 43
 44 _____
 Deon Johnson, Mayor Pro-tem

Skarlet Bankhead, City Recorder