

1 **PROVIDENCE CITY COUNCIL MEETING MINUTES**

2 **August 14, 2007**

3 **Providence City Office Building**

4 **15 South Main, Providence UT**

5
6
7 Call to Order: Mayor Randy Simmons
8 Roll Call of City Council Members: Mayor Randy Simmons
9 Attendance: K Baker, S Gomm, D Johnson, R Liechty, T Rasmussen
10 Pledge of Allegiance: Deon Johnson
11 Opening: Trent Rasmussen
12

13 **APPROVAL OF THE MINUTES FOR JUNE 26, 2007 CITY COUNCIL MEETING:**

14 **Motion to approve the minutes – D Johnson, Second – T Rasmussen.**

- 15 • Page 2 of 13, line 1, “traditional” block style
16 • Page 8 of 13, line 40, Jeff Appel’s name is spelled wrong three times on pages 40, 41, and 42.
17 • Page 9 of 13, line 37, S Wyatt said there is no point in talking out.
18 • Page 12 of 13, line 9, they anticipate “the” overall project.

19 Mayor Simmons asked for a vote on the minutes with changes as noted.

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

25 Mayor Simmons asked that no comments be made on the tree removal and or about the graffiti on the
26 building next to the elementary school. He explained that the graffiti is under investigation.
27

28 **PUBLIC COMMENTS:**

- 29 • S Eames questioned the reconsideration of the Anderson Development. She said Attorney Wyatt told
30 the Planning Commission they can decide to do whatever they want. She questioned if it is also the
31 philosophy used by the City Council. She admonished the Council to use Roberts Rules of Order as
32 suggested in the bylaws. She said State law gives consideration to special needs, but in this case, there
33 was no special need. She asked that her questions be answered.
34 • R Henderson stated not allowing him to speak as a Providence citizen voicing his thoughts on the tree
35 and graffiti subjects is in violation of his civil rights.
36 • Mayor Simmons told him to go ahead.
37 • R Henderson said he wanted to demonstrate that he can discuss trees and graffiti even though there is
38 an on-going investigation.
39 • Mayor Simmons reminded him that this is a City Council meeting.
40 • R Henderson responded by saying this is an open forum and Mayor Simmons will be stopping him
41 from expressing his rights. He believes the graffiti is reprehensible and the person who did it should
42 be ashamed. He is also not happy as a Providence City resident that the trees were removed.
43

44 **DISCUSSION TO DISCUSS THE RIVER HEIGHTS COMPLEX FIRE WITH CHIEF MEAKER,**
45 **LOGAN CITY FIRE CHIEF:**

- 46 • Chief Meaker presented a handout of the fire area and expressed his appreciation for being invited to

1 speak. He said that even though the fire was called the River Heights Complex Fire, the fire was not
2 in River Heights. It was in Logan, Providence, the National Forest, and in the unincorporated area of
3 Cache County. Of the 255 acres that were burned, 33 acres (13 percent) were in Providence, 18
4 percent (7 acres) were in Logan, 49 percent (126 acres) were in Cache County, and 31 percent (78
5 acres) were in the U. S. Forest Service. The call came in at 17:09 and 11 seconds. He was the first
6 person to report the fire. He was heading home by Ryan's Place in River Heights when he saw some
7 small grass fires. By the time he passed River Heights School, he could see it flaring up the mountain.

8 He then requested a second alarm for a bench fire, which doubled the manpower. For a fire on the
9 flatlands, one engine company and one brush truck is sent. When there is a fire near the bench,
10 because of the risk of destroying housing or the National Forest, four brush trucks, two structure
11 engines, and a water tanker is sent. By the time he was able to get to the fire, he saw four distinct fires
12 and called in a third alarm. Within twenty minutes, it had become a five-alarm fire. Units responded
13 from all agencies of the valley with a total of 23 brush trucks, 10 structure engines, and five water
14 tankers. The National Forest Service also sent three SEAT (single engine air or attack tanker) aircraft.
15 They are very lightweight, maneuverable planes with very heavy retardant loads and were very
16 effective and accurate. Three of the aircraft and one helicopter were in sight within one hour.

- 17 • S Gomm asked how many drops each plane can make.
- 18 • Chief Meaker explained that heavier aircraft can make several drops. The SEATs that were used can
19 only make one. Three aircraft were rotating in from Hill Air Force Base; the turn-around time was
20 around 30-40 minutes. They basically saved the structures in Quail Bluff. The fire was contained in
21 three to four hours; no homes in Providence were in eminent danger. Approximately 105 fire fighters
22 from all agencies (including Franklin County) in Cache County were on the fire. He explained that
23 even though the Logan Fire Department serves Providence with their two fire stations, they have at
24 their disposal 13-14 fire stations. The same goes for the other cities in the valley.
- 25 • Chief Meaker explained that the cost sharing agreement in place with Logan City allows Logan City to
26 negotiate the cost of the fire after it is extinguished. The items that are to be considered with a cost
27 sharing agreement are listed in the handout. Method one said cost can be shared on acres burned. He
28 said that is what was first attempted. Logan and Providence had 20 percent of the acres burned, yet the
29 only place where federal assets were used was on Quail Bluff. The rest of the fire within Providence
30 City and Logan City were extinguished entirely with local assets. The bill climbed to \$200,000. The
31 20 percent share for Logan City and Providence City would be a \$40,000 bill with the majority being
32 tendered to the City of Providence. Logan City would not accept that because even though they had
33 20 percent of the land mass involved, 20 percent of the cost was not incurred. The vast majority of
34 cost was for the bombing runs made by the Air Force and the hand crews that were brought in to
35 protect the National Forest. He said that Logan City will pay their own costs for suppressing the fire
36 and the share of the target drops made in defense of the Quail Bluff area. The costs to date are about
37 \$3,000 in overtime for Logan's personnel. It will be absorbed by Logan City, not Providence.
38 Providence City is protected under the annual contract with Logan City and is included in the cost
39 structure. They accepted that cost methodology, and Providence City shouldn't have to pay anything.
40 With S Bankhead's blessing, he said he signed the agreement.
- 41 • Chief Meaker asked if there were any questions or comments. He felt this was one of the most
42 dangerous fires he has seen because it had the potential to burn very rapidly, and winds could have
43 taken many structures.
- 44 • Chief Meaker explained that the fire department has been preparing for this day. There have been a
45 number of fire units working on the bench in groups this summer, and they knew exactly where the
46 accesses were to get there. He gave credit to Jeff Peterson, who is a legend in the State of Utah for
47 wild land fires, to Brady Hansen from Ogden, and said that he (Chief Meaker) has over 30 years of

1 urban wildland fire fighting in California. He believes the Fire Department has a higher level of
2 training and tactics than in previous times. He commented that Logan City has the only career fire
3 fighters in the valley. Only 25 firefighters were from Logan City; the remaining were volunteers who
4 do not get paid. He praised them and reported that this is the highest level of civic service a person
5 can give.

- 6 • Chief Meaker stated that this has been a very busy season with no firefighter injuries.
- 7 • Mayor Simmons asked if this was a grass fire.
- 8 • Chief Meaker said yes. The cause of the fire was from power lines that failed, and the power company
9 doesn't know why. He explained that it is not uncommon under a heavy load for the wires to suffer
10 stress; they can break and snap. When the line came down, it energized a barbed wire fence that
11 started sparking. The fires on the hillside were caused by the fence, and the one by Quail Bluff started
12 because of the downed line. He also said this type of incident is not unheard of.
- 13 • T Rasmussen asked if the power company claims any responsibility.
- 14 • Chief Meaker said he didn't know. Logan City will send their bill of \$3,000 and see if they pay.
- 15 • T Rasmussen questioned the reclamation of the land.
- 16 • Chief Meaker said it will be up to Cache County and the Forest Service. The elevation increases that
17 would create problems such as mud flows are not found in Providence City or Logan City. He said
18 there would need to be a severe alluvial fan for something to come down to the homes.
- 19 • Mayor Simmons asked what the people who live by the grassland did to protect their homes and what
20 they should do.
- 21 • Chief Meaker said in Logan City the fire stations pooled their resources together after there were two
22 fires with fatalities a few years ago and now have an impressive public education program in place.
23 He explained that there are still homes without smoke detectors and weeds that are not being cut. He
24 explained that people who live along the interface of wildland areas should cut a 50-ft. fire break in the
25 early morning hours with their weed whackers. Standing grass three to five feet in height with a
26 multiplier factor that depends on humidity and field moistures can cause a flame length of between 9
27 ft. and 15 ft. in height. He said two-inch stubble and a person with a garden hose can be extremely
28 effective in defending their own home, and it buys time for the firemen to arrive.
- 29 • Chief Meaker also acknowledged that there are only two fire stations in Logan that covers River
30 Heights, Providence, and Logan. There are only 14 fire stations in Cache Valley, including Franklin
31 County. This incident is one of the largest in Cache Valley in terms of resource allocation. He asked
32 the Council to consider how many hundreds of homes in the valley are in the area of risk. He said,
33 "We are told to be self-sufficient, and that is true in the case of fire protection." He also said that
34 homeowners who use weed whackers can give a good line of defense. The Fire Department believes
35 in engaging the fire very aggressively as far out as possible. Had the wind shifted or another fire been
36 going on in the County, enough resources could not have been gathered to use in this case.
- 37 • D Johnson asked what the public can do to help.
- 38 • Chief Meaker encouraged everyone to defend their property at a common sense level. Stay off the
39 roads and walk to watch from an area where you don't ingest needed space. He said that an ounce of
40 prevention is worth a pound of cure. He said that pre-wetting yards does not work. He also explained
41 that if everyone turns on their hoses, it lowers the water pressure available to fight a fire. He explained
42 that it is okay to use the water as the fire approaches.
- 43 • S Gomm responded by saying that Providence residents were asked not to use culinary water.
- 44 • Chief Meaker said it was done to preserve the water for use in the fire.
- 45 • K Baker wondered how the water would be pumped if the power is out.
- 46 • Chief Meaker said there is quite an elevated tank capacity. There are 4.34 lbs per square inch for

1 every foot of elevation, making it a plus for living in the mountains. If there is a tank on the side of the
2 bench, a level straight line to the floor of the City for a 100 ft. drop is 50 lbs. per sq. in. of hydro
3 pressure. He said the Fire Department loves elevated tanks.

- 4 • Mayor Simmons asked for comment on acquiring a new fire station.
- 5 • Chief Meaker explained that Providence is now defined as an urban area. The national standard for
6 response time is five minutes for 90 percent of the homes. Realistically, 90 percent of the homes are
7 hard to reach even with the best of fire departments. He explained that everyone would like to be in
8 the neighborhood of 50-60 percent, which means 70 percent of the homes have someone on the scene
9 in five minutes or less. A substantial portion of Providence residents are outside of that window. The
10 average response time in Providence for medical emergencies is six to seven minutes. Structure fires
11 are around seven and a half minutes because it takes more time for the fire fighters to dress. In the
12 Providence Highlands and in the area of 400 South, it is a ten-minute response time from downtown
13 Logan. He said the time should be cut in half. The Fire Department has developed a framework for
14 Providence City to build a fire station and Logan City to provide the fire and medical equipment, as
15 well as staff used under the existing contract. Providence City will get their own fire department for
16 \$37,000 per year plus whatever the bond is on the building. He explained that it will be Providence
17 City's building. He said the City can choose with one-year's notice to pull out of the agreement and
18 can start its own volunteer fire department. He said the station will be an asset to Providence City.
19 When wages and benefits are factored in, for Logan City to staff one fire station with three personnel is
20 \$650,000 per year; that takes into consideration a three-person crew 24 hours per day. Providence City
21 is currently paying \$37,000 per year for Logan's service. If the bond is for \$60,000 per year, for less
22 than \$100,000 per year, Providence City will be getting a \$650,000 fire department. From the
23 standpoint of a protection level, Providence City will be leveraging its money well. Spring Creek
24 Parkway is one area being considered for a fire station. He believes a station in that area would put 90
25 percent of the population in a good, six minute response zone and will cut the response time in half.
- 26 • Mayor Simmons was hoping to have a presentation and a discussion on bonding issues on this on
27 tonight's agenda, but was unable to do so. He will have it on an upcoming agenda.
- 28 • Chief Meaker said he was "plugging for a fire station" before he moved to Providence. He hopes the
29 Fire Department is doing a good job for Providence City and would like to hear concerns.

30
31 **UNFINISHED BUSINESS:**

32 **Item No. 1. Ordinance No. 014-2007. The Providence City Council will consider for adoption an**
33 **ordinance repealing Providence City Code 11-5-8 Water Stock Transfer and replacing it with 11-5-8**
34 **Water Availability Requirements.**

- 35 • Mayor Simmons explained that this ordinance will be on the ballot this fall unless the Council decides
36 to adopt an amended ordinance.

37 **Motion to approve Ordinance No. 014-2007 – R Liechty, Second – D Johnson.**

- 38 • K Baker said the ordinance is unworkable because of various reasons, the first being with the
39 "whereases" where it discusses the water shares in 11-5-8. It says the shares have little or no value to
40 the City if they are not in municipal use.
- 41 • R Liechty clarified that it has little value unless the water right is made available by the State Water
42 Engineer, and it will be used for secondary water.
- 43 • K Baker said if the City were to transfer water rights available to the City for municipal use, it would
44 kill the irrigation company, because the company needs all of the water in the ditches. If the water is
45 taken out and put into the reservoir, half of the water is out of the ditches, and it does not leave enough
46 water for the users to irrigate.

- 1 • Mayor Simmons clarified that if 40 percent of the water was taken out of Spring Creek for municipal
2 use, it reduces the flow by 40 percent.
- 3 • K Baker felt there would not be enough water now or during any drought year. She believes the water
4 ordinance can be reworked to get rid of the “whereas” statements.
- 5 • R Liechty asked if this hasn’t been reworked for over a year. He asked for comment from the Planning
6 Commission.
- 7 • B Bagley said it has been reviewed by DRC and the attorney, the Mayor has had access to it, it has
8 been sent back for rewording, and a public hearing has been held. He believes as it stands, the water
9 transfer is weak because it deals with shares. He is asking that water must be physically available.
10 The Planning Commission voted unanimously to pass this on with rewording changes. They felt they
11 had a good ordinance to pass on.
- 12 • K Baker asked if they considered what it would do to the irrigation company.
- 13 • B Bagley is not sure because of the exchange agreement. He believes it was taken into consideration.
- 14 • R Liechty questioned the “whereas” in the ordinance (after much research with R Henderson and
15 Roland Jeppson); he hasn’t got with Bob Fotheringham to discuss the aquifers) and how it affects the
16 irrigation company.
- 17 • R Henderson said the “whereas” clause has no legal effect in terms of how the ordinance operates. He
18 said that when it is codified in their book, the “whereas” clause will not be part of the ordinance. It is
19 important because the “whereas” clauses recognize a legally true fact. The shares cannot be used in a
20 municipal system until the State Engineer and the water company approves it. He believes the
21 ordinance itself does nothing to the water company. If the water company agreed to give their shares
22 and the State approved it for culinary water, then there may be some kind of effect. He believes the
23 ordinance itself puts the irrigation water into the City if the water company agrees.
- 24 • K Baker said it will force the irrigation company to hire an attorney for an appeal every time someone
25 chooses to turn their water shares over to the City. If the State Engineer doesn’t have an appeal, they
26 will grant the request, and it will put the water company in court every single time.
- 27 • R Henderson explained that the appeal only happens if the City Administrator who is issuing the
28 certificates does it improperly, because if the property owner doesn’t have a paper from the water
29 company saying they agree and a paper from the State Engineer, then nothing happens. He believes
30 the ordinance protects the water company. If a Commitment of Service letter is issued improperly,
31 then the water company doesn’t have to file an appeal with the State. The water company would bring
32 an appeal to the Appeal Authority saying they didn’t agree with the transfer.
- 33 • K Baker commented that under Section D, it says property owners or applicants who are unable to
34 obtain favorable Commitment of Service letters may appeal, and can re-apply by obtaining entrance
35 referring to the City water rights that make additional water resources available and legally useful. The
36 next paragraph says prior to the City’s acceptance of this water right, the property owner or applicant
37 must obtain the necessary approval from the State Engineer. She said the water company is not in the
38 game at this point. It comes into the game once it appeals.
- 39 • R Henderson felt she was wrong. He said just because the water company isn’t mentioned doesn’t
40 mean someone doesn’t have to prove the water rights are legally available. They are not legally
41 available unless the water company does the transfer. It is listed under the bylaws and the State
42 statutes.
- 43 • K Baker felt this makes a very hollow process because there is no chance the irrigation company would
44 allow irrigation water for municipal use.
- 45 • R Henderson felt that if what she said was true, it protects the irrigation company from now to the end
46 of time. He asked how useful and safe the shares are the City is holding.

- 1 • K Baker said K Allsop views this differently than the water attorneys that were hired. The attorney
- 2 says the City can lease shares in company. She said they are not leasing water; they are leasing shares.
- 3 That is what the City is doing, therefore, having beneficial use of the water.
- 4 • R Henderson asked who the attorney is she is referring to. He feels this ordinance doesn't say who is
- 5 right or who is wrong with the legality of the issue. It is concerned about the availability of water.
- 6 • Mayor Simmons asked if anyone in the room leases shares from the City. He believes that around 30
- 7 percent of the yards in the City are being irrigated with Spring Creek irrigation water the City owns.
- 8 • R Henderson said leasing is legal, but the concern is with the culinary system and replacing irrigation
- 9 water. He said if K Baker's attorney is right, there is no problem; if he is wrong, then it must be
- 10 addressed.
- 11 • R Liechty confirmed that the "whereases" will not be in the ordinance.
- 12 • R Henderson said if a "whereas" is wrong, the court would ask if it is constitutional as to how it
- 13 regulates developers. He believes the court will not say the City Council is wrong. He said the
- 14 legislature is a judge or a finder of fact.
- 15 • S Gomm felt the "whereases" were wrong because it isn't what the City feels.
- 16 • R Henderson said it didn't matter unless someone wants the ordinances overturned. He believes the
- 17 shares would be of more benefit to the City if they were available for culinary use. He believes the
- 18 Planning Commission agrees with the "whereas" clauses. He told the Council they do not need to be
- 19 hyper-technical to get the ordinance right because it is just legislative background.
- 20 • S Gomm felt that B Bagley was saying the Planning Commission was being hyper-technical by
- 21 spending time to change "little words." She felt it was important the changes were made.
- 22 • B Bagley said they did it to be more technical.
- 23 • S Gomm felt the ordinance should show the same respect.
- 24 • Mayor Simmons asked if B Bagley has read Summit County's ordinance.
- 25 • B Bagley said yes.
- 26 • R Henderson read, "Whereas many water rights and shares in the water company in Providence City's
- 27 11-5-8 currently has little value for the City, unless the water rights have been made available by the
- 28 State Engineer and municipal use, or unless the City develops a secondary irrigation system." He felt
- 29 the shares would be more valuable for municipal use.
- 30 • K Baker said for the City to make the admission devalues the irrigation company. She believes the
- 31 irrigation company needs all of the water and it doesn't need Providence to say it is of no value. She
- 32 also believes it sets the stage for a lawsuit.
- 33 • R Henderson disagreed. He asked what the purpose of the water is.
- 34 • D Johnson said it is for the future of the secondary water system.
- 35 • Mayor Simmons believes there is much conjecture. The City has never done a study to see why the
- 36 City needs the water. Some members of the past Council assumed the City would take over enough
- 37 shares to take over the water company.
- 38 • R Henderson said this ordinance protects the water company. The "whereas" clause said until the City
- 39 develops a secondary water system. He said those shares are valuable to the City.
- 40 • D Johnson asked where the City would get the shares.
- 41 • R Henderson asked if there will ever be a secondary water system. He asked why anyone would want
- 42 to take the shares away from the developers or the water users.
- 43 • D Johnson asked where the water would go.
- 44 • R Henderson said it would stay where it is.
- 45 • Mayor Simmons said 70 percent of the culinary water is being used outside. He believes people in the
- 46 past have argued that the City should get shares to make it possible for outside watering and to

- 1 alleviate the need for as much municipal water to be used for outside watering.
- 2 • R Henderson asked why the City should do that when it would only serve a few people.
- 3 • T Rasmussen was under the impression from S Wyatt that “whereas” clauses do bear some weight on
- 4 the ordinance.
- 5 • R Simmons said they do have weight in some of the lawsuits. He also feels they will weaken the
- 6 City’s position.
- 7 • T Rasmussen felt he needed more clarification.
- 8 • R Henderson felt S Wyatt is worried that R Henderson will take the ordinance to court to defend his
- 9 position against the Highlands development. He believes Providence has water problems. He also
- 10 believes the “whereas” clauses give background for the judge to help him understand why the
- 11 referendum was written. He said he is not planning on using this ordinance in his lawsuit. He said he
- 12 may say that Providence is approving subdivisions when they are not complying with LUDMA. He
- 13 believes the City is now arguing through S Wyatt that there was no appeal authority at the time the
- 14 Cove and Hillcrest subdivisions were brought forth. Livability issues with the Master Plan, traffic and
- 15 water are being argued. The citizens of Providence signed the petitions to see everything brought into
- 16 compliance. He said he is disappointed that S Wyatt has brought this up. After the meeting with J.
- 17 Craig Smith and Mr. Appel, S Wyatt was sent a copy of the ordinance, and he never gave any
- 18 feedback; he had the ordinance before anyone on the City Council or on the Planning Commission
- 19 received it. R Henderson felt that DRC was never happy with this ordinance. He and his constituents
- 20 then filed a lawsuit against the City. He said they don’t like to be negative, but this is their attempt to
- 21 be constructive. He said he can say with a straight face that passing this ordinance will not affect the
- 22 lawsuits in any way.
- 23 • R Liechty asked for confirmation that the vote on the ordinance will be for the way it is written.
- 24 • S Gomm explained that it can be changed now.
- 25 • R Liechty reconfirmed that if the Council votes for the ordinance the way it is written, and if the
- 26 citizens vote for it, it will go through as it is. He believes the citizens should vote if they want to. He
- 27 believes the Planning Commission has done a good job. He also believes that if the “whereases” are
- 28 concerns, they can be taken out if the Council accepts it.
- 29 • Mayor Simmons explained that if it is accepted the way he has written it, in order to change anything,
- 30 it must be submitted to DRC, the Planning Commission, and to the City Council. If the vote is
- 31 adopted as is, it comes off the ballot.
- 32 • R Liechty believes that if the ordinance is accepted as it is, it will be a tight, strong ordinance; maybe
- 33 stronger than desired. He believes the City could always take things out if problems arise, but it would
- 34 be impossible to make it stronger.
- 35 • S Gomm felt it should be adopted right the first time. She suggested letting the vote happen, and if the
- 36 Council adopts something they feel is right, they can explain to the people that the Council has
- 37 compared the two proposals, and if the people don’t like the one the Council adopted, they have an
- 38 alternative.
- 39 • R Liechty asked what she meant by doing it right. He then asked who made the changes to the draft
- 40 proposal.
- 41 • Mayor Simmons said the draft is how he would change it.
- 42 • S Gomm likes the proposal Mayor Simmons wrote, especially the requirement for a supply and
- 43 demand study.
- 44 • K Baker explained that each time the proposal has been presented, she hasn’t felt like anyone
- 45 understands the irrigation company’s water issue. She would like to see a strong ordinance for the
- 46 City, but she does not want it to kill the irrigation company.

- 1 • T Rasmussen felt his neighbors were led to believe the water problem in Providence was more severe
2 than it is because of the misinformation they have received. He feels the people should know what
3 they are getting. He wondered if radio spots could be used to educate the citizens.
- 4 • S Gomm felt that if the City adopts the ordinance they feel good about, the Council can recommend to
5 the people to study the two ordinances and compare the two, and then the Council can explain the
6 rationale behind their decision. She felt the best thing to do would be to let the people make an
7 educated decision.
- 8 • T Rasmussen felt his neighbors were in panic mode because of what is in the proposal. He believes
9 that if there was some serious merit with the ordinance; there could be some very serious valid
10 arguments that could help relieve the minds of the people.
- 11 • K Allsop believes he knows more about this ordinance than anyone in the room. His clients have
12 sponsored this, and he asked to address the concerns that have been raised.
- 13 • D Johnson referred to the reply from Craig Smith. He feels there are too many “whereases” and “ifs.”
14 He also believes, like C Smith mentioned, to go over this piece by piece. He said Craig Smith does not
15 see any benefit in adopting this ordinance or anything similar. He felt it both would tie Providence
16 City’s hands and make potential damaging admissions. He said C Smith said he would be happy to
17 discuss this further at the City’s convenience upon his return. D Johnson said he cannot move forward
18 with the way it is written.
- 19 • R Henderson said he had a conversation with C Smith in Mr. Appel’s office relating to the letter.
- 20 • D Johnson told R Henderson he would like to hear the discussion from C Smith.
- 21 • S Gomm asked if D Johnson has read the proposal to amend. She felt that referring back to C Smith’s
22 letter, this proposal to amend was something “like it.”
- 23 • Major Simmons said he doesn’t necessarily agree with C Smith. He believes there are many good
24 things in the proposal.
- 25 • S Gomm said some things are valid.
- 26 • D Johnson agreed, but he also believes the City should pay attention to C Smith because of his past
27 experience with water.
- 28 • Ken Bradshaw, who is also an attorney, represents the Redstone Development Checketts Farm, LLC.
29 He knows C Smith well and has high regard for him. He feels C Smith is one of the brightest water
30 engineers in Utah. He encouraged the Council to pay attention to what he said. He explained that the
31 “whereases” are important. He said it is a misstatement to say they are not part of the ordinance if it is,
32 in fact, adopted. He believes Mr. Henderson meant to say that when they are “codified” in the City
33 code, the “whereases” would not appear, but the text would. He suggests, along with C Smith, from
34 an attorney’s stand point, there are a number of additions in the text that ties the City’s staff and the
35 City’s hands, operational as well as administrative. He encouraged the Council to be careful. He also
36 said that no one is here to say the City ought not to have a process in which the public can participate,
37 but this ordinance is not the vehicle to get the City where it wants to go.
- 38 • R Henderson said C Smith admitted he hasn’t had a chance to read the ordinance. R Henderson said
39 Janice Urich indicated that this was a good ordinance. He said he gave a copy to the Planning
40 Commission. He said Mr. Bradshaw represents an entity that wants to annex and build and who may
41 be affected by this ordinance if it passes. He felt the Council should take K Bradshaw’s comment with
42 a grain of salt.
- 43 • Mayor Simmons asked R Henderson if he said there must be a yea or nay vote tonight.
- 44 • R Henderson explained that there is a 30-day deadline that should end soon.
- 45 • S Gomm believes that if a decision is to be made tonight, the Council can vote for this, against this, or
46 to vote for the proposal to amend and then amend what is adopted.

- 1 • R Liechty disagreed and felt it must be yea or nay vote.
- 2 • Mayor Simmons stated that if the Council doesn't vote yea to this, it will go on the ballot.
- 3 • S Gomm explained that if the Council says yea to this proposal, it is a nay to the ordinance, and it will
- 4 go to the ballot. She suggested adopting the revised ordinance, explain to the people the two
- 5 ordinances, and then let them know which one the Council will be voting for.
- 6 • Bob Bissland believes that since January, he has been here a number of times where developers have
- 7 been allowed to speak for 45 minutes or more. He wondered if the Council is going to allow K Allsop
- 8 a chance to speak. He also believes this is a strong council.
- 9 • K Baker answered that she has spoken to K Allsop many times and knows his position. She asked the
- 10 Council if they would like him speak.
- 11 • K Allsop stated that he and K Baker have not understood each other, and he would like to address her
- 12 concerns.
- 13 • K Baker felt K Allsop understands water, but he doesn't understand water irrigation. She sees this
- 14 ordinance damaging the irrigation company and believes it cannot be passed the way it is. She also
- 15 feels that he has side-stepped the issues. She asked him if he has really thought about what it does to
- 16 the irrigation company.
- 17 • K Allsop gave an example of an irrigation company who requires the property owner to give his
- 18 irrigation shares to the City, but the City was unable to use them.
- 19 • K Baker commented that K Allsop believes it is illegal for the company to use its shares. She believes
- 20 the discussion goes off in separate directions at the beginning because he doesn't feel it is legal.
- 21 • K Allsop referred to the State Constitution.
- 22 • K Baker said the section says water can be leased, but not water rights.
- 23 • K Allsop read Article 11, Section 6 from the Utah Constitution which says no municipal corporation
- 24 shall directly or indirectly lease, sell, alienate, or dispose of any works, water rights, or any associated
- 25 water supply now or hereafter, but all such waterworks, water rights, and/or associated water now or
- 26 hereafter required by any municipal corporation shall be preserved maintained, operated by ordinance
- 27 for supply. He believes this article is straight forward. He has looked at a case law connected with this
- 28 section, and feels it doesn't suggest that it has been weakened at all. He felt this law is very broad as it
- 29 discusses water interests.
- 30 • K Baker said they are leasing shares in a corporation. She said Jeff Appel told the board of the water
- 31 company that he thought it was legal to lease the shares in the water company and to call them shares
- 32 in a corporation. They are not water rights; they are shares in the corporation. He did so as the
- 33 attorney for the water company. She also said the previous lawyer said the same thing.
- 34 • K Allsop doesn't believe J Appel said that. He believes it could be possible for a court to say, "Yes,
- 35 shares in a water company are separate than water shares," but he doesn't believe it is likely based on
- 36 his legal training.
- 37 • Mayor Simmons asked if he has any water rights training in Utah.
- 38 • K Allsop said he had and then named his credentials.
- 39 • S Gomm feels there are two opposing views and believes their arguments are a waste of time.
- 40 • R Liechty felt that no matter what is accepted, attorneys on both sides will differ in opinions.
- 41 • K Allsop said, in addressing the question, the worst possible situation is if Providence City, the owner
- 42 of the shares, is not using them appropriately and it is tipped off to the State Water Engineer. In the
- 43 current situation, if K Baker is right, the water company and the City do not have much to lose. If
- 44 interpreted the way he sees it, the State Engineer could cause the water company to forfeit the
- 45 underlying base water rights represented by the City's portion of water shares. About 25 percent of the
- 46 water company can be taken away. He feels the State Engineer's office will try to avoid that result.

1 The water company would lose those shares, and if it is smart at that point, they would say,
2 “Providence, you caused us to lose those shares, you are going to carry the burden by losing your
3 shares in the company.” He said the State statutes could provide for the water company to do that.
4 The water company would also lose because if the company’s rights were reduced by 40 percent, the
5 company would have a difficult time functioning in the way it has in the past. To fix the problem, the
6 City must find a way to use those water shares appropriately. A system should be set up to water the
7 parks so they will not lose the shares. He believes the ordinance is good for the irrigation company
8 and for the City because it protects the water shares from being lost, and it is good for the municipal
9 water supply. He said people do not know what is going on with their water. The water ordinance
10 requires that Providence City’s Water System Master Plan, which was revised in 2000, be brought up
11 to date and made current every five years. He said the planning of municipal and secondary use of
12 water is based on that plan. He believes it will protect the water company and the City by remedying
13 the situation. He said he doesn’t know the future of Spring Creek Water Company. The water
14 company does not approve conversion of water shares from irrigation to municipal use. He said State
15 Code requires that the water company sign off on it, but he hasn’t read where the water company has
16 had to do it. He believes the only risk is that if things aren’t operating appropriately, the water
17 company could lose their water.

- 18 • K Baker referred to Section E. She then stated that there is no way for the irrigation company to know
19 that the applicant is doing this. She said he is going straight to the engineer and asking for the water;
20 no one has notified the irrigation company so they can appeal it and it is a danger.
- 21 • R Liechty felt the State Engineer couldn’t approve it until the applicant came to the water company.
- 22 • K Baker stated that if the State Engineer approves it, the water company must appeal it.
- 23 • K Allsop believes the State Engineer will tell them to get the water company to sign off on it. It is
24 required in 73-3-3.5. K Baker said if the engineer ignores it, it will require an appeal.
- 25 • K Allsop said the State Engineer will not approve it unless the water company signs.
- 26 • Mayor Simmons asked how it applies to the transfer from Richmond.
- 27 • K Allsop said he isn’t knowledgeable on that subject.
- 28 • R Henderson felt that if the State Engineer does approve it, the ordinance puts a second appeal source
29 in. He said the law is there to allow the mistake to be corrected.
- 30 • K Baker said the water company doesn’t have much money, and they cannot afford a lawsuit.
- 31 • R Henderson felt it to be no different than the current situation. He said the ordinance puts in place
32 extra protection.
- 33 • K Allsop referred to Section 73-3-3.5 of the Utah State Code which refers to water rights. He felt it
34 changes the point of water diversion. It says the water company must make a decision on the request.
35 He explained that these codes direct the State Engineer in his responsibilities.
- 36 • K Baker asked who notifies the water company about the applications.
- 37 • K Allsop said the shareholder will come to the water company for approval before they go to the State
38 Water Engineer. As this is written, there will be changes of use approval presuming the developer
39 wants to change it to municipal use. There is a possibility the developers will be able to bring the
40 water not for municipal use and be able to get approval for their subdivision. He said if Providence
41 City sets up a partial or secondary water system, they can say we need more shares in the water
42 company to supply the secondary system. Then the developer will be able to provide shares to relieve
43 the system. The Water Company and Providence City will benefit.
- 44 • R Henderson said the developers can bring water. If they ask for more shares in the water company,
45 someone can give shares to the municipal water, and the water company will say, “That is great
46 because they are being used in an appropriate way.” He said the Council must decide what to do with

- 1 the secondary system.
- 2 • Val Simmons asked how it will have an adverse affect on a development.
 - 3 • R Henderson said it would be applicable, not adverse.
 - 4 • K Allsop said when a developer applies for rezone, the State laws would apply. He said that
 - 5 Providence City ordinance currently requires a dedication of shares or of some kind of water right. A
 - 6 developer can do that by giving shares from the Spring Creek Water Company that are not valuable to
 - 7 the City right now unless K Baker is right in her interpretation.
 - 8 • K Baker agrees that Providence City needs a stronger water ordinance. She prefers the ordinance that
 - 9 has been revised, not the one the Planning Commission approved. She likes the new chapter B, and
 - 10 that the “whereases” are stricken.
 - 11 • S Gomm said she likes the new section B also. She said the thing K Baker brought up about water
 - 12 irrigation, the old Section E, is still in.
 - 13 • B Bissland said the ordinance was reviewed by DRC and by the Planning Commission. He questioned
 - 14 why it wasn’t changed in March. Mayor Simmons said it is something he would have discussed with
 - 15 R Henderson if he had met with him.

16 Break at 7:45.

17 Resumed at 7:55 p.m.

18 Motion to adopt the amendment of the proposed ordinance with two changes: 1. The new letter C, the last
 19 line, with a one-year period; and, 2. The new letter F, which states prior to the City’s acceptance of the
 20 water right, the property owner or applicant must obtain the necessary change of use approvals pursuant to
 21 Code 73-3-3.5 from the water company and from the State Engineer – S Gomm, Second – T Rasmussen.

- 22 • K Baker asked if the first request must be denied.
- 23 • S Gomm said she checked and the word “amended” must be used.
- 24 • Mayor Simmons asked if this is a substitute motion from R Liechty’s original motion. S Gomm
- 25 answered yes.
- 26 • D Johnson asked if there were only two changes. S Gomm said there were two changes plus those
- 27 made by Mayor Simmons.

28 Vote: Yea: K Baker, S Gomm, D Johnson, T Rasmussen

29 Nay: R Liechty

30 Abstained: None

31 Excused: None

- 32 • Marilyn Bells believes the hard work and perseverance given by the Planning Commission is not being
- 33 taken into consideration by the City Council.
- 34 • Mayor Simmons noted it and explained that the Planning Commission is a recommending body; the
- 35 City Council is an enacting body.
- 36 • B Bagley asked why the Planning Commission didn’t see the revised ordinance first. He felt Mayor
- 37 Simmons has seen the proposed ordinance for quite some time and could have acted upon it quicker.
- 38 • Mayor Simmons asked that B Bagley talk to him later.
- 39 • Mayor Simmons explained that New Business Item No. 1 and No. 4 will be postponed. He also
- 40 apologized to K Allsop. He expressed that when asking for his credentials in water law training, he
- 41 wasn’t questioning the quality of his education.
- 42 • S Gomm asked if the changes in the storm water will be discussed at the next meeting. She suggested
- 43 listing the important changes in the City Council packet.
- 44 • Mayor Simmons recommended that she discuss this with K Baker.
- 45 • K Baker said it is very complex; it is not an easy issue.

46

1 **NEW BUSINESS:**

2 **Item No. 1. Ordinance No. 016-2007. The Providence City Council will consider for adoption an**
3 **ordinance amending Providence City Code Title 7 Public Ways and Property by adding Chapter 8**
4 **Storm Water Generally, Chapter 9 Storm Water Managements, and Chapter 10 Storm Water**
5 **Construction Activity Permit.**

6 This item has been moved to the next City Council meeting.

7
8 **Item No. 2. Resolution 07-031. The Providence City Council will consider for adoption a resolution**
9 **approving a lease agreement with De Lage Landen Financial Services leasing two Sharp color**
10 **digital copiers.**

11 Motion to approve Resolution 07-031 – T Rasmussen, Second – S Gomm.

- 12 • K Baker questioned why the lease wasn't with Les Olson rather than a third party.
- 13 • S Gomm explained that many companies like Les Olson use a third party for their financing.
- 14 • R Liechty questioned how long the lease is for and if the City can purchase the copiers.
- 15 • S Bankhead explained that a buy-out clause is in place. In a municipality, there is an exception that a
- 16 five-year lease goes from year-to-year in case the legislative body changes their mind; it is understood
- 17 upfront that this is not binding. The five-year term is renewed annually. There is a separate annual
- 18 maintenance agreement in place, because if the agreement is written in the lease, they estimate the
- 19 number of copies that are to be made, and if that number of copies isn't made, the City must still pay
- 20 the same amount. If the amount of copies is over their number, the City pays the extra cost.

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

26 **Item No. 3. Resolution 07-030. The Providence City Council will consider for adoption a resolution**
27 **amending the Design Standards for Commercial District by changing Planning Commission to**
28 **Land Use Authority.**

- 29 • S Bankhead explained that this is the policy for design standards.

30 Motion to adopt Resolution 07-030 amending the Design Standards for Commercial District by changing
31 Planning Commission to Land Use Authority – S Gomm, Second – D Johnson.

- 32 • Mayor Simmons explained that the Planning Commission will act as the land use authority and act as
- 33 the Planning Commission in other duties.

34 Vote: Yea: K Baker, S Gomm, D Johnson, R Liechty, T Rasmussen
35 Nay: None
36 Abstained: None
37 Excused: None
38

39 **Item No. 4. Resolution 07-029. The Providence City Council will consider for adoption a resolution**
40 **approving the elections judges for the primary election to be held September 11, 2007.**

41 This item has been moved to the next City Council meeting.

42
43 **STAFF REPORTS:**

44 **Skarlet Bankhead:**

- 45 • The concert in the park will be held this coming Monday evening and the Simmons Brothers will
- 46 perform.
- 47 • The spring recreation sports have wrapped up, and 4-on-4 soccer and tiny tot kickball for 3-4-year-olds

- 1 (created by Destry Merritt) are starting. There was an amazing turnout for the kickball program.
- 2 • S Gomm asked if the age to be a referee is 16 years old.
 - 3 • S Bankhead said 14 is the beginning age. Referees will be used for soccer, but the coaches will keep
 - 4 kickball in line. She thanked D Merritt for doing a fantastic job, and explained that D Merritt left
 - 5 Providence City because her husband accepted a job in Farmington. They are now living in Syracuse.
 - 6 She noted that Sheri Ward is taking over the recreation responsibilities. Also, a request for bids for the
 - 7 turkey sauerkraut dinner has been sent to different vendors.
 - 8 • S Bankhead noted that in both recreation and Public Works, temporary employees are done and are
 - 9 going back to school. Crossing guards will start at the latter part of next week.
 - 10 • S Bankhead also noted other changes. Becky Turley will not be able to work the hours needed and
 - 11 will say good-bye. Katie McDermott will be working with the minutes and with land use issues. Terri
 - 12 Wennergren will be coming to the front office, replacing D Merritt in a round about way. She said,
 - 13 “We are sad about losing two very good people, but are excited to get two new faces.
 - 14 • S Bankhead said the 400 East sewer extensions were started and work is progressing on track.
 - 15 • S Bankhead did not get an update from R Eck on extending the sewer down 100 South. She said it
 - 16 will be the next project to be put out for bid. She explained that if it does become mandatory, it will be
 - 17 mandatory that hookup fees are paid and that connections are in place by October 2008.
 - 18 • She said the Center Street project is going strong. The workers are trying to complete the project as
 - 19 soon as possible. She also commented that they were helpful the night of the fires; they stayed with
 - 20 their equipment to make fire breaks.
 - 21 • On extending Logan’s 100 East MPO project, the most recent study is in the office for preview.
 - 22 • An open house was held on the Highway 165 access study. Gray Turner made the presentation. She
 - 23 noted that people were concerned with spacing traffic control. She said things look positive for a
 - 24 traffic light on Providence’s 300 South. She also said the traffic light on Highway 89-91 turned on a
 - 25 week ago today.
 - 26 • Mayor Simmons declared that a letter must be sent to UDOT in two weeks regarding the requirements
 - 27 for the 300 South traffic light.
 - 28 • S Bankhead said Darin Duersch, Brian Humphreys, and the representatives from UDOT are being very
 - 29 accommodating within UDOT parameters. They still want to move cars from Hyrum to Lewiston and
 - 30 want to streamline the process.
 - 31 • S Bankhead explained that at the request of the Planning Commission, a committee was put together
 - 32 consisting of Mayor Simmons, K Baker, J Russell, J Mock, R Eck, Max Pierce, and herself. They
 - 33 have begun working on a transportation plan for the General Plan. She said the County is working on
 - 34 its transportation master plan as well. She also explained that a meeting was held with Wendell Morse
 - 35 (the County-wide planner), Jeff Gilbert (the County transportation planner), Bob Beutler with the
 - 36 Cache Valley Transit District, John Russell, Randy Eck, Max Pierce, and K Baker from the City
 - 37 Council last Tuesday to lay groundwork for incorporating the ideas into a plan, and also to discuss
 - 38 road uses today and road capabilities. They will meet every Tuesday afternoon. She noted that it will
 - 39 come to the Planning Commission soon. She explained that many residents are concerned with the
 - 40 transportation issues and plans. The plan is also in harmony with the County’s plan.
 - 41 • S Gomm asked if another council member could be on the board. She was answered yes. The meeting
 - 42 is held at 2:00 p.m. every Tuesday.
 - 43 • S Bankhead explained that Jason Burningham, who is working on impact fee updates, is to have the
 - 44 preliminary draft for the public safety element of the impact fee analysis. She hasn’t received anything
 - 45 from him at this time, but believes it should be coming. She also said it should be scheduled on the
 - 46 next City Council meeting to discuss the fire station.

- 1 • She felt that the Sheriff's substation and using the City shop area has been beneficial to the
2 community. She believes that if Providence City works with the fire department on the same lines, it
3 would be better for both Logan City and Providence City.
- 4 • S Bankhead noted that online utility payments are now available. She suggested that the Council look
5 at the website, under Providencecity.org.
- 6 • She said "Meet the Candidate" night is scheduled and was scheduled strategically for the benefit of the
7 candidates. It will be held the same night as Spring Creek Middle School's back to school night. The
8 logistics are being worked out. She explained that Staff is trying to get a moderator who isn't from the
9 City to formulate the questions. The League of Women's voters feel they are too unorganized to be of
10 assistance, and the students from the Hard Rock News are not in school yet. She expressed that it will
11 be ready for the candidates. The date will be August 29, 2007. If there is a huge conflict, it may be
12 preferable to move it to the 30th.
- 13 • S Bankhead noted that September 11 is election night and it is the night the City Council should hold
14 their meeting; however, it will be up to the City Council to decide whether to change their meeting to
15 another evening since this building will not be used as a polling place.
- 16 • Mayor Simmons said he has a meeting that night.
- 17 • T Rasmussen suggested canceling the meeting.
- 18 • Mayor Simmons suggested that it be rescheduled.

20 **COUNCIL REPORTS:**

21 **R Liechty:**

- 22 • R Liechty asked if bids will be accepted for a new attorney.
- 23 • R Liechty also expressed his concern in drawing down aquifers if the water transfers are approved. He
24 doesn't believe anyone has studied how to regenerate the aquifer. He suggested looking into it
25 between November 1 and April 1 to get an accurate idea.
- 26 • D Johnson said he and Dee Barnes tried to put it into force. Brigham City takes their water from
27 Mantua and runs it to their pump stations. He believes the same thing can be done with Spring Creek
28 with the water the City isn't using. He believes that with a small amount of money and the amount of
29 water in excess, it is feasible to run the supply into the aquifer through the pump station.
- 30 • R Liechty felt it would be a great deal.
- 31 • K Baker explained that the City currently uses Broad Hollow water in the culinary system. She
32 believes that every little bit helps.

34 **D Johnson:**

- 35 • D Johnson said he sat in with the Library Board and was pleased with the meeting. He said 350 youth
36 took part in the summer reading program.
- 37 • D Johnson believes the sewer project is moving along well. He said the next project will be 100 South
38 and hopes it can soon be open for bid. He wondered if citizens from the Hillsborough and the 100
39 South areas must pay the impact fee in force at this time or whether they pay the fee residents paid at
40 the time the sewer was installed.
- 41 • Mayor Simmons said they will be charged the same as when the sewer was first installed.
- 42 • D Johnson explained that as far as the holding tanks go, no one in the valley holds more water than
43 Logan, but Providence comes in second. He said there was enough water pressure to fight the fire
44 even though the power was out, and he believes the citizens of Providence should know that. He said
45 Providence has almost 5 million gallons of tank pressure.
- 46 • K Baker expressed her concern with Providence City's lack of a back up generator because when the

1 power went out during the fire, R Eck requested using the irrigation water because there was no power
2 to run the pump.

- 3 • Mayor Simmons said Rocky Mountain power offered more generators, and he does feel the City needs
4 a backup system.

5
6 **K Baker:**

- 7 • K Baker received a letter from Laura Fisher and Bob Bissland requesting the City look into why the
8 trees on Center Street were taken out. She explained that R Eck had asked for her opinion as well as
9 the opinion of others. She believes that it is in his purview to take care of the roads, sidewalks, and
10 trees. She also noted that City policies were followed. She explained that R Eck copied pictures of the
11 trees to view. She felt the trees had been massacred so badly that they needed to be replaced. She
12 explained that the space between the trees and the sidewalk was narrow and felt the trees should be
13 replaced.
- 14 • R Liechty felt R Eck should have had a recommendation from an arborist.
- 15 • K Baker remarked that Mark Malmstrom has been so busy that he was unable to be reached.
- 16 • T Rasmussen said Chris Miller expressed concern with the way Utah Power & Light dissects the
17 middle out of the trees. He felt the snow potential can cause weak spots as well. He said it is a
18 common practice throughout the City, and he believes the tops of the trees must be cut back as well.
- 19 • Mayor Simmons has had conversations with others to see if they will contract with Providence City to
20 trim the trees.
- 21 • T Rasmussen stated that there are many problem areas. He said Utah Power and Light gets fined
22 \$10,000 with each individual tree if the trees are growing into the power line.
- 23 • R Liechty stated that he had professionals say his trees have been stressed enough that they will not
24 make it.
- 25 • S Bankhead thanked Melinda Petro and Rob Gines for decorating the community booth for the County
26 Fair.
- 27 • Mayor Simmons requested that a letter be drafted to them.

28
29 **Mayor Simmons:**

- 30 • Mayor Simmons reminded the Council that the League of Cities and Towns meetings will be held next
31 month. The City will pay the expenses of those Council members who would like to attend. He
32 recommended that if they go for the Wednesday luncheon, they get reservations immediately because
33 it will be quite an event. He explained that they decided to have a Municipal Citizen of the Century to
34 be honored, and that award will be given to President Gordon B. Hinckley. The Mormon Tabernacle
35 Choir will be performing, and many General Authorities have been invited as well as other dignitaries.
36 He said the number of people who will be able to attend is being reduced dramatically. David
37 McCullough and John Adams will also be speaking. Three-Dog Night will be in concert. He noted
38 that a mobile workshop will be held on Thursday in Farmington to see conservation subdivisions. He
39 feels it is the best training found so far. He will encourage the Planning Commission to attend
40 Thursday if they can't attend the whole time. It will be held at the Sheraton City Center. He noted
41 that one speaker for the Planning Commission will be Dave Church. He also added that Dave Church
42 will be attending the Planning Commission meeting next Wednesday night to give a presentation
43 similar to the one he will be giving in Salt Lake City.
- 44 • Mayor Simmons also referred to a new law in force. He explained that if you go through a stop sign
45 while using a cell phone, or doing anything that is distracting, the fine of \$320 will be imposed.
- 46 • K Baker received information on funding of a walking tour in historic Providence. They will know by

- 1 the end of September if they can get the grant. Also, they will be notified if the downtown area will be
2 designated as a historic district.
- 3 • Mayor Simmons said the Historic Preservation Committee will attend that meeting and that anyone
4 else is welcome to go.
 - 5 • Mayor Simmons will get Mack McKee, the director of the water lab, to speak on his views of water in
6 Cache County during the August 28, 2007 meeting.
 - 7 • Mayor Simmons explained that the residents of Hillsborough have until October 1, 2008 to hook up to
8 sewer. He said that Hillsborough will pay \$900 for the impact fee.
 - 9 • Mayor Simmons commented that Stan Checketts and John Booth would like to hold a “Meet the
10 Candidates’ Night” after the primary election. They will provide a free dinner at the Celebration
11 Center. They are asking for \$25 per person, and the funds will go to the City beautification fund.

12 Motion to go into executive session to discuss litigation and personnel issues – S Gomm, Second – R
13 Liechty.

14 Vote: Yea: K Baker, S Gomm, D Johnson, R Liechty, And T Rasmussen
15 Nay: None
16 Abstained: None
17 Excused: None
18

19 Meeting adjourned at 9:00 p.m.
20 Minutes taken and prepared by Becky Turley.
21
22
23

24 _____
25 Randy Simmons, Mayor
26
27

Skarlet Bankhead, City Recorder