

1 **Providence City Council Meeting**

2 **Providence City Office Building**

3 **15 South Main, Providence UT**

4 **Tuesday, August 23, 2005 5:30 p.m.**

5 **Attendance:** Mayor: Alma H. Leonhardt

6 Council: Randy Eck, Stacie Gomm, Deon Johnson, Ron Liechty, Vic
7 Saunders

8 City Recorder: Skarlet Bankhead

9 Public Works Director: Dee Barnes

10 City Engineer: Max Pierce

11 **The Providence City Council will hold a study session at 5:30 p.m. in the City**
12 **Council Chambers. This session will be open to the public; however no public**
13 **comment will be heard and no action will be taken on agenda items.**

14 Providence Town Center - Carl Pitt represented the development.

- 15 • Macey's requires 6 stalls per 1,000 square feet. The stalls must be 9' x 20'. They
16 also want the parking close to the entrance. C Pitt explained they will have a
17 Declaration and Restrictive Covenants that will allow shared parking.
- 18 • V Saunders asked if there would be enough room on Christmas Eve for parking.
19 C Pitt explained there are two days of the year that will push the limit, the day
20 after Thanksgiving and Christmas Eve.
- 21 • C Pitt explained, because they do not know the end users on the individual pads,
22 they have put maximum square footage on the pads along 165.
- 23 • C Pitt also explained they would like to have a multi-family PUD in phase 3. V
24 Saunders felt multi-family would be acceptable in a transitional area. Mayor
25 Leonhardt explained the Council has looked at professional buildings in the
26 transitional area; however, the City has many professional buildings.
- 27 • V Saunders expressed some concern about PUDs.
- 28 • J Beazer felt a high density situation may end up as a "slum" when built behind
29 commercial buildings. He felt the professional offices were a better transition.
- 30 • C Pitt explained the development is dedicating 30 feet for a public street on the
31 east side of the subdivision. Mayor Leonhardt explained the MPO may request an
32 80-foot right-of-way. C Pitt felt 80-feet would make the space too small to
33 develop.
- 34 • C Pitt explained they intend to construct 30-feet of the right-of-way on 100 South.
35 They do not own the property on the south side of 100 South.
- 36 • V Saunders expressed concern about the swamp area on the southwest part of the
37 property. C Pitt explained the intent is to combine the irrigation ditches and
38 incorporate them in a drainage system flowing to the west side of highway 165.
39 The plan to cut the weeds this fall and burn them in the spring (weather
40 permitting). C Pitt explained currently there is 4 – 9 feet of ground water in some
41 places. He explained French drains would be used to solve some of the ground
42 water. They are still working on resolving the ground water.
- 43 • V Saunders asked if the Army Corp would require mitigations. C Pitt explained
44 the discussions are about farming the area. He explained the farming has
45 surrounded the wet area. C Pitt did not feel there was a direct connection to a
46 water way. The soil is clay; it will take some work to stabilize the soil.

- 1 • V Saunders asked about a water feature. C Pitt felt the French drains and
2 diversion of the irrigation ditches would dry the area up.
- 3 • Mayor Leonhardt explained some of the property had once been used as a junk
4 yard.
- 5 • V Saunders explained the City passed the access management plan with Cache
6 County and UDOT. C Pitt explained they have collected travel data for the
7 project. SR 165 is a Level Three road; which means access would only be
8 granted at an intersection controlled with a traffic light. They are currently
9 pursuing a variance from UDOT which would be more in line with a Level 4.
10 This would reduce the speed limit to 45 mph. The spacing shown is 500 feet
11 apart; consistent with a Level 4.
- 12 • J Beazer felt if a signal did not go in at 100 South there would be too many
13 accesses. He also felt the plans to improve the entire length of 100 South needed
14 to be discussed. C Pitt explained UDOT will also have requirements for accessing
15 165 from 100 South.
- 16 • V Saunders asked about the trees along 100 North. C Pitt explained the only
17 change would be for access.
- 18 • R Eck asked about the current City sign. C Pitt explained the sign will stay. R
19 Eck explained Kevin Hawkins indicated the City sign would be incorporated into
20 the development sign. C Pitt stated they have planned on having the City sign
21 remain in its place.
- 22 • R Eck expressed concern about the number of ADA parking stalls. C Pitt
23 explained as the design comes in with actual users, the code regulations will be
24 met.
- 25 • R Eck asked if the signs shown met the City's ordinance. C Pitt stated probably
26 not. C Pitt felt the in 1,300 feet of frontage there would be two anchor signs on
27 165 and one on 100 North.
- 28 • Mayor Leonhardt explained the current ordinance calls for landscaping around
29 each building. The pads shown have deeper landscaping than required, but only
30 on two or three sides. C Pitt explained tenants do not want 5 feet of landscaping
31 and then sidewalk. V Saunders felt the current landscaping requirement would
32 require a lot of water use. C Pitt explained the landscaping exceeds the
33 percentage requirement.
- 34 • R Eck asked for examples of landscaping ordinances from other communities. C
35 Pitt will look into examples.
- 36 • V Saunders explained Cool Utah suggests covering asphalt with trees to keep
37 down the heat. C Pitt explained the spines are turf, trees, and shrubs; the
38 diamonds are trees; the ends are turf and shrubs. C Pitt explained the
39 parking/landscape design does not meet the City code. They have tried to design
40 the parking for safety for both vehicles and foot traffic. Mayor Leonhardt felt
41 people shopping at Macey's would rather the clear parking lot. C Pitt explained
42 spines make it very difficult to cross with shopping carts.
- 43 • D Johnson asked about storm water. C Pitt explained there will be a series of
44 piping. Probably none stored under ground, because of the ground water issues.
- 45 • C Pitt explained there has been some interest in the surrounding pads. He felt
46 there would be more interest as the building is starting. C Pitt reported Macey's

- 1 will probably request one pad for a fuel station. Some of the pads will be
 2 restricted for a while to protect the visibility of the new Macey's store.
- 3 • C Pitt did not feel this would look like the Lee's Market development on 1400
 4 North. However, there would be a theme. He explained they will work with a
 5 national tenant, but would allow them their look.
 - 6 • S Gomm felt there would be strong concern with the high density housing. She
 7 did not feel Phase 3 was the right place for high density housing.
 - 8 • S Gomm asked if there were other ordinances the City needed to consider for
 9 commercial subdivision. C Pitt explained the utility easements around each lot
 10 can be a problem. They propose to give specific easements rather than using a
 11 public utility easement. These easements would be recorded against the plat.
 12 They have no problem with the parameter PUE; it is the interior easements that
 13 present problems.
 - 14 • Mayor explained the applicants want to submit a formal application on August 29.
 - 15 • S Gomm had concerns about multi-family. She felt asking for multi-family
 16 would slow the process down. J Beazer agreed. C Pitt explained they are trying
 17 to have a product they can market now.
 - 18 • R Liechty felt the residential area would be better as single-family traditional. C
 19 Pitt explained single-family does not like to be next to a large commercial area. C
 20 Pitt felt there were some residential uses that could work.
 - 21 • V Saunders felt the options should be open. S Gomm did not want to commit
 22 until she knew what was going in. C Pitt explained they did not know the
 23 product. They want to be able to market some residential density.
 - 24 • S Gomm explained by giving the zoning, the Council gives the developer the
 25 opportunity to build to the ordinances, even if the Council doesn't like the end
 26 product.
 - 27 • C Pitt will suggest leaving Phase 3 as Ag or commercial.

28 **Sunset Estates – Sewer Reimbursement:**

29 S Bankhead explained Craig Kendrick had installed off-site sewer improvements during
 30 the construction of his subdivision. C Kendrick was also required to install the sewer in
 31 the interior deep enough to service property to the south. C Kendrick submitted a request
 32 for reimbursement for the off-site improvements early in 2005. The bill was reviewed by
 33 Max Pierce, Dee Barnes, S Bankhead, and Vern Keeslar. It was felt the City had been
 34 over charged on some items. These items had originally been estimated at approximately
 35 \$64,000; the request had the items at approximately \$84,000. The City paid all but
 36 \$20,000 of the request. In April, a meeting was held with C Kendrick and Kelly Loosle in
 37 which they were able to account for \$10,000 of the \$20,000. C Kendrick also asked for
 38 reimbursement for additional engineering fees. He was told to submit a request and it
 39 would be reviewed. C Kendrick then submitted a request for reimbursement for
 40 approximately \$11,000 for excavation and approximately \$3,200 for engineering; which
 41 the City paid. C Kendrick is now requesting the \$10,000 discussed in the April meeting.

- 42 • Max Pierce explained reimbursement of the engineer costs was not guaranteed.
 43 He reported City reviewed the request, and while it was felt the costs were
 44 excessive, the City paid the request. The City also paid the request for
 45 excavation thinking it was the \$10,000 accounted for in the prior meeting.

- 1 • C Kendrick explained he felt the engineering reimbursement was appropriate
2 because he brought a design in and the plan was rejected because the plan did not
3 service the property to the south. M. Pierce explained he told the design
4 engineer, Rod Blossom, from the beginning the sewer was not deep enough. C
5 Kendrick explained V Keeslar told them to design the property as stand alone.
- 6 • C Kendrick explained it cost him \$10,000 to service the property to the south; a
7 piece of property that may never be serviced.
- 8 • M Pierce explained the City Code requires development to design to
9 accommodate adjacent property. If V Keeslar directed the developer to design
10 the subdivision to stand alone, he directed the developer to go against the City
11 Code.
- 12 • D Barnes explained the direction from the Council was to serve everything
13 possible in the area. He explained the Council direction was explained to Rod
14 Blossom. M Pierce explained it made no sense for the City to spend the money
15 to bring the sewer up from Baur Avenue to only service the developer's property;
16 it was also intended to service the area to the south.
- 17 • M Pierce explained before the developer's conversation with V Keeslar, M Pierce
18 discussed the sewer depth with R Blossom. He explained R Blossom knew all
19 along the property to the south needed to be served.
- 20 • C Kendrick explained he still had to pay the \$84,000 dollar amount. He
21 explained the change order still cost him \$18,000 even though he agreed to the
22 City paying \$10,000.
- 23 • R Liechty felt R Blossom should have been at the meeting. He explained R
24 Blossom also acts as the City Engineer when M Pierce has a conflict; R Blossom
25 knows the City ordinances.
- 26 • D Johnson reported he remembered a meeting where R Blossom was told about
27 the sewer depth.
- 28 • D Barnes felt the both sides of the issue had been presented. He felt the Council
29 decision should be final.
- 30 • R Eck felt there was some responsibility on the part of the Council because of V
31 Keeslar's statements. He suggested paying \$10,000.
- 32 • R Liechty was very concerned about past problems and statements from former
33 employees. He agreed with R Eck that the City may have some responsibility.
- 34 • The Council agreed to reimburse the C Kendrick \$10,000. This will be the final
35 reimbursement. A resolution authorizing the reimbursement will be on the next
36 agenda.

37 **The Providence City Council will begin discussing the following agenda items at**
38 **7:00 p.m. Anyone interested is invited to attend.**

39 **Pledge:** Mayor Leonhardt **Opening:** Stacie Gomm

40 **Minutes:** Council

41 Motion to approve the minutes – V Saunders, second – D Johnson,

42 Corrections:

- 43 • Page 2 line 30: delete R Liechty's statement.
- 44 • Page 3: opening V Saunders

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

46 Nay: None

1 Abstained: None

2 Excused: None

3 **Item No. 1 Resolution 05-035. The Providence City Council will consider for**
4 **adoption a resolution approving an Interlocal Agreement between Providence City**
5 **and River Heights City for white road salt for ice and snow removal.**

- 6 • R Liechty questioned if the placement in storage should be more. R Eck felt the
7 cost was minimal.

8 Motion to approve Resolution 05-035 – V Saunders, second – R Eck,

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

10 Nay: None

11 Abstained: None

12 Excused: None

13 **Item No. 2 Resolution 05-036. The Providence City Council will consider for**
14 **adoption a resolution awarding the bid for asphalt installation at the Providence**
15 **City Shop, Von’s Park Parking Lot, and Von’s Way Street.**

- 16 • R Eck asked if the parking lot had curb and gutter. Mayor Leonhardt thought it
17 did.
18 • Mayor Leonhardt explained Center Street from 400 East to Sarah will be bid early
19 in the spring.
20 • Mayor Leonhardt explained Von’s Way has been on the improvement list for a
21 long time.

22 Motion to approve Resolution 05-036 – D Johnson, second – V Saunders,

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

24 Nay: None

25 Abstained: None

26 Excused: None

27 **Item No. 3 Resolution 05-037. The Providence City Council will consider for**
28 **adoption a resolution indicating their intent to adjust a common boundary with**
29 **River Heights City at Lot 111 of Cobblestone at Spring Creek, a 0.25 acre parcel,**
30 **requested by River Heights City.**

- 31 • Mayor Leonhardt explained the Lot is an eight and one-half foot strip. At one
32 time the development considered accessing 800 South. However, their plans
33 changed and they do not access 800 South. Mayor Leonhardt reported Dave
34 Harris is in agreement with the adjustment.

35 Motion to approve Resolution 05-037 – R Liechty, second – R Eck,

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

37 Nay: None

38 Abstained: None

39 Excused: None

40 **Council Reports:**

41 Mayor Leonhardt:

42 Eric Lund Day

- 43 • Mayor Leonhardt reported Eric Lund will be return home from Iraq on Friday.
44 The City will proclaim Friday as Eric Lund Day. Sandra Checketts will notify
45 the press. Mayor Leonhardt explained they would like as many people as

1 possible to be a Zollinger Park at 3:00 p.m. V Saunders suggested getting the
2 color guard.

- 3 • S Gomm felt others should be included. R Eck was concern the City not exclude
4 anyone. V Saunders explained the Red Cross should have a list those serving in
5 the military.

6 Workshop with Logan City Council

- 7 • Mayor Leonhardt reported the Council has been invited to attend a joint
8 workshop with Logan's City Council to discuss the 100 and 200 East project on
9 August 30 at 6:30.

10 Providence Assisted Living Center:

- 11 • Mayor Leonhardt reported the Assisted Living Center has been sold. The new
12 owners would like to talk with the Council about changing the water meter.

13 Council Member Ron Liechty

14 Hillcrest Subdivision:

- 15 • R Liechty reported the Planning Commission had concerns with the proposed
16 Hillcrest Subdivision. They felt 400 East was too narrow to handle the increase
17 in traffic. R Liechty explained Planning Commission would like a joint
18 workshop.
- 19 • The Council agreed to meet September 6 at 6:00 p.m.
- 20 • R Liechty asked the Council's opinion on the trail called "Primary Path." Some
21 of the Council members were not familiar with the trail. Kathy Baker explained
22 they own the property on either side of the trail.
- 23 • K Baker asked if the current zoning of the Hillcrest was agricultural. V Saunders
24 explained it is agricultural; they will need to request a zone change.

25 Council Member Deon Johnson

26 100 South Sewer:

- 27 • D Johnson felt a meeting should be held with the property owners along 100
28 South to discuss the sewer. Mayor Leonhardt felt the big issue was the road. He
29 felt the water and sewer would be accepted.
- 30 • Clint Thompson explained about 1986 the building started; the City considered
31 improving the road at that time and found property owners owned to the center of
32 the road. He reported there was discussion at the time with Peterson's about
33 issuing a building permit. He explained it has never been resolved. He explained
34 M Thompson has been controlling the dust. The City has also maintained the
35 road.
- 36 • V Saunders reported he and Jim Beazer met with the people and they were
37 concerned the City had not asked their opinion.
- 38 • C Thompson felt the area residents would be upset with the Macey's proposal.
39 He felt Macey's should improve the entire width of 100 South.
- 40 • D Johnson explained the 100 South area was included in the original sewer
41 proposal.
- 42 • C Thompson felt with Macey's the road issue could happen. He felt the
43 ownership issues should be resolved.
- 44 • V Saunders felt the area residents should be part of the process.
- 45 • The Council suggested inviting the area residents to a workshop.

46 Council Member Randy Eck:

1 Parade of Homes:

- 2 • R Eck reported he spoke with DelRay Purser about the parade of homes. They
3 would like the City to provide some barricades. They would also like to post a
4 sign “Contractors Only” to separate parking areas.
- 5 • K Baker reported construction traffic has damaged her fence.

6 Brookside Subdivision:

- 7 • R Eck reported two homes in Brookside are still having problems with ground
8 water. One of the property owners put up signs. R Eck spoke with the property
9 owner. The property owner said that the Baer’s property is now dry when it used
10 to be wet. Lloyd Baer has stated his property is as wet as it has ever been.
- 11 • C Thompson explained springs surface in that area.
- 12 • V Saunders asked if the developer could be forced to do something about the
13 problem.

14 Council Member Vic Saunders:

15 CERT

- 16 • V Saunders reported Virginia Radclif and Lynn _____ recommend the City
17 supply manuals, hats, and vests. The volunteers would provide for the rest. They
18 also recommended starting with one team and expanding as volunteers get
19 involved. They stated the training would be provided at the County level. Paul
20 Matsayama and Brent Griffith will hold one training session a month and would
21 like space in the newsletter. Their philosophy is starting small.
- 22 • S Gomm felt the items in the newsletter were a good idea, but needed to be
23 approved by Public Works. V Saunders agreed.

24 Fire station:

- 25 • V Saunders reported Mark Meaker would really like the City to include a fire
26 station in the plans for a City complex. Logan City would provide the personnel,
27 but the City would be responsible for the facility.

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

30 Motion to enter an executive session – V Saunders, second – R Eck,

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

32 Nay: None

33 Abstained: None

34 Excused: None

- 35 • The Council entered the executive session at approximately 8:45 p.m.

36 Motion to close the executive session -V Saunders, second – R Liechty,

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

38 Nay: None

39 Abstained: None

40 Excused: None

- 41 • The Council returned to the open meeting at approximately 9:00 p.m.

42 R Eck expressed concern about receiving free dirt from Stan Checketts. S Gomm stated
43 she had also received comments. D Johnson did not feel there was anything wrong with
44 S Checketts donating dirt for the new park. R Eck, S Gomm, and V Saunders felt there
45 was a bad perception. V Saunders felt it would be better for the City to enter into an

1 agreement with a purchase price. R Eck felt it would also protect Stan. Mayor Leonhardt
2 will call S Checketts.

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

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

5 Nay: None

6 Abstained: None

7 Excused: None

8
9 The meeting adjourned approximately 9:15 p.m.

10
11 Minutes taken and prepared by S Bankhead.

12
13
14
15 _____
Alma H. Leonhardt, Mayor

Skarlet Bankhead, City Recorder