

1 **PROVIDENCE CITY COUNCIL MEETING MINUTES**

2 **November 14, 2006**

3 **Providence City Office Building**

4 **15 South Main, Providence, UT 84332**

5
6 **Call to Order:** R Liechty

7 **Roll Call of City Council Members:** R Liechty

8 **Pledge of Allegiance:** Trent Rasmussen

9 **Attendance:** Mayor Simmons, K Baker, S Gomm, D Johnson, R Liechty

10 **Opening:** Kathy Baker

11 **Excused:** Mayor Simmons (temporarily)

12
13 **Presentations and Proclamations:**

14 **Employee of the Quarter.** No presentation was made.

15
16 Approval of the minutes for the October 24, 2006 City Council Meeting.

17 Motion to approve October 24, 2006 City Council Minutes with the changes noted - D Johnson, Second –
18 none.

19 Page 7 of 15, line 27, should be 15 percent of the property.

20 Page 9 of 15, line 4, should be clarified.

21 Motion for a continuance on the minutes – S Gomm, Second – D Johnson.

22 Vote: Yea: K Baker, S Gomm, D Johnson, R Liechty, T Rasmussen

23 Nay: None

24 Abstained: None

25 Excused: Mayor Simmons

26
27 **Public Comments:** The City Council will hear comments from the public. There will be a three-minute
28 time limit per person and an overall time limit of fifteen minutes for the Public Comments portion of the
29 agenda. All comments are to be directed to the City Council. State law prohibits the City Council from
30 taking action on a specific item unless it appears on the posted Agenda.

- 31 • Sharrel Eames, speaking in behalf of her husband Richard, feels stop signs are used to slow traffic.
32 • Linda Goetze questioned the school zone sign on 400 South. She feels that stop signs are for
33 heavy traffic where most accidents occur. Center Street and 100 East fit those criteria.
34 • Laura Fisher would like to know why the City would want to remove the stop sign since it slows
35 traffic.
36 • Sharrel Eames explained that the signs were installed when more children were walking to school,
37 but feels now they are not necessary.
38 • S Bankhead commented that parents were afraid of their children getting hurt while walking to
39 school.

40
41 **Unfinished Business:**

42 Item No. 1. Ordinance Modification 013-2006. The Providence City Council will consider for adoption an
43 ordinance amending Providence City Code Title 8 Water and Sewer by adding Chapter 4 Storm Water
44 System Use and Service; creating a storm water department that will operate as an enterprise fund.

- 45 • R Liechty presented the ordinance and asked for a motion.

46 Motion to adopt Ordinance Modification 013-2006 creating a storm water department that will operate as
47 an enterprise fund - D Johnson, Second – T Rasmussen.

- 1 • K Baker wondered why it is a separate department.
- 2 • R Eck and S Bankhead explained that it is a water division and has to work with operating the
- 3 budget. Hopefully it will become self sustaining and make profit for reserves for capital projects
- 4 and on the project itself. It is being separated out for budget purposes and will be under the public
- 5 works blanket. It will be under the rules of an enterprise fund.
- 6 • R Liechty asked if someone else will need to be hired.
- 7 • S Bankhead feels that as the City grows, another employee may be required. As of now, the City
- 8 will absorb the work.
- 9 • D Johnson feels this is a good project and is an item that will always be. He feels it will be wise to
- 10 set the program up now since regulations are getting tougher.
- 11 • R Liechty wondered what institutional means in Chapter 4. S Bankhead explained that schools
- 12 and churches fall under this category. It is up to the Council to decide when the fees go into effect.
- 13 The City is ready to implement them. The ordinance will be rewritten to say that this is a monthly
- 14 fee in Table 1.
- 15 • S Gomm commented that subdivisions have taken care of their own storm water and asked if they
- 16 receive benefits from paying the fee. R Eck pointed out that the fees benefit the City as a whole.
- 17 • S Gomm asked if the City would help the subdivisions since they have their own storm water
- 18 system. S Bankhead clarified that the maintenance of the detention pond is on the final plat. The
- 19 dedicated right-of-way would be considered City property.
- 20 • D Johnson stated that overflow goes into the City system. K Baker asked why the figures are per
- 21 lot rather than per meter. S Bankhead explained that some homeowners have more than one
- 22 meter.
- 23 • R Liechty asked when the fee should be implemented. He and other Council members feel that it
- 24 should start January 1, 2007, and a notice of the fee should be sent to the citizens now.
- 25 • T Rasmussen wondered if it would be applicable to have a meeting in mid-December to inform the
- 26 citizens.
- 27 • R Liechty commented that if there is public comment, it can be reversed at a later time. S Gomm
- 28 suggested having public comment and vote on December 12, and then begin on January 1, 2007.
- 29 He wondered if enough people will understand what the fee is for by then.
- 30 • S Gomm asked the citizens how they feel about this suggestion. Linda Goetze believes it is hard
- 31 to get good public input until the discussion has occurred.
- 32 • S Gomm would like to have a posting noting that a storm water fee will be posted on the January
- 33 bill. During the public comments section, the public could voice their opinion, but not necessarily
- 34 hold a public hearing.
- 35 • Linda Goetze and Sharell Eames felt that public comments should be given after the discussion
- 36 when people have been informed.
- 37 • D Johnson felt that if the public was on top of this issue, they would know that it has been
- 38 presented for a long time.
- 39 • Mayor Simmons wondered why someone would want to oppose the fee.
- 40 • S Gomm asked where the dollar amount came from. S Bankhead explained that the fee came from
- 41 the budget hearings. In reviewing what other cities have been doing with revenue, maintenance,
- 42 man hours, and equipment needs, a fee of \$4 per single family unit was agreed upon.
- 43 • Mayor Simmons asked for clarifications for the two choices; hold a public hearing or educate
- 44 before voting. Either way, something should go in the December newsletter.
- 45 • R Eck expressed that if it doesn't happen he will take heat from the EPA. No money has been
- 46 given to the City for this project; therefore, it must be a utility fee. The City has no choice but to

1 keep in compliance. The fee will help buy the necessary equipment.

- 2 • Mayor Simmons asked for a price on a street sweeper. R Eck gave a few figures and clarified that
3 a street sweeper isn't the only tool necessary. The fee would also be used to benefit the City in
4 other ways.
- 5 • Mayor Simmons asked how many detention ponds are in the City.
- 6 • R Eck indicated 30 to 35. When the pond fills up and water goes away, the sediment is left. After
7 so many years, it must be cleaned; it all takes money. The fines for not being in compliance are
8 enormous.
- 9 • R Liechty feels this recommendation should be passed tonight and put in the newsletter. When the
10 budget is visited in July, the fee can be adjusted. T Rasmussen agrees.

11 Motion to approve 013-2006 with instructions to the City staff that the billing start on January 1 with the
12 increased amount on the statement, that it is a monthly fee, a newsletter be sent to the citizens, and it be
13 revisited during next year's budget to see how funds are being spent – D Johnson, Second – T Rasmussen.

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

18 **New Business:**

19 **Item No. 1. The Providence City Council will consider changing the 4-way stop located at the intersection**
20 **of 400 South and Main Street to a 2-way stop, stopping the north and south bound traffic.**

21 Mayor Simmons asked R Eck to explain stop sign rules.

- 22 • R Eck explained that speed limit signs shouldn't be used to control speed. This 4-way stop can be
23 removed legally. The precedence should be given to ongoing traffic. The school zone is illegal
24 and makes no sense. A high visibility cross walk can be put on the east side of the intersection.
25 Green signs with pictures of children on are placed with the cross walks but do not say school
26 zone. The sign across from the crosswalk has a sign with children and arrows. School zone signs
27 tell people to slow down and they impede traffic. He feels that this issue should be posted to give
28 the citizens a fair notice that it will occur.
- 29 • K Baker remarked that she requested the stop sign change because that is the way the traffic wants
30 and should go. Changing the signs directs traffic away from the school and the church.
- 31 • S Gomm and R Liechty thought the purpose was to encourage the traffic to go down 400 South.
- 32 • R Eck stated that being able to stop on the hill during the winter was a concern.

33 Motion to accept the change in the 4-way stop at 400 and Main to a 2-way stop – K Baker, Second – T
34 Rasmussen.

- 35 • D Johnson commented that it is hard to stop at the canal during the winter. This road handles 70
36 percent of the flow from Canyon Road. The signs were put in after the Legrand Johnson trucks
37 stopped using the road.
- 38 • R Eck felt that people should be ticketed if caught speeding down the hill.

39 Vote: Yea: K Baker, S Gomm, D Johnson, R Liechty, T Rasmussen
40 Nay: None
41 Abstained: None
42 Excused: None

43 **Item No. 2. Ordinance 014-2006. The Providence City Council will consider for adoption an ordinance**
44 **repealing Providence City Code Title 1 Chapter 12 City Manager.**

1 Motion to approve Ordinance 014-2006 adopting an ordinance repealing Providence City Code Title 1
2 Chapter 12 City Manager – R Liechty, Second – D Johnson.

3 Vote: Yea: K Baker, S Gomm, D Johnson, R Liechty, T Rasmussen
4 Nay: None
5 Abstained: None
6 Excused: None
7

8 Item No. 3. Ordinance 015-2006. The Providence City Council will consider for adoption an ordinance
9 modification amending Providence City Code Title 1 Chapter 6 Mayor and City Council, to allow City
10 Council member(s) to attend meetings by electronic means.

- 11 • K Baker commented that it has been used before.
- 12 • S Gomm asked for clarification on electronic means.
- 13 • Mayor Simmons explained that it could be done with a laptop.
- 14 • S Gomm feels that telephone is not an electronic means.

15 Motion to approve ordinance 015-2006 – K Baker, Second – R Liechty.

16 S Gomm stated to substitute the word teleconference for electronic means.

17 Vote: Yea: K Baker, S Gomm, D Johnson, R Liechty, T Rasmussen
18 Nay: None
19 Abstained: None
20 Excused: None

- 21 • Mayor Simmons explained that this modification is for the Planning Commission.

22 Motion to approve ordinance 015-2006 and to substitute teleconference for electronic means – D Johnson,
23 Second – R Liechty.

24 Vote: Yea: K Baker, S Gomm, D Johnson, R Liechty, T Rasmussen
25 Nay: None
26 Abstained: None
27 Excused: None
28

29 Item No. 4. Ordinance 016-2006. The Providence City Council will consider for adoption an ordinance
30 modification amending certain provisions of Providence City Code Title 2 Chapter 1 Planning
31 Commission, to bring into compliance with other provisions of the City Code and allow Planning
32 Commission member(s) to attend meetings by electronic means.

33 Motion to approve Ordinance 016-2006 and to substitute teleconference for electronic means – D Johnson,
34 Second –R Liechty.

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

- 39 • Mayor Simmons asked S Bankhead to highlight the changes. S Bankhead asked that it be put in
40 harmony with the City Administrator rather than the City Manager.
- 41 • Mayor Simmons presented the changes proposed. First, under G in Chapter 1, Section 211, should
42 state, “The Planning Commissioners will allow members to attend a regularly scheduled
43 hearing/meeting or a special hearing/meeting by teleconference pursuant to the procedures outlined in
44 the Planning Commission by-laws. Second, A-1, Chapter 9a Title 10 of the Utah Code replaces an
45 executive director with an administrative director. Under direction the City Recorder send out a copy
46 as required. It takes out things that no longer apply to the City because there is no longer a City
47 Manager who was the executive director of the Planning Commission.

1 Motion to approve 016-2006 with the recommended changes.

2 Vote: Yea: K Baker, S Gomm, D Johnson, R Liechty, T Rasmussen

3 Nay: None

4 Abstained: None

5 Excused: None

6
7 **Minutes Revisited:**

8 Motion to reopen the discussion on the minutes from October 24, 2006 – S Gomm, Second – R Liechty.

9 Vote: Yea: K Baker, S Gomm, D Johnson, R Liechty, T Rasmussen

10 Nay: None

11 Abstained: None

12 Excused: None

13 Pg 9 of 13, line 4, should read City staff will not consider a preliminary plat until it has been rezoned.

14 Motion to approve minutes as corrected

15 Vote: Yea: K Baker, S Gomm, D Johnson, R Liechty, T Rasmussen

16 Nay: None

17 Abstained: None

18 Excused: None

19
20 **Staff Reports:** Items presented by Providence City Staff will be presented as informational only.

21 Skarlet Bankhead will report on the Administrative, Community Development, and Finance & Records
22 Departments.

- 23 • The City is becoming more user friendly for the public. Credit card payments are being accepted.
24 The City would like to upgrade their software system with the \$25,000 put aside in the budget for
25 administrative office equipment for the following: First, add cash receipting; second, make the
26 office more user friendly by being able to pay upstairs or downstairs and allow for interface with
27 the accounting program; and, third, payroll direct deposit. The City currently has a program to
28 track utility accounts. For other items, such as attorney fees, the information is tracked on a
29 manual system and must be input into the accounting system. Purchasing the accounts receivable
30 software for non-utility items will provide better tracking and more efficiency. Finally, the City is
31 leaning towards using online payments rather than direct pay payments. Direct pay is being used
32 through banking institutions now. The total cost for the package to implement these services will
33 be between \$15,000 and \$18,000. This includes training and software packages. Service fees will
34 increase \$400 which has been worked into the current budget.
- 35 • A rough draft of the spec book should be cleaned up and finished within thirty days.

36
37 Randy Eck will report on the Public Works, Water, and Sewer Departments.

- 38 • The Center Street project will be held off on the rebuilding of the road until spring due to the
39 weather. The project ties into Foxridge and will take more than three days to complete. The
40 surfaces are changed over.
- 41 • Public Works is almost finished cleaning up leaves.
- 42 • R Eck asked the Council to think about policies on how to maintain retention and detention ponds.
43 Some ponds are large and some are small which means maintenance cannot be applied the same
44 to each one. The big ponds can be turned into multi-use facilities. Country Garden citizens have
45 been asking what is to be done with the detention pond in their area. He would like to see the big
46 ponds turned into open space and would like to have direction from the Council on how to
47 approach the possibilities.

- 1 • Mayor Simmons requested that someone from the Council go with R Eck to check out the ponds.
- 2 K Baker, T Rasmussen and S Gomm volunteered.
- 3 • R Eck feels the City was about two months away from complete blockage before the lines were
- 4 cleaned. Once the problem areas are dealt with, the truck will be used for upkeep.
- 5 • There is a regulation that specifies that if there are any Waters of the State running through the
- 6 City, each pipe must be identified and the water must be tested every three years. Providence City
- 7 doesn't have the equipment and hasn't been able to implement the regulation.
- 8 • R Liechty questioned Christmas lights. R Eck commented that he prefers Christmas decorations
- 9 that can be installed at ground level or hung from a step ladder. The truck isn't certified to hang
- 10 Christmas lights. He feels Zollinger Park would be a good place to place them since power is
- 11 there and would create a great entrance into the City. R Liechty will get with R Eck to resolve
- 12 this issue.

13
 14 Item No. 5. Resolution 06-065. The Providence City Council will consider for adoption a resolution
 15 establishing and approving the service mileage definition of a full service unit for board of trustee
 16 representation on the Cache Valley Transit District Utah Code Ann. § 17a-2-1038.

- 17 • Dean Hurd, member of the Board of Directors for the Cache Valley Transit District, announced
- 18 that the Cache Valley Transit District Board and Logan City Council have approved the
- 19 consolidation of the Cache Valley Transit District and the Logan City Transit District into one
- 20 organization. He introduced Todd Beutler and asked him to explain the size of the Board.
- 21 • Todd Beutler, who represented the Cache Transit District Board, presented to the Council the Utah
- 22 Code that must be followed to approve the consolidation. His resolution is to determine the size of
- 23 the Board. Population projection will be at 200,000 in the valley in the next 15 years. The statute
- 24 provides that service miles must be provided to determine the Board size. One Board member
- 25 represents every 200 miles traveled. The district has been broken into four regions: the north,
- 26 central, and southern region, and Logan City and North Logan. Providence and River Heights will
- 27 be in the central region. He suggested that Providence and River Heights take turns electing a
- 28 voting member each year, or vote as one, and the two-thirds vote will carry the vote for the region.
- 29 Thirty one percent of the service the Transit District provides is from the County; sixty-nine
- 30 percent is in Logan. The current Logan board makeup has a representative from U.S.U., the senior
- 31 center population, the financial district, and the disabled community. If mileage were to be
- 32 changed to a 51 mile increment, it would mean a 47-member board would be created to meet the
- 33 transit needs. The actual percentage of mileage for the county would go from 31 percent to 26
- 34 percent. He feels the 200 mile is the most correct way and most equal representation. He asked
- 35 the City to support the resolution. He introduced Nathan Coates who is representing Laidlaw
- 36 Transit. The services will be contracted out to Laidlaw.
- 37 • R Simmons stated that Dean Hurd will be leaving the board.
- 38 • Todd Beutler explained that Dean, a founding member, will resign his term as of December.
- 39 Mayor Simmons pointed out that T Beutler suggested having someone from Providence replace
- 40 Dean on the board. Mayor Leonhardt was recommended.
- 41 • S Gomm questioned if the Council is to approve this resolution and then select one member from
- 42 Providence for representation.
- 43 • Todd Beutler explained that three will vote for the region.

44 Motion to pass Resolution 06-065 to approve the request from the Cache Valley Transit District – S
 45 Gomm, Second – R Liechty.

46 Vote: Yea: K Baker, S Gomm, D Johnson, R Liechty, T Rasmussen
 47 Nay: None

1 Abstained: None

2 Excused: None

3 Break at 7:10 p.m.

4

5 Council Reports:

- 6 • Trent Rasmussen thanked S Bankhead and the City staff for helping with the Sauerkraut Dinner.
7 A meeting will be held in the next few weeks to discuss the upcoming summer celebration to be
8 held in June, and he would like input.
- 9 • D Johnson requested comment on the well line in the cemetery. He also asked if the line from
10 River Heights to Providence is dead. R Eck recommended to camera the line first to see if it is
11 bad. D Johnson believes the line should be kept open. R Eck would like to watch the well for one
12 more summer. He doesn't want to prematurely put money into the line.
- 13 • R Liechty wondered if anyone had thought of abolishing the Thursday night meeting due to lack of
14 participation. Mayor Simmons asked that a recommendation be placed on the agenda for the next
15 meeting.
- 16 • Mayor Simmons asked HORROCKS Engineering to do a traffic engineering study on Canyon
17 Road and 400 East to determine safety issues. Four intersections are being looked at; 400 East and
18 1000 South, Canyon Road and Edgehill, 400 South and 100 East, and Canyon Road and
19 Grandview. The four intersections, a capacity of service analysis, and a synchro traffic simulation
20 study are being made at the price of \$4,800. The engineering firm will be finished November 28th,
21 and will present their findings for another \$1,000, or they can submit a written report. The
22 Council recommended hearing the presentation on the 28th of November.
- 23 • Motion to amend that the contractor come on November 28, 2006, for more discussion – R
24 Liechty, Second – D Johnson.

25 Vote: Yea: T Rasmussen, K Baker, D Johnson, R Liechty

26 Nay: S Gomm

27 Abstained: None

28 Excused: None

29

30 Mayor Simmons requested to go into an executive session to discuss the purchase or sale of property.

31 Motion to enter into an executive session – R Liechty, Second – D Johnson

32 Vote: Yea: K Baker, S Gomm, D Johnson, R Liechty, T Rasmussen

33 Nay: None

34 Abstained: None

35 Excused: None

36

37 Entered into executive session at 8:00 p.m.

38 Closed executive session at 8:30 p.m.

39 Meeting adjourned at 8:35 p.m.

40

41 Minutes taken and prepared by Becky Turley.

42

43

44

45

46 _____
Randy Simmons, Mayor

46 _____
Skarlet Bankhead, City Recorder

47