

1 **PROVIDENCE CITY COUNCIL MINUTES**

2 **June 26, 2012**

3 **Providence City Office Building**

4 **15 South Main Providence, UT**

5  
6 Call to Order: Mayor Liechty  
7 Roll Call of City Council Members: Mayor Liechty  
8 Attendance: D Calderwood, R Call, J Russell, B Bagley, D Astle  
9 Excused:  
10 Pledge of Allegiance: Mayor Liechty

11  
12 **APPROVAL OF THE MINUTES:**

13 The Providence City Council will approve the minutes from June 12, 2012.

14 **Motion to approve the minutes: J Russell, R Call second**

15 **Vote: Yea: D Calderwood, R Call, J Russell, B Bagley, D Astle**

16 **Nay: None**

17 **Abstain: None**

18 **Excused: None**

19  
20 **PUBLIC COMMENTS:**

21 Steve Simmons is a resident of 2100 South. His parents have lived on this road for 20 years. He thinks that what the City is  
22 doing is both immoral and illegal. If the City wants a law suit they will get one. He asked the Council if they would like to  
23 have 1/3 of their property taken away. He believes that they are going against their own laws and ordinances.

24  
25 The Mayor introduced Sherm Sanders to the Council. He has shown some interest in becoming part of the Planning  
Commission.

8 S Sanders said he is self employed. He owns Gordon's Glass. He is involved with Scouts and enjoys being a part of the  
community. He graduated from USU. He has lived here since 1994. His parents are from Cache Valley.

29 D Calderwood asked if he has attended any Planning meetings.

30 S Sanders said he has a little over the years.

31 J Russell asked if he was aware of the time commitment.

32 S Sanders said he knows this will take some time.

33 This will be an action item on July 17<sup>th</sup>.

34  
35 **BUSINESS ITEMS:**

36 **Item No. 1. Ordinance No. 006-2012 (formally No. 012-2011):** The Providence City Council will consider for adoption an  
37 ordinance amending Providence City Code Title 7 Chapter 7 Parks and City Owned Property by adding Section 9 Special  
38 Events.

39 Business item no. 1 has been taken off of the agenda.

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41 **Item No. 2. Ordinance No. 012-2012:** The Providence City Council will consider for adoption an ordinance amending the  
42 portion of Ordinance No. 009-2012 that added cell towers as a conditional use to the Commercial General District (CGD) as  
43 follows: allow cell towers on City owned property in the CGD on top of or replacing poles that are currently at least 40 feet  
44 high and a maximum height of 75 feet.

45 **Motion to approve: D Calderwood, B Bagley second**

46 G Walker from the Planning Commission told the Council that this was mistakenly sent to the Council. Light manufacturing  
47 was removed from the residential zone. The Commission feels like they should take a step by step approach. They are  
48 definitely ok with putting cell towers in the Commercial General District.

49 B Bagley asked for verification on the height of the towers.

50 G Walker explained to the Council where the Planning Commission is going with this ordinance.

51 R Call said he believes this isn't tall enough to be serviceable.

2 G Walker explained why the Commission went with 75 feet.

R Call said he feels like the tower should be 150 feet. He doesn't see anything wrong with one.

4 G Walker said you won't necessarily have one tower. You will probably end up with 2 or 3 towers.

55 V Fielding said this is not a new discussion. He asked for a conditional use last week and feels like the Council made a  
56 decision on this two weeks ago.

1 R Liechty said the Commission felt like the earlier decision was made in error and the City attorney felt like it needed to be  
2 brought back to the Council.

3 Wade Southwick said he found a client that wanted to build a cell tower on his property and that is what started this  
4 discussion. If there was a tower in this area we could get national carriers. He feels like both the City and private parties  
5 could benefit from a cell tower here.

6 D Calderwood asked how the franchise taxes would work with cell towers.

7 W Southwick said he doesn't understand how government can just take things away from the private party.

8 R Call said he feels like it should be up to the market where they want to put it. He doesn't feel like we should spend all  
9 summer talking about it.

10 R Liechty feels like the Council shouldn't act on this and send it back to the Commission.

11 D Astle said the City property is spread all around the town.

12 R Call said he doesn't understand why cell towers shouldn't be allowed in residential areas.

13 J Russell said an ordinance was passed that said cell towers are allowed in Commercial General District. If the Commission  
14 wants to restrict the height of the cell towers they can address it.

15 B Bagley suggested waiting until tomorrow night and getting a new recommendation from the Commission.

16 R Call said cell towers need to be allowed in Commercial General District. Keep the ordinance that was passed 2 weeks ago.

17 **Vote: Yea: D Calderwood**

18 **Nay: J Russell, R Call, D Astle, B Bagley**

19 **Abstain: None**

20 **Excused: None**

21  
22 **Item No. 3. Resolution 12-011:** The Providence City Council will consider for adoption a resolution allowing the extension  
23 of 330 West to exceed the maximum length of 950 feet without an intersection in the proposed Sunrise Acres Subdivision.

24 **Motion to approve: J Russell, D Astle second**

25 R Liechty explained that the Planning Commission has recommended that this be approved.

26 D Calderwood said the City Engineer was ok with this recommendation through the exception rule that exists.

27 R Eck explained to the Council the different phases that will exist in this development and why D Cox needs the additional  
28 110 feet.

29 Lynn Lemon said the County asked that the City not approve this until the property boundaries are established. He explained  
30 about the different surveys that have been done and now there are 4 different survey results. Will the City accept a 50 foot  
31 right of way? The County is ok with a 50 foot right of way.

32 R Liechty said the County insisted that the City take the road and then the City was told that they can't use it.

33 L Lemon said the County just wants this issue resolved. Let's get the boundary issues resolved before anything else is done.

34 The Council discussed the different surveying results.

35 R Call suggested going with the County recommendation and delaying this decision.

36 R Eck said 50 feet goes against our ordinance.

37 R Liechty said the City can't sit on this forever. Can the property owners and Dan Cox work this out?

38 L Lemon said the County is alright with a 50 foot right of way. The County can't say that for the City.

39 G Walker said nobody is disputing that this road won't eventually go through. Approving this road will only allow the  
40 developer to move ahead with this road.

41 R Call said not approving this road will force the developer and the property owners to move ahead quicker.

42 **Vote: Yea: None**

43 **Nay: B Bagley, D Calderwood, R Call, J Russell, D Astle**

44 **Abstain: None**

45 **Excused: None**

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47 **STAFF REPORTS:**

48 D Astle said the Center Street improvements look good but now there isn't room when someone parks on the road.

49 R Eck said it is 4 feet wider than it was. We can post "no parking signs".

50 B Bagley asked about the landscaping.

51 R Eck said it has to be started by July 1<sup>st</sup>.

52 J Russell asked how many retention ponds are in the City.

53 D Calderwood asked about Lynn Hancey property.

54 R Eck said we gave and he gave.

55 R Eck talked about the round-a-bout on Gateway Drive and 100 North. He reported on a phone call with the LDS Church.  
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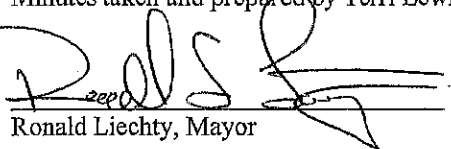
57 **COUNCIL REPORTS:**

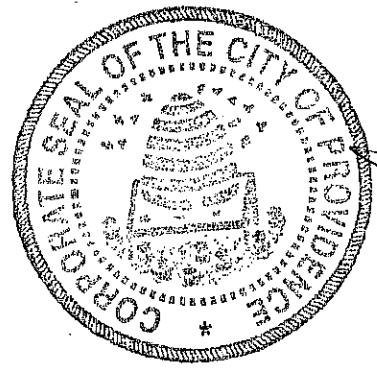
58 B Bagley reported on the tax report.

1 D Calderwood talked about DRC and the Planning Commission meeting. D Calderwood would like the agenda to be to the  
Council by Thursday.  
2 Dee Barnes said as a citizen we are more interested in what the City is going to be doing. They already know what has been  
3 done.  
4 The next meeting will be on July 17<sup>th</sup>.  
5 R Call talked about the Canyon Road meeting and discussed the Planning Commission.  
6 R Liechty discussed a meeting that he had with Mr. Beno.  
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9 **Motion to adjourn: R Call, D Calderwood**  
10 **Vote: Yea: D Calderwood, R Call, J Russell, B Bagley, D Astle**  
11 **Nay: None**  
12 **Abstain: None**  
13 **Excused: None**  
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15 Meeting adjourned at 8:00 pm  
16 Minutes taken and prepared by Terri Lewis

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19 \_\_\_\_\_  
20 Ronald Liechty, Mayor



  
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Skarlet Bankhead, City Recorder

