

1 **PROVIDENCE CITY COUNCIL MEETING**
2 **April 10, 2018 6:00 PM**
3 **Providence City Office Building**
4 **164 North Gateway Drive, Providence UT**

5
6 Opening Ceremony:

7 Call to Order: Mayor Drew
8 Roll Call of City Council Members: Mayor Drew
9 Attendance: Kirk Allen, Jeff Baldwin, Kristina Eck, Dennis Giles, Roy Sneddon
10 Pledge of Allegiance: Mayor Drew
11 Opening Remarks – Prayer: Robin Carter

12 **Approval of the minutes**

13 **Item No. 1.** The Providence City Council will consider approval of the minutes of March 27, 2018.

14 **Motion to approve the minutes of March 27, 2018 – J Baldwin, second – K Eck**

15 **Vote:**

16 **Yea: K Allen, J Baldwin, K Eck, D Giles, R Sneddon**

17 **Nay: None**

18 **Abstained: None**

19 **Excused: None**

20 **Corrections:**

21 Page 2 line 22 ~~Brian~~ **Brian**

22 Page 3 line 16 ~~Goodridge~~ **Goodrich**

23 Page 4 line 18 only that the pond design ~~with~~ **will** work

24 Page 6 line 46 water ~~from non-~~ **not being put** to beneficial use

25 Page 8 line 11 R Stapley discussed extending the storm water ~~lined~~ **line**

26 Page 8 line 12 **a** regional

27
28 **Public Comments:** Citizens may appear before the City Council to express their views on issues within
29 the City’s jurisdiction. Comments will be addressed to the Council. Remarks are limited to 3 minutes per
30 person. The total time allotted to public comment is 15 minutes The City Council may act on an item, if it
31 arose subsequent to the posting of this agenda and the City Council determines that an emergency
32 exists.

- 33 • David Stott, lives adjacent to the church on 300 East. He explained he is against high density
34 housing in the area. He knows of a petition being circulated. He felt there were a number of
35 residents that were against high density. He felt high density brought transient neighbors, high
36 traffic, and decrease in home values. That little spot is a rural area. He felt high density made
37 more sense near Macey’s. He is not against the annexation. He anticipated single-family homes
38 in the area. He is against the high density.
- 39 • Brenda Poulsen, lives on Spring Creek Parkway. She felt Council Member Eck had a conflict of
40 interest and asked that she not vote. K Eck disclosed that her husband works for the
41 development company.
- 42 • B Poulsen asked about the order of items three and four. S Bankhead explained the Council and
43 the Petitioner need to accept the annexation agreement before the property was annexed.
- 44 • B Poulsen expressed concern with the ground water. She reported the property was not
45 irrigated and still grew good crops. She explained twenty of the twenty-five homes in Saddle
46 Rock [a neighboring subdivision] flooded last year. She is concerned with the traffic with three
47 schools in the area. She has a neighbor with a blind child. She reported they have asked the City
48 for a blind child sign, but the city refused.

- 1 • B Poulsen felt this was high-density housing. There would be more infrastructure that is needed.
2 She did not feel the City keeps up on the infrastructure. R Sneddon explained he lived in high
3 density housing with 10 children. R Sneddon explained Spring Creek Parkway is planned to go
4 along the south boundary of the property. R Sneddon explained the developer builds the
5 infrastructure that the City requires. The City makes no money from the developer. Mayor Drew
6 explained Spring Creek Parkway has been on the master plan for over twenty years. R Sneddon
7 explained the Council has to “hold hands” with the residents, along with the developer. K Allen
8 expressed appreciation for B Poulsen’s consideration of the questions. He felt Blackhawk was
9 well taken care of. He knows of long term residents that have lived there.
- 10 • Mayor Drew asked the problem with transient calls. Lt Bartchi explained they have not seen an
11 increase in calls because of the apartments on Gateway Drive. Mayor Drew also explained the
12 result of the Utah LTAP report. Providence is not alone in road maintenance; all communities
13 have road maintenance problems. B Poulsen did not feel the streets were maintained well, nor
14 plowed well.
- 15 • K Eck asked about the impact to the sewer. R Stapley explained the City has planned ahead for
16 sewer, water, and road infrastructure. Spring Creek Parkway and 300 East are planned corridor
17 roads. R Stapley explained that in private developments the HOA maintains the private streets.
- 18 • John Hubbard explained the property is extensively irrigated with a major underground line
19 from Logan-Providence Irrigation Company. Marion Chugg put in the subsurface irrigation.
20 When the irrigation water no longer runs through the pipes, the ground will dry up.
- 21 • Alison Olsen lives across the street from the area. High density housing will lower the value of
22 the homes. She worries about the horrible road. She would like curb, gutter, and sidewalk. She
23 would like real homes; not like Blackhawk. She felt Blackhawk was separate from a
24 neighborhood.
- 25 • Cindy Montoya lives on Spring Creek Parkway and knows there is a need for new homes. Her
26 problem is not the annexation or development; it is the townhomes – they belong behind
27 Maceys. She informed the Council she has been doing an online petition.
- 28 • Robin Carter spent a lot of money on a house in the neighborhood. She has four small children,
29 her 6-year old crossed the street today. She would like to remove the traffic. She loves the small
30 town where you can go to Maceys and karate. She feels this [high density] will devalue their
31 homes. There are three elementary schools in the area and the safety of the children is
32 important.
- 33 • Mayor Drew reviewed a recent University of Utah study on the housing market in Utah. We, as a
34 City, are put in a position to try to have affordable homes.

35 **Public Hearing(s):**

36 **Item No. 1: Annexation Parcel No 02-004-0003.** Prior to making a decision on granting the annexation
37 petition filed by Jeff Jackson on behalf of Ridgeview Park LLC, the City Council is holding a public hearing.
38 The purpose of the public hearing is to provide an opportunity for anyone interested to comment on the
39 annexation before action is taken. The property described in the annexation petition (Parcel No. 02-004-
40 0003 and a portion of 300 East (1000 East – Cache County)) is located adjacent to the north boundary of
41 Providence City in the general area of 517 North 300 East, and legally described as follows: Legal
42 Description available on www.providencecity.com. The City Council invites you to attend the hearing in
43 order to offer your comments.

- 44 • Kathleen Sneddon asked about the 600 East line. Mayor Drew explained Providence does not
45 have that in the City Code.
- 46 • Brian Craig recommended limiting the percentage of rentals to no more that 20% rentals. K Eck
47 agreed. He suggested a provision for the Spring Creek watershed requiring a permit from the
48 Army Corp. He felt the Corp would require a public hearing. He is not against housing

1 development, just high density. He grew up on southern California. He does not want a big
2 urban jungle for Providence.

- 3 • Sharell Eames reported there was a study in Logan that suggested Cache Valley needed to
4 provide 1,000 new units per year. Multi family belongs somewhere other than this residential
5 area.
- 6 • Jana Hawks recently moved into Providence Hollow. She lived 18 years in Herriman. She felt the
7 Herriman Council opened Pandora's Box when they allowed high-density development. Once
8 they allowed one developer, they had to allow others. They have multiple housing on small
9 pieces of property. She asked that the Council do their homework.
- 10 • Kevin Jensen thanked the Council for their service. He is not against the annexation. He feels if
11 you want to control property, you should buy it. He has a daughter that has lived in high density
12 for 6 years. She recently sold the unit for \$100,000 profit, and bought a home. He would like to
13 see a list of pros and cons and the economic benefits. He felt if it could be laid out and rumors
14 put out it would help. K Jensen lives on 300 East.
- 15 • J Baldwin explained some areas never have multi-family. He stated it is not the Council's job to
16 suppress property values so people can afford homes. He did not feel when people buy a home,
17 they should not have to have multi-family next to them. J Baldwin felt this should wait for the
18 master plan. K Jensen explained when he built his home, he was informed that he built in the
19 middle of a master plan road. He knew when he built a home on 300 East it was a busy road. K
20 Jensen discussed open space and homes that open into the open space. He explained they can
21 be done very attractively. He also felt peoples ideas were changing – they may want the
22 townhome environment.
- 23 • Mayor Drew explained the life cycle started as a general plan exercise. It is still in draft, we have
24 been working on it for a year. One of the action plans is housing. There is the life cycle zone and
25 another component – the design standards. The general plan is all but done; the Planning
26 Commission has done their work. The City staff have been directed to review the goals and
27 strategies to come up with a plan that will be used and actually accomplished.
- 28 • K Jensen clarified that nothing has been approved. Everything is still on the table. He has
29 reviewed the history with River Heights City. He explained the developer will need to ask for
30 specific homes. The life cycle zone is not confined to a specific area.
- 31 • J Baldwin explained a couple months ago the developer did a rendering of what could happen
32 on the life cycle property. Mayor Drew explained we are only talking about one parcel.
- 33 • Laura Fisher felt this was a zoning issue. She explained she and her husband are very sensitive to
34 zoning issues. She has watched a 10-year problem with a factory that was built on a single-
35 family lot. She felt zoning changes may affect people's neighborhoods and homes. In many
36 cases, a home is the biggest investment. The availability of homes [for incoming residents] is not
37 the current homeowner's problem; it has no relevance. The problem is current homeowners do
38 not want their neighborhoods ruined with drugs, speeding cars, etc. She felt that at least half of
39 the Council had been arguing with the people speaking during the public hearing. Arguing is not
40 the same as working toward the solution. She felt arguing was denying the people their point of
41 view. She did not feel the Council should provide for people that do not live here yet. Open
42 space is not for everyone. She did not want anyone's neighborhood ruined.
- 43 • Craig Winder explained Ridgeview Park LLC purchased the property.
- 44 • S Bankhead read from Utah Code 10-9a-102(1) *The purposes of this chapter are to provide for*
45 *the health, safety, and welfare, and promote the prosperity, improve the morals, peace and*
46 *good order, comfort, convenience, and aesthetics of each municipality and its present and future*
47 *inhabitants and businesses, to protect the tax base, to secure economy in governmental*

1 expenditures, to foster the state's agricultural and other industries, to protect both urban and
2 nonurban development, to protect and ensure access to sunlight for solar energy devices, to
3 provide fundamental fairness in land use regulation, and to protect property values.

- 4 • S Bankhead read the following from the current general plan.

5 *Principles*

- 6 ○ *New residential development should be developed based on density and include mixed*
7 *residential uses.*
- 8 ○ *Open space shall be included as part of the overall Density of new residential*
9 *development.*
- 10 ○ *Sensitive areas (faults, slope, wetlands, flood plains, storm water and other areas)*
11 *should be identified and residential development should be limited within these areas.*
- 12 ○ *New residential development should increase mobility and connectivity of the City's*
13 *overall transportation system.*
- 14 ○ *New residential development should provide design for pedestrian-friendly development.*
- 15 ○ *New residential development should include all necessary public and private utilities.*
- 16 ○ *Residential development should not be encouraged within the major utilities easement*
17 *on the east bench of the City.*

18 *Master Plan Directive*

19 *Residential neighborhoods are very important to Providence City residents. Safety and aesthetics*
20 *are important objectives in any new residential development. While most of Providence City's*
21 *future population will want and can afford single-family housing, a substantial number will*
22 *either want housing options that requires less maintenance and upkeep, or need housing that is*
23 *more affordable to own or rent.*

24 Mayor Drew closed the public hearing.

25 **Business Items:**

26 **Item No. 1. Resolution 010-2018 Interlocal Agreement.** The Providence City Council will consider for
27 adoption a resolution approving an Interlocal Agreement between Cache County and Providence City for
28 Law Enforcement Services.

29 **Motion to approve Resolution 010-2018 – K Allen – second – R Sneddon**

30 **Vote:**

31 **Yea:** K Allen, J Baldwin, K Eck, D Giles, R Sneddon

32 **Nay:** None

33 **Abstained:** None

34 **Excused:** None

- 35 • J Baldwin expressed concern about the amount of abuse in the County. He asked if the Sheriff's
36 Office had the necessary staffing. Lt Bartchi explained they have seen a significant increase for
37 services for drug abuse in homes where children are living. The detectives are very busy. It is
38 difficult to get people to stop when they do not see the consequences.
- 39 • K Allen felt it took a large amount of police time and effort when dealing with people with
40 mental health issues. Lt Bartchi explained it does take many resources. K Allen asked if there
41 was an increase in Providence. Lt Bartchi explained twenty-five percent of the population suffers
42 from mental illness. He reported the deputies are trained to deal with situations with people
43 with mental illness.
- 44 • K Allen discussed the change in juvenile law, putting the responsibility on the school principals.
45 Lt Bartchi reported they have seen an increase in children not going to school, because there are
46 no consequence for it. K Allen explained he had responsibility for truancy in two different school
47 districts. His concern is the truants may be creating more havoc. Lt Bartchi explained he does
48 not have the statistics.

- 1 • J Baldwin asked about discharge of firearms within the City limits. Lt Bartchi explained the state
2 code and firearms. No change in the contact price or hours.

- 3 • K Eck thanked the Sheriff's Department

4 **Item No. 2. Resolution 011-2018 Interlocal Agreement.** The Providence City Council will consider for
5 adoption a resolution approving an Interlocal Agreement between Cache County and Providence City for
6 Animal Control Services.

7 **Motion to approve Resolution 011-2018 – J Baldwin – second – D Giles**

8 **Vote:**

9 **Yea: K Allen, J Baldwin, K Eck, D Giles, R Sneddon**

10 **Nay: None**

11 **Abstained: None**

12 **Excused: None**

13 Discussion prior to vote:

- 14 • K Eck wished we could control the deer.

15 **Item No. 3. Resolution 012-2018 – Annexation Agreement:** The Providence City Council will consider for
16 adoption a resolution approving an Annexation Agreement between Providence City and Ridgeview Park
17 LLC for Parcel No. 002-004-0003

18 Mayor Drew explained items 3 and 4 will be continued at the request of the developer and the City staff.

19 **Motion to continue Items No. 3 and 4 – K Eck, second – J Baldwin**

20 **Vote:**

21 **Yea: K Allen, J Baldwin, K Eck, D Giles, R Sneddon**

22 **Nay: None**

23 **Abstained: None**

24 **Excused: None**

25 **Item No. 4. Ordinance No. 2018-003 – Annexation:** The Providence City Council will consider for
26 adoption an ordinance granting a Petition for Annexation filed by Jeff Jackson on behalf of Ridgeview
27 Park LLC, annexing Parcel No. 02-004-0003 and a portion of 300 East Street (1000 East – Cache County)
28 18.79 acres (+/-)

- 29 • See action in Item No. 3.

30 **Item No. 5. Ordinance No. 2018-002 – Code Amendment:** The Providence City Council will consider for
31 adoption an ordinance amending Providence City Code Title 11 Subdivision Regulations, Chapter 4
32 Design Standards Section 3 Streets and Street Improvements by adding Item R. Seal Coat on Asphalt
33 Surfaces

34 **Motion to approve Ordinance No. 2018-002 – J Baldwin, second – K Eck**

35 **Vote:**

36 **Yea: K Allen, J Baldwin, K Eck, D Giles, R Sneddon**

37 **Nay: None**

38 **Abstained: None**

39 **Excused: None**

40 Discussion prior to vote.

- 41 • K Eck clarified this requires the developer to provide the seal treatment.
42 • D Giles asked about the timeframe. R Stapley explained it should be done within two years.
43 • R Sneddon asked how the type of treatment was determined. R Stapley explained the process.
44 Mayor Drew explained the Utah LTAP report contains recommendations for surface treatments
45 for each of the City's streets.
46 • J Baldwin felt this was fantastic and would save the City a lot of money. He commended R
47 Stapley's efforts in bringing something that would save the City money.

48 **Item No. 6. Discussion – Code Amendment:** The Providence City Council will discuss a proposed code
49 amendment to Providence City Code Title 8 Water and Sewer by adding Chapter 5 Secondary Irrigation

1 Water.

- 2 • Mayor Drew explained he is working on changes to the draft from 2009.
- 3 • There is nothing in this ordinance to require a developer to include secondary systems. He felt
- 4 this would be a two-step process. One-step to create the utility and another step to require the
- 5 construction of the secondary system.
- 6 • J Baldwin felt if the pipe was put in the ground and stubbed to the lot, that would be one less
- 7 street that would need to be torn up to connect the pipe in the future. He did not see tearing up
- 8 the streets to put secondary water through out the City.
- 9 • J Drew felt the ordinance was written without a restriction on how much you can use for a flat
- 10 fee.
- 11 • D Giles felt there might be a time when a secondary system would happen. However, if it was
- 12 not for 20-years, installation now may be a waste because things change. D Giles felt the system
- 13 needed to be designed so proper line size is installed in the correct locations.
- 14 • Mayor Drew reported there is an open invitation to visit Hyrum's secondary system. Mayor
- 15 Drew felt engineering would answer many questions. He felt that looking at a complete
- 16 secondary system might look beyond political boundaries.
- 17 • This will be on the next council meeting for a Q&A. R Stapley explained some things have
- 18 changed, such as metering connections. Hyrum City does not meter at this time. Their costs will
- 19 probably go up when they have to install meters. Hyrum also uses recycled wastewater to
- 20 supplement the secondary water systems.
- 21 • Mayor Drew explained Hyrum has three sources: Blacksmith Fork, Porcupine Reservoir, and the
- 22 treated wastewater.
- 23 • R Sneddon felt one of the limitations was what we would get from the irrigation companies. He
- 24 felt at some point treated effluent may come. R Sneddon asked about the cost for an individual
- 25 treatment facility. He felt we should keep our minds open to sources of water.
- 26 • Mayor Drew felt a feasibility study would look at sources.

27 **Staff Reports:** Items presented by Providence City Staff will be presented as information only.

- 28 • R Stapley explained that a chipper would be taken around to curbs to collect piles and the rest
- 29 will be taken to the landfills if they were to big. He also explained he met with the cache county
- 30 attorney to get budget for next year for chip and seal. They will meet next Monday.
- 31 • Will be meeting with Holbrook to discuss the project for this year.
- 32 • The traffic control and citizen complaints will increase a bit with the chip-seal and striping
- 33 projects.
- 34 • Baur Avenue is waiting for finalization of the survey.
- 35 • Earth Tec did the reconnaissance a couple of weeks ago; but we have yet to receive the report.
- 36 We are also surveying the waterline easement in the area. The acquisition is contingent on the
- 37 reports.
- 38 • The water meter reading will begin next week. We are very close to city-wide radio-read meters.
- 39 Currently three people read the meters that a spaced throughout the entire town.
- 40 • R Sneddon asked about the reliability of the radio read. R Stapley explained the wireless radio
- 41 reads are more accurate than the touch reads.
- 42 • Met with Twin-D to schedule the sewer camera project. Cameras should be used in clean lines. R
- 43 Stapley explained the City Engineer is working on the use compared to other communities.
- 44 • Met with M Pierce and Jeff Myers to discuss the storm water pipe in the area of 500 North 300
- 45 East. There are many obstacles in the area. He will have a better idea after doing some pot-
- 46 holes. Working with future developments may be helpful. R Stapley explained the Providence
- 47 Hollow installed storm water pipes in 500 North, but it currently dead ends before getting to
- 48 300 East. R Sneddon asked if R Stapley was the institutional memory of the underground pipes.

1 R Stapley explained Gerald Taft has documented the areas where he has blue-staked.

- 2 • Mayor Drew read an email from former Mayor Randy Simmons complimenting the Zollinger
- 3 Park diamonds.
- 4 • S Bankhead explained changes with staffing and duties. Two positions that were part time have
- 5 been converted to full time. S Bankhead introduced Mindi Petersen who will be helping part
- 6 time with City Council minutes and reception area. Connie Clark will be coming on fulltime and
- 7 will be assuming the roles in the land use area. Shari Phippen will be working on projects that
- 8 Mayor Drew has wanted her to from the start, but just hasn't had the time.
- 9 • S Bankhead explained the struggle in coming up with ideas for the fire contract. If we stayed
- 10 with Logan City for the fire contract it could prolong the need to build a fire station for about 10
- 11 years or so. If we go with the county the need for the fire station would be much sooner.
- 12 • S Bankhead explained Shari Phippen will be performing research and analysis and research
- 13 secondary water grant possibilities. She will also work with the historic preservation
- 14 commission to look at the downtown land use ordinances and if the area needs to be
- 15 condensed. There is no interest in changing the historic district designation or its boundaries.
- 16 • S Bankhead gave an update on the Street Impact Facility Plan. She explained the Council needs
- 17 to consider how they want to treat the east crossing of Spring Creek Parkway. Depending on
- 18 how much or how little involvement the developer has will impact the fee. The proposed facility
- 19 plan was to two different people to estimate costs to prepare the cost analysis of the impact
- 20 fees.
- 21 • S Bankhead explained Maria Vasquez is responsible for accounts payable/receivable, recreation,
- 22 and is the afternoon receptionist. Esther Cowley works with business licenses, safety/risk
- 23 management and cemetery information. All positions are being cross trained.
- 24 • S Bankhead had a question about the small stretch of road at 1090 S 400 E. This part of the road
- 25 on 400 E can be completed with impact fees based on our old analysis. The City offered
- 26 \$3,299.11 for 2,99s.95 square feet of property. The offer was based on \$48,000 an acre; the
- 27 amount paid for adjacent raw land. The owner's counter offer of \$5,500 equates to \$80,000 an
- 28 acre. It was recommended that a counter offer be made somewhere in the middle.
- 29 • R Sneddon had a question as to why the business license numbers are down. S Bankhead
- 30 explained the state legislature is the reason why. They change the law so cities cannot require
- 31 many home businesses to obtain a business license.
- 32 • K Allen reported he saw games being played at Providence Elementary.

33 **Council Reports:** Items presented by the City Council members will be presented as informational only;

34 no formal action will be taken. The City Council may act on an item, if it arose subsequent to the posting

35 of this agenda and the City Council determines that an emergency exists.

- 36 • D Giles wanted to remind everyone that Memorial Day is coming and to have the flags placed at
- 37 the cemetery. S Bankhead will get with Esther to have her start tracking the veterans.
- 38
- 39 • K Eck – nothing
- 40 • R Sneddon – nothing
- 41 • K Allen – asked about the settlements. Mayor explained we are still waiting to hear.
- 42 • J Baldwin – asked about the access to the west yard. Mayor Drew explained the City Attorney is
- 43 looking into it.

44 Mayor Drew

- 45 • Dale Astle has a mural sized painting. The City Attorney came up with a loan agreement. D Astle
- 46 does not agree with the loan agreement. But will agree to the agreement used when the
- 47 • Regarding the email about comments during council meeting, it was about policies not
- 48 personalities.

- 1 • Jay Stocking would like to meet to talk about alternatives to the pond in Providence Heights
2 Phase 2. They are considering piping secondary water south to Hillsborough. Brent Speth is
3 willing to work with the City and the developers.
- 4 • Chief Brad Hannig explained 5 categories they are using to charge for the fire contract.
- 5 • Afterward Mayor and staff discussed combining the fire inspection duties with building
6 inspection and code enforcement. We are studying the possibility. B Speth felt there were
7 individuals that would fit nicely in a position like this. The new contract number is \$464,000. This
8 is very close to the county proposal. However, with the County proposal a fire station is needed.
9 This will be a tax increase.
- 10 • Mayor Drew reported during the CMPO meeting they discussed the ¼ cent sales tax increase for
11 road maintenance.
- 12 • Mayor Drew reported he emailed the City response to Jason Fuhriman, Blacksmith Fork
13 Irrigation. The letter explains we will exercise our rights to obtain the water. We are working on
14 getting the answers to the City owned shares in the irrigation company.
- 15 • Mayor Drew explained J Fuhriman is a very reasonable person. The rest of the board seems to
16 have a different mindset.
- 17 • We will be meeting with Kent Dunkley to discuss the Fickas property.
- 18 • Mayor Drew explained S Phippen is thrilled to work on the list that was reviewed.
- 19 • Mayor Drew explained some of Connie Clark’s previous work experience.
- 20 • Mayor Drew explained Mindi will be doing the minutes.

21 **Executive Session Notice:**

22 The Providence City Council may enter into a closed session to discuss pending or reasonably imminent
23 litigation as allowed by Utah Code 52-4-205(1)€.

24 The Providence City Council may enter into a closed session to discuss professional competence or other
25 factors allowed by Utah Code 52-4-205(1)(a).

26 The Providence City Council may enter into a closed session to discuss land acquisition or the sale of real
27 property Utah Code 52-4-205(1) (d) and €.

- 28 • No closed session held.

29 **Motion to adjourn – K Eck, second – D Giles**

30 **Vote:**

31 **Yea: K Allen, J Baldwin, K Eck, D Giles, R Sneddon**

32 **Nay: None**

33 **Abstained: None**

34 **Excused: None**

35 Meeting adjourned approximately 8:50 p.m.

36

37 Minutes prepared by Mindi Petersen.

38

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41

42 _____
John Drew, Mayor

Skarlet Bankhead, City Recorder