

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

4
5 Opening Ceremony:

6 Call to Order: Mayor Drew
7 Roll Call of City Council Members: Mayor Drew
8 Pledge of Allegiance: Mayor Drew
9 Opening Remarks – Prayer:

10
11 **Approval of the minutes**

12 **Item No. 1.** The Providence City Council will consider approval of the minutes of June 19, 2018.

13 Motion to approve the minutes for June 19, 2018 – R Sneddon, second – D Giles

14 Vote:

15 Yea: K Allen, K Eck, B Fresz, D Giles, R Sneddon

16 Nay: None

17 Page 1 line 47 she felt an entity applying for RAPZ grant money needed to be functioning without relying on RAPZ
18 money.

19 Page 2 line 10 ~~the~~ they will

20 Page 3 line 48 he would like to get

21 Page 4 line 13 **Not less than 75%**

22
23 **Public Comments:** Citizens may appear before the City Council to express their views on issues within the City's
24 jurisdiction. Comments will be addressed to the Council. Remarks are limited to 3 minutes per person. The total
25 time allotted to public comment is 15 minutes. The City Council may act on an item, if it arose subsequent to the
26 posting of this agenda and the City Council determines that an emergency exists.

- 27 • Laura Fisher stated she knows of no language in the Providence City Code that would allow Providence
28 City to commit taxpayer funds to a private development. She felt the only need for the crossing was for
29 the private development. L Fisher felt many people have spoken against the life cycle district. No member
30 of the Council other than the late Jeff Baldwin, have shown interest in the citizens' concerns. She read
31 from the culinary water requirement. She opposes the life cycle zone for this property due to it wrongly
32 forcing multifamily homes into established single-family neighborhoods.
- 33 • Hal Hansen clarified nothing has been submitted for the Chugg property. He referred to an article in the
34 Herald Journal. He asked if the City had asked for money for this crossing. Mayor Drew clarified the City
35 applied for the west crossing, not the crossing near the Chugg property. Mayor Drew also reported River
36 Heights Mayor is in support of the west crossing.
- 37 • Vickie Holmgren asked how much the bridge is going to cost and how much the developer would like the
38 City to contribute. Mayor Drew explained the engineering estimate is approximately \$291,000; the
39 developer proposed contributing \$100,000. She asked if the City had any idea how many dwellings would
40 access the bridge. K Allen explained we were not to that point. Mayor Drew explained the annexation
41 agreement comes first. The council could choose to say public funds will not be used for this project, or
42 they could choose to participate.
- 43 • Mayor Drew reviewed the information he received from the State regarding moderate income, not low
44 income, housing. He felt the requirements have been "ratcheted up". He read the definition of moderate
45 income housing. *"Moderate income housing" means housing occupied or reserved for*
46 *occupancy by households with a gross household income equal to or less than 80% of the median gross*
47 *income for households of the same size in the county in which the city is located."*
48 Mayor Drew explained, in Cache County, the median income is about \$54,000; 80% is about \$43,000. In
49 today's market at current interest rates that means someone at that income level could purchase a
50 \$170,000 home.

51
52 **Public Hearing:** None

1 **Business Items:**

2 **Item No. 1. Annexation for Further Consideration – Resolution 023-2018:** The Providence City Council will
3 consider for adoption a resolution accepting an annexation petition for further consideration filed by Josh Barnett
4 on behalf of Stephan Guymon, Theurer Land Company, and Gary Stauffer for Parcel No.s 02-117-0015, 02-117-
5 0019, and 02-124-0009 located adjacent to the south boundary of Providence City in the general area of 645 South
6 200 West, Providence UT

7 Mayor Drew explained this action is for the staff to continue with the consideration of the petition.

8 **Motion to approve 023-2018 – K Allen, second – R Sneddon**

9 **Vote:**

10 **Yea: K Allen, K Eck, D Giles, R Sneddon, B Fresz**

11 **Nay: None**

12 **Abstained: None**

13 **Excused: None**

14 Discussion prior to vote.

- 15 • J Barnett explained he has been considering the property for about 2 months. His first development was
16 in Millville City. This will be his second development.
- 17 • R Sneddon asked about the plans for ingress and egress. J Barnett explained the City would like a street on
18 the south portion of the property and a street connecting with 285 West. He does not see a huge
19 increase in traffic with single-family homes being built on the property. J Barnett explained he is working
20 on developing the Theurer property. The other two properties included in the annexation are not
21 included in the development. J Barnett explained he understands the problems with the property to the
22 south; the road will stay on the development property.
- 23 • K Guymon did not think it was right to put a 66-foot road against the private driveway. Mayor Drew
24 explained the road is in the transportation master plan. K Guymon did not agree with the partial road.
25 Mayor Drew explained the 24-foot asphalt width is wide enough for two-way traffic.
- 26 • G Stauffer does not agree with a road going in on the south side of his property.
- 27 • S Bankhead explained and read the city code on partial streets for clarification.

28
29 **Item No. 2. Discussion – Spring Creek East Crossing:** The Providence City Council will discuss the cost allocation
30 between the City and Ridgeview Park LLC.

- 31 • J Jackson admitted he made the comment in the previous minutes. He apologized for the
32 misunderstanding. He had no idea the crossing would cost \$300,000; he thought more like \$80,000. He
33 would like to see the cost estimate from the engineer.
- 34 • J Jackson explained this crossing is out of his property area. He felt the utilities should have been taken to
35 the end of the property in the Butch Hutchings development. He also explained that from traffic
36 ingress/egress he does not need the bridge to meet city and state codes.
- 37 • J Jackson stated for the reasons mentioned he feels it is appropriate to ask the city to participate with the
38 cost of the bridge. If the piece were already in the City asking him for the bridge would be an exaction.
39 They want the annexation agreement prior to the annexation so they know what costs to expect.
- 40 • Mayor Drew explained his philosophy is that cities do not pay for development. He is against the City
41 paying any toward the crossing.
- 42 • K Eck asked why the bridge was not built before. S Bankhead explained when the previous property was
43 developed the neighboring property owners did not want anything that would encourage traffic in their
44 area.
- 45 • R Sneddon expressed an analogy that J Jackson was first on the beach. He felt the City had some
46 responsibility. He felt you need to get the best you can buy because it has to last for a long time.
- 47 • J Jackson explained that in other cities they have used development agreements with neighboring
48 property owners. J Jackson would rather work on a percentage.
- 49 • B Fresz asked for a copy of J Jackson's cost estimate.
- 50 • D Giles asked Mary Hubbard if many years ago she was one of the property owners that did not want the
51 bridge.
- 52 • J Jackson suggested 50%. K Eck suggested 75%.
- 53 • Mayor Drew felt the developer would include their construction management costs. J Jackson explained

1 he would not bill the City for the construction management.

- 2 • B Fresz estimated costs at \$300,000
- 3 • J Jackson suggested starting with the 75%, plus the engineering costs. J Jackson felt that if the parameters
- 4 have not changed for the bridge, he is willing to cap the city's exposure. However, felt he needed more
- 5 information.
- 6 • J Jackson felt the \$20,000 would cover the anticipated overages. He suggested the City pay 25% of actual
- 7 costs, not to exceed \$290,000.
- 8 • K Allen felt 25% City and 75% to developer. B Fresz suggested the City's exposure would not exceed
- 9 \$75,000 or the actual 25%, whichever is less. If the City wants aesthetic improvements, the City will pay
- 10 100% of the aesthetic improvements cost.
- 11 • M Hubbard asked if the bridge was designed for a flood like 2011. M Pierce explained that typically the
- 12 box culvert is not designed for bed load. The box culvert is designed to handle the water volume, not the
- 13 bed load.
- 14 • S Bankhead explained M Pierce estimated that 20% of the design work has been completed.
- 15 • J Jackson's suggestion moving forward is to develop an annexation agreement with 25% City and 75%
- 16 developer for the cost of the bridge along with him incurring the engineering costs.
- 17 • J Jackson stated before he felt comfortable agreeing to a cap on the dollar amount he wants to make sure
- 18 the requirements for the bridge have not increased dramatically. He also explained if the parameters
- 19 have not changed from what is on the current design.
- 20 • J Jackson explained his estimate would not come in much different from M Pierces less the construction
- 21 management fee until he has more detail.
- 22 • J Jackson asked M Pierce if he felt the box culvert would need to be larger.
- 23 • M Pierce explained he feels the box culvert likely will increase in size because originally it was based off
- 24 300cfs. After FEMA came back with their study, it is now over 500cfs.
- 25 • D Giles explained he feels very comfortable with the city entering into an agreement where the city will
- 26 pay 25% and the developer will pay 75%. He suggested this be written into the terms of the annexation.
- 27 • J Jackson simplified - 25% of \$300,000 is \$75,000. This is utilitarian. The city will not exceed the \$75,000
- 28 or 25% whichever one is less and will allow for change orders in the future for design permits for esthetics
- 29 that the city will pick up. The city will pay for 100% of esthetics. He feels this is very fair and should be
- 30 included annexation agreement language.
- 31 • K Eck, K Allen, R Sneddon agreed.

32
33 **Staff Reports:** Items presented by Providence City Staff will be presented as information only.

- 34 • R Stapley reviewed the surface treatment map and schedule for the next two weeks. Crack seal and joint
- 35 seal are shown on a different larger map.
- 36 • City employees will spend the next two weeks getting the roads ready for the surface treatment.
- 37 • R Stapley discussed drive ability and smoothness of the roads.
- 38 • K Eck expressed concern with the curb and gutter on 600 East being wavy and not straight. R Stapley
- 39 explained the specs deal with quality, not aesthetics. R Stapley reported he and Max Pierce are working
- 40 on the spec book.
- 41 • B Fresz suggested the changes to the spec book should specify the end result not the method. K Eck feels
- 42 this should be added to the book as soon as possible. This should be priority with the amount of develop
- 43 in Providence. Mayor Drew, S Bankhead and R Stapley will be meeting with LTAP. R Stapley explained
- 44 they would have a conversation about specs and any suggestions they may have.
- 45 • R Stapley felt Parker Concrete does a very good job with a curb machine.
- 46 • R Stapley explained the 400 South park hydro seeding would take place in the fall.
- 47 • R Stapley reported Hillcrest Park is on hold. He is waiting on Eric Dursteller to present a new concept. K
- 48 Eck will follow up with him.
- 49 • R Stapley reported Bauer Avenue project started today. A lot of progress will be made this week with tree
- 50 trimming, tree removal and grading.
- 51 • B Fresz and K Allen thanked the Public Works department for all of their hard work.
- 52 • S Bankhead reported the Cache Valley Cup is this week.
- 53 • S Bankhead explained spring sports are winding down. Fall sport registrations will open this week. The

1 City Celebration is on September 29.

- 2 • B Fresz asked if the check register could be sorted by amount or account.
- 3 • S Bankhead reported August 14 is the Truth in Taxation Hearing. This hearing cannot start until 6:30 pm.

4
5 **Council Reports:** Items presented by the City Council members will be presented as informational only; no formal
6 action will be taken. The City Council may act on an item, if it arose subsequent to the posting of this agenda and
7 the City Council determines that an emergency exists.

- 8 • Mayor Drew reported on the appeal authority meeting.
- 9 • Mayor Drew discussed cameras for broadcasting the council meetings.
- 10 • K Allen asked about Spring Creek Parkway through the Little Baldy Subdivision. Mayor Drew reported City
11 staff is meeting with L-Tap.
- 12 • D Giles did not like the way the construction crew spoke to his wife when she drove through the road.
- 13 • D Giles explained there are 38 teams coming to play in the soccer tournament.
- 14 • D Giles asked about the sewer inspections. He said they found a few sump connections and some ground
15 water infiltration. Mayor Drew reported Bryon Cox knows of six homes in Cobblestone that are in
16 violation of the sump pumps.
- 17 • D Giles expressed concern about the recycle bin by Von's park and the amount of cardboard boxes getting
18 into Spring Creek. S Bankhead suggested looking into a 6 ft. fence to put behind the bins.
- 19 • D Giles reported a tree is growing in the Creek. R Stapley will follow up.
- 20 • K Eck felt the City should consider allowing accessory dwelling units.
- 21 • Mayor Drew discussed moderate income housing. He suggested developing infill is much less expensive
22 than new developments. He felt the City by design, was directed toward automobile movement.
- 23 • R Sneddon – no additional
- 24 • K Allen – no additional
- 25 • B Fresz reported he put together a spreadsheet that shows measurements of how much water is going
26 down Providence Canyon.
- 27 • Mayor Drew reported that B Fresz developed a table that shows his measurements of how much water is
28 going down Providence Canyon.
- 29 • Mayor Drew reported the County Trails person is working on placing a Kiosk at the entrance of the canyon
30 that will display rules for bikers, hikers, shooters or dirt biker etc.
- 31 • Mayor Drew reported the HJ News had an article in the paper stating local cities are not responsive to
32 reporters that would like information about what is going on.
- 33 • Mayor Drew reported J Hamblin brought him a report concerning Spring Creek Parkway speeds. Mayor
34 will track the citations weekly.
- 35 • B Fresz suggested posting the reports online after requests from residents.

36
37 **Executive Session Notice:**

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

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

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

44 **Motion to enter a closed session – K Allen, second – B Fresz**

45 **Vote:**

46 **Yea:** K Allen, K Eck, D Giles, R Sneddon, B Fresz

47 **Nay:** None

48 **Abstained:** None

49 **Excused:** None

50 Council entered into an executive session approximately 9:15 p.m. They returned to open meeting approximately
51 9:25 p.m.

1 **Motion to adjourn – B Fresz, second – D Giles**
2 **Vote:**
3 **Yea: K Allen, K Eck, D Giles, R Sneddon, B Fresz**
4 **Nay: None**
5 **Abstained: None**
6 **Excused: None**

7
8 Meeting adjourned approximately 9:35 PM
9 Minutes prepared by Mindi Petersen

10
11 **Minutes Approved August 14, 2018**

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14
15 _____
16 John Drew, Mayor

Skarlet Bankhead, City Recorder