

1 **PROVIDENCE CITY COUNCIL MEETING**

2 **August 6, 2013**

3 **15 South Main, Providence UT**

4
5 Call to Order: Mayor Liechty
6 Roll Call of City Council Members: Mayor Liechty
7 Attendance: Ronald Liechty, Mayor
8 Dale Astle, Bill Bagley, Don Calderwood, Ralph Call, John Russell
9 Pledge of Allegiance: Mayor Liechty

10
11 **Approval of the minutes**

12 **Item No. 1.** The Providence City Council will consider approval of the minutes July 9, 2013 City Council
13 meetings.

14 **Motion to approve the minutes: J Russell, second - B Bagley,**

15 Corrections:

16 Page 2 line 34: strike B

17 Page 3 line 26: Don Calderwood said he had a potential commissioner. Strike John Drew

18 **Motion to accept as amended: R Call, second – D Calderwood**

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

20 **Nay: None**

21 **Abstained: None**

22 **Excused: None**

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

- 27
- 28 • John Drew: Sauerkraut update – John Hubbard will have cabbage in about 2 weeks; the grower in
29 Preston is about 2 weeks behind, he is fine if we look elsewhere for the cabbage. We will just
30 work with the local cabbage. Brent Speth is willing to help.
 - 31 • Kirk Allen: as a private citizen he would like the construction sign “flagmen ahead” removed. He
32 has been looking at the sidewalks and curbing system (which also serves as an irrigation system)
33 throughout the City. He was also wondering where the wastewater goes. He felt the code
34 amendment needs to be thought through. Regarding Mr. Calderwood’s letter to the Editor, Mr.
35 Allen does not think there is an “old boys” system. He felt the City was beyond that.
 - 36 • Roger Leuba: Concerned with a holding pond on the back of his lot. In the 6 years they have lived
37 there, it has never filled; the water doesn’t run out – it evaporates. He is concerned about the
38 neighbor children playing in the pond when he isn’t home. Asked if the City would consider
39 sharing cost of fence. Leuba also asked about fireworks in Providence. Thanked the Council for all
40 the great work. S Bankhead will get copy of State Code, including Providence City restrictions.
 - 41 ○ Randy Eck explained the pond is not a city pond, it belongs to the property owner. It is
42 not filling in capacity because only a partial road has been built. When the remaining
43 portion of the road is built, it will impact the water in the pond.
 - 44 • Sharell Eames: S Eames disagrees with Mr. Allen; she felt there was an “old boy” feeling in the
45 town. She objected to the Council granting exceptions. She quoted from UCA 10-9a-702.

46 **Business Items:**

47 **Item No. 1. Resolution 13-018.** The Providence City Council will consider for adoption a resolution
48 supporting the emergency communication charge as part of the refuse collection fee and increasing the
49 Cache County Refuse Collection Fee in the amount of \$1.00 per month.

50 **Motion to approve Resolution 13-018: D Astle, second – B Bagley**

- 51
- 52 • Randy Almun from Emergency Communications said this is \$1.00 per resident based on the black
53 beauty garbage can.
 - D Astle had questions about what this fee is used for, if it affects 911, who has access to these
emergency radios, how many radios are operating in Providence, etc.

- 1 • R Alum answered that this is a user fee for radio emergency communications and does not affect
2 the 911 Center. These radios are only used for public safety in Cache County; there are about
3 1,100 radios in the county. Providence does not have any radios because all public emergency
4 situations are handled through Logan. All this fee does is pay for radios that are currently on the
5 system. R Alum reviewed the breakdown of where the extra \$1.00 fee would go.

6 **Vote: Yea: D Astle, B Bagley**
7 **Nay: R Call, J Russell, R Liechty**
8 **Abstained: D Calderwood**
9 **Excused: None**

10 **Item No. 2. Resolution 13-019.** The Providence City Council will consider for adoption a resolution
11 amending the Providence City Public Works Standards and Specifications Manual by adding a profile for a
12 turn-around using a private driveway and increasing the maximum width for a residential driveway to 35'.

13 **Motion to approve Resolution 13-019: J Russell, second – D Calderwood.**

- 14 • R Eck explained the private driveway turnaround. Property owners are responsible to build and
15 maintain the turn-around according to City specifications; the City will not plow the turn-around,
16 it will be the responsibility of the property owner to keep the driveway clear. This applies to
17 encumbered lots requesting a building permit.
- 18 • D Astle had a question on the 35' maximum driveway cut in regards to corner lots.
- 19 • R Eck explained that a corner lot can't have a driveway within so many feet of the corner. Also,
20 driveways of two property owners must have a specified minimum distance between the two
21 driveways. This has come up because so many people are building three car garages. However,
22 this could be a problem with 60' frontage lots.

23 **Motion to amend for lots 80' minimum frontage: D Astle – no second**

24 **Motion died for lack of second. Vote is on original motion.**

25 **Vote: Yea: D Astle, B Bagley, D Calderwood, R Call, J Russell**
26 **Nay: None**
27 **Abstained: None**
28 **Excused: None**

29 **Item No. 3. Resolution 13-020.** The Providence City Council will consider for adoption a resolution
30 appointing alternates to the Planning Commission.

31 **Item withdrawn.**

32 **Item No. 4. Ordinance 001-2013.** The Providence City Council will consider for adoption an ordinance
33 amending Providence City Code Title 10 Zoning Regulations Chapter 1 General Provisions, including but
34 not limited to changes in definitions for the following: accessory building, building-main, business use-
35 general, business use-low, business use-medium, family, family animal keeping, light manufacturing,
36 residential facility for persons with disability.

37 **Motion to approve Ordinance 001-2013: J Russell, second – D Calderwood**

38 Page 3 – Building and Building, Main:

- 39 • R Call objected to restricting the accessory building.
40 • D Calderwood explained the Planning Commission's discussion. The Planning Commission
41 decided a main building and an accessory building could be built simultaneously.
42 • R Call felt it was a rare event that someone would want to build an accessory building prior to a
43 main building.

44 • D Astle felt there was already a problem and this is to prevent problems in the future.

45 Page 4 & 5 – Business Use General, Business Use Low Impact, Business Use Medium Impact:

- 46 • K Allen and J Baldwin reviewed the Planning Commission's decision to omit Business Use
47 General, Business Use Low Impact and Business Use Medium Impact.
48 • D Astle asked how home businesses that weren't business offices were going to be addressed if
49 all these sections are taken out.
50 • J Baldwin explained this is covered under the Home Business Use Chart.

51 Page 6 – Church:

- 52 • Providence City does not allow churches to lease space and hold religious meetings in a
53 commercial general district.

1 Page 14 – Residential Facility for Persons with Disability:

- 2 • K Allen requested the word persons be changed to individual.

3 **Motion to approve Ordinance 001-2013 as amended: J Russell, second – D Calderwood**

4 **Vote: Yea: D Astle, B Bagley, D Calderwood, J Russell**

5 **Nay: R Call**

6 **Abstained: None**

7 **Excused: None**

8 **Item No. 5. Ordinance 006-2013.** The Providence City Council will consider for adoption an ordinance
9 amending Providence City Code Title 11 Subdivision Regulations:

Chapter 1 General Provisions: including but not limited to changes to the definitions of collector street, cul-de-sac, feeder street, sustained street grade, variance committee.

Chapter 2 Administration and Enforcement: including but not limited to adding Administrative Provisions currently listed in Chapter 5 and amending paragraph D. Exceptions to Title.

Chapter 3 Plat Procedures and Requirements: including but not limited to addressing the approval time frame for dependent subdivisions and a criteria test for the installation of curb, gutter, and sidewalk.

Chapter 4 Design Standards: including but not limited to Section 3 Streets and Street Improvements: amending Paragraph J. Sidewalks, by changing the requirements for sidewalks.

Chapter 5 Public Improvements: including but not limited to adding the following to the minimum improvement requirements: All curb, gutter, and all utility trenches that lay inside the roadway; and by moving Section 15 Administrative Provisions to Title 11 Subdivision Regulations, Chapter 2 Administration and Enforcement.

10 **Motion to approve Ordinance 006-2013: D Calderwood, second – D Astle**

- 11 • R Call would like to eliminate the Appeal Authority and move it to the Council.
12 • It was clarified that the only way the Council can be the Appeal Authority is if all land use
13 decisions are made by any Land Use Authority, except the City Council.
14 • There was discussion by council members regarding the reconfiguration of the Appeal Authority
15 and what language would be used to make the appropriate changes.

16 **Motion to continue discussion of Ordinance 006-2013 with the reconfiguration of the Appeal Authority**
17 **to the City Council after appropriately holding the public hearing: R Call, second – D Astle**

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

19 **Nay: D Calderwood**

20 **Abstained: None**

21 **Excused: None**

22 **Item No. 6. Ordinance No. 007-2013.** The Providence City Council will consider for adoption an ordinance
23 amending Providence City Code Title 3 Business and License Regulations, Chapter 4 Conditional
24 Businesses, Section 5 Home Businesses by adding the following paragraph. K. Electrical Power: No 3-Phase
25 electrical power may be provided directly to the home business. A converter may be used.

26 **Motion to approve Ordinance No. 007-2013: R Call, second – D Calderwood**

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

28 **Nay: None**

29 **Abstained: None**

30 **Excused: None**

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

- 32 • R Eck said the round-about will be paved this week. Master Mechanic and Bank of Utah are
33 happy with the way the round-about turned out.
34 • D Astle asked about the sanitary sewer on 300/1700 South and whether or not Logan wanted
35 Providence City to tap into its system.

- R Eck said their system does not have the capacity in the Blackhawk line to take our sewage. We either have to upsize their line; continue our line out of our jurisdiction, tie into their lift station and upgrade their lift station; or hold off for now and as development comes we build a lift station, but put a dry line in now. It seems this third option is the best option.
- B Bagley asked about a shade canopy for Alma Leonhardt Park.
- R Eck said Public Works is still looking into that.
- S Bankhead said she still does not have the amounts Providence City owes to River Heights and Millville for the Justice Court. Skarlet reminded the Council that emails from the City Attorney that are marked as "Confidential" at the bottom of the email, should not be forwarded.
- D Astle asked about the Knight's Storage fence project.
- S Bankhead said she will be meeting Thursday morning, August 8, 2013, with Gerald Knight.

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

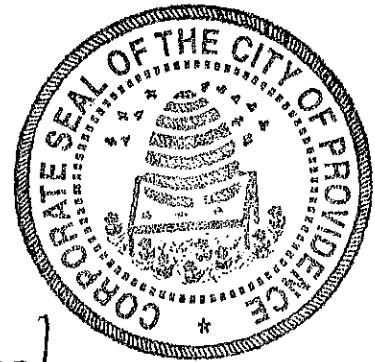
- B Bagley asked about the audit. Skarlet said we are still closing out invoices from the last fiscal year. B Bagley asked about the new computer programs and Skarlet reported that we have the hardware, we are just waiting for our IT to get it set up. The State wants everyone to go to a uniform line item system.
- B Bagley also mentioned that Master Mechanic business sold to Tyson Anderson, R Anderson still owns property a building.
- D Calderwood – nothing to report.
- D Astle will be out of town for 3 weeks.
- R Call will be out of town for 2 weeks. He sent an email regarding parking places at 2 North Main.
- D Astle didn't know if the removal of 2 stalls would have an impact.
- B Bagley didn't feel that 2 parking stalls would make a difference; he felt that backing up from the angle parking was a safety issue.
- J Russell explained he feels the area will get tighter if the parking is changed. He sees it as a problem for parking during the school day. He didn't feel the need for the change.
- R Call reported about the time he got on the Council, George Daines called him and talked about 300 South. Daines would like to improve the City property using the City shares to water it and plant trees. He doesn't want to do anything with the easement. He just wants to improve the property for fire safety. R Call recommends letting Mr. Daines to this.
- D Astle's concern was that there be an agreement that if and when the City uses the property Mr. Daines understands the City can do what they want. D Astle doesn't object as long as there is an agreement.
- J Russell reviewed Gary Milburn's request for a proposed senior citizen center. Agenda item for next meeting. Council doesn't want to put it in Von Baer Park.
- Mayor reported he heard on the news of some City in Utah having a successful bow hunt.
- Mayor asked about the roundabout ribbon cutting. August 27, 10:00 a.m. Invite Chamber of Commerce. Ask for deputies.

Motion to adjourn: R Call, second – D Calderwood

Vote: Yea: D Astle, B Bagley, D Calderwood, R Call, J Russell
 Nay: None
 Abstained: None
 Excused: None

Meeting adjourned at 8:50 p.m.

Minutes recorded by S Bankhead and prepared by C Craven.



Ron Liechty
 Ron Liechty, Mayor

Skarlet Bankhead
 Skarlet Bankhead, City Administrator

