

1 **PROVIDENCE CITY COUNCIL MEETING**
2 **September 11, 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:
9 Opening Remarks – Prayer: Vicki Holmgren

10
11 **Approval of the minutes**

12 **Item No. 1.** The Providence City Council will consider approval of the minutes of June 26, 2018.

13 **Motion to approve the minutes for June 26, 2018 R Sneddon –, second – K Eck**

14 **Vote:**

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

16 **Nay: None**

17
18 **Item No. 2.** The Providence City Council will consider approval of the minutes of August 28, 2018.

19 **Motion to approve the minutes for August 28, 2018 K Allen –, second – D Giles**

20 **Vote:**

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

22 **Nay: None**

23 Page 1 line 50 ~~Brady Bryan Davis Davies~~, Logan City Fire Captain and Providence Resident

24 Page 2 line 21 capital fixtures ~~expenditures~~

25 Page 3 line 11 flow to the weir ~~at mouth of the Canyon.~~

26 Page 3 line 20 would ~~prepare~~ review the draft

27 Page 3 line 33 ~~.45~~ .42

28 Page 4 line 35 drought

29
30 Mayor Drew welcomed Curt Webb; State Representative, Mayor David Hair; Millville City and Corey Twedt,
31 Millville City Recorder.

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

- 37
 - No public comment offered

38
39 **Public Hearing(s):**

40 Council opted to discuss item No. 2 first.

41 Council opted to discuss item No. 4 second.

42
43 **Business Items:**

44 **Item No. 1. Discussion – Boundary Adjustment with Millville City:** The Providence City Council will discuss the
45 viability of a boundary adjustment for Parcel No.s 03-036-0008 and 03-036-0011 (approximately 90 acres)
46 currently located in Millville City adjacent to the southeast boundary of Providence City in the general area of 400
47 East 1275 South Providence.

- 48
 - Jeremy Jensen, Imagine Development/Providence Highlands LLC, explained that during the development
49 of the first phases of the Highlands Subdivision, they transferred enough water rights for 500 homes.
50 They also sold additional water rights to the City in a separate transaction. At this point, there are just
51 under 100 homes. They are at the point that they have “run out of runway” to extend 800 East south,
52 then west, then north to connect to Grandview Drive. This will provide a second access for further
53 development. J Jensen explained he reached out to Mayor Hair of Millville. Millville does not have the

1 infrastructure to service development in the area.

- 2 • J Jensen explained they have always been in favor of a higher density. Larger lots are challenging. They
- 3 are hard to maintain and people do not always have the ability to care for them.
- 4 • J Jensen reported they put in the amenities purely because they wanted the amenities.
- 5 • R Sneddon asked for clarification for high density and more open space. He asked if that meant
- 6 multifamily dwellings. J Jensen explained they are open to multifamily dwellings option. K Allen felt if the
- 7 single-family lots were smaller the open space would make up for the smaller lots.
- 8 • J Jensen spoke to the life cycle zone. He agreed that as families change, housing needs change. He felt it
- 9 was important to consider all stages.
- 10 • J Jensen explained tonight's discussion is to talk about the possibility of a boundary adjustment with
- 11 Millville. He is certainly willing to discuss the zoning on the property that is within the City.
- 12 • K Eck stated she supported the boundary adjustment.
- 13 • Mayor Drew explained the Life Cycle zone is its own zone. The Planning Commission is considering
- 14 overlaying it on some of the east bench.
- 15 • B Fresz felt, with the slopes in the area, there would be places that would not be buildable. He felt the
- 16 Life Cycle zone would work well. He also expressed a desire to have the existing trail extended. J Jensen
- 17 agreed. He felt amenities were a benefit to cities.
- 18 • Mayor Drew asked about the interest in Life Cycle for the property above Grandview. J Jensen stated he
- 19 was interested. He also explained the product needs to be something people want to live in. K Eck
- 20 explained sometime in the next 8 years or so, she would like to live in a high-end town home with
- 21 amazing views.
- 22 • J Jensen reviewed the 56 acres being considered in Cotton Wood Heights. The plan is for 1000 units (18
- 23 units per acre) and includes open space. J Jensen explained when inflation occurs, the ability to afford
- 24 housing drops.
- 25 • J Jensen explained they would like to move forward with details toward the boundary adjustment.
- 26 • Mayor Hair from Millville explained they like good neighbors. There are some roads, particularly
- 27 Millville's 550 East (Providence 400 East), that need to be improved. Mayor Hair explained they do not
- 28 have the facilities to entertain development of the property. Down the road, maybe; but not now. They
- 29 are not opposed to the boundary adjustment.
- 30 • J Jensen explained part of 550 East is on CELCO property. J Jensen explained in the water agreement. The
- 31 Developer conveyed 457 acre feet of water. The City purchased 100 acre feet at the time of conveyance.
- 32 In the event that any portion of the water held in trust by the City for the Developer remains unused by
- 33 the Developer after a period of 15 years (the agreement is dated 01/18/2005), the City agreed to
- 34 purchase the unused portion at a price of \$1,350 per net acre foot.
- 35 • B Fresz would support adding this property with the Life Cycle zone. It is in his back yard.
- 36 • M Hubbard reported she was at the meetings in 2005 and has been very impressed with the
- 37 development.
- 38 • G Hill asked where the traffic would exit. J Jensen explained there are a number of access points,
- 39 Grandview to Canyon Road, 1000 South, and in Millville. K Allen felt it was important to consider
- 40 transportation. K Allen also felt there are people that are suspicious of developers. He wanted good
- 41 information to dispel the "pillage" theories.
- 42 • K Allen expressed concern about the big RVs that park on the street.

43
44 **Item No. 2. Discussion – Water Rates for the 50,001+ gallons/month billing tier:** The Providence City Council will
45 discuss rates for water use in excess of 50,000 gallons/month. The current rate is \$1.50 per 1,000 gallons.

- 46 • Curt Webb reported the legislature recently passed legislation that authorized rate increases to save
- 47 water. He spoke to wasting water. Most of the City's lots are quarter-acre. In 1983 when his lot was
- 48 approved, the City encouraged large lots. He explained he has the same restriction on his large lot as
- 49 smaller lots. He has tried for twenty years to reduce his monthly rate, approximately \$500 per summer
- 50 month. He felt waste of water should be over and above what it takes to reasonably water the size of the
- 51 lot. He explained as someone that is retired and on a fixed income, he cannot continue with the high cost
- 52 during the summer months. He explained the green open spaces were worth keeping. He felt there
- 53 needed to be a penalty for wasting water. The penalty should be on using more water than necessary,
- 54 not using the appropriate water for a large lot. C Webb felt the churches and schools were also being

1 over charged.

- 2 • K Allen asked what the neighbors were doing. C Webb explained many have more concrete and some
- 3 allow part of the back to be in weeds that they mow. K Allen felt answers could be explored. K Allen felt
- 4 you should pay for what you use.
- 5 • C Webb felt he needed to spend \$400/month to keep the lawn green; \$350/month does not keep it
- 6 green. He is perfectly happy to pay his share. K Allen felt the enjoyment of a big lot was the cost of the
- 7 water.
- 8 • Mayor Drew felt the question was how to set up a rate schedule to factor in the amount of property
- 9 being watered.
- 10 • B Fresz explained 2 people using \$200 per month for water compared to four lots with approximately 14
- 11 people. C Webb said it was horse manure and B Fresz didn't have any idea.
- 12 • K Eck would like to see what other cities are doing; what their tiers look like. C Webb stated if Providence
- 13 City had a secondary water system this wouldn't be an issue but the City chose not to have one.
- 14 • R Sneddon felt there was a philosophical problem based on the time we live in. He is willing to look at a
- 15 different way. But did not think the path C Webb was suggesting was a sustainable path.
- 16 • D Giles reported North Logan's tier for 50,000 is \$1.57, Smithfield's is \$1.60.
- 17 • M Hubbard asked what proportion excess water is of the total water revenue. She asked what the fiscal
- 18 impact would be.
- 19 • Mayor Drew felt there would be a financial impact. He explained research needed to be conducted
- 20 before any decision is made.
- 21 • M Hubbard also explained grass grows dormant during the summer, as the temperatures cool, the grass
- 22 comes back.
- 23 • R Cecil felt some type of equalization should be considered.
- 24 • Ramona Rukavina reported she purchased her home in 1992. It is an acre of property and purchased
- 25 additional property for a total of 1.39 acres. Mayor Drew reported the water revenue is for operation and
- 26 maintenance and capital repairs. R Rukavina explained her watering system. In the month of March her
- 27 usage was zero. In April her usage was 6. She felt she should get a credit. In the month of July she used
- 28 118,000 gallons. Her goal is to have 90% of her property in drip irrigation. She felt the bills are unfair. The
- 29 water portion of the July bill was \$155. She felt that she was making a major effort to minimize the
- 30 amount of water she uses. She felt plants were important to the community.
- 31 • K Allen felt the points raised are questions that should be considered.
- 32 • G Hill has almost 1/2-acre and only uses 6,000 – 8,000 per month. But he does have secondary irrigation
- 33 water.
- 34 • K Sneddon felt the City needs to look toward the future. She felt conservation needed to be taught. She
- 35 felt part of the answer was to plant water wise.

36
37 **Item No. 3. Resolution 030-2018 – Sewer Rate Increase:** The Providence City Council will consider for adoption a
38 resolution increasing the monthly sewer rate from \$33.15 to \$35.65. A \$2.50 increase reflecting the rate increase
39 charged by Logan City for wastewater treatment.

40 **Motion to approve 030-2018 increasing the monthly sewer rate from \$33.15 to \$35.65. – K Eck, second – K Allen**

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

42 **Nay:** None

43 **Abstained:** None

44 **Excused:** None

- 45 • S Bankhead explained the resolution. She stated the \$2.50 increase is the overall cost not the cost per
- 46 thousand gallons.
- 47 • M Hubbard asked if the City was still looking for people illegally putting water in the sewer system. Mayor
- 48 Drew said discussions had been held and public works staff would be looking for violators in the spring.
- 49 He also explained he represents Providence City on the Logan Regional Rate Setting Committee for Logan
- 50 City's wastewater treatment plant.
- 51 • S Bankhead explained this will be included on the September bill that will be sent out October 1st.

52
53 **Item No. 4. Resolution 031-2018 – Nominee for Board position:** The Providence City Council will consider for

1 adoption a resolution selecting an individual for nomination to the Spring Creek Water Company Board of
2 Directors to act for Providence City. This resolution does not appoint an individual to the Board of Directors; it only
3 selects an individual for nomination.

4 **Motion to approve 031-2018 selecting a nominee for the Spring Creek Board of Directors – K Allen, second – R**
5 **Sneddon, amendment to the motion to name Brent Fesz – K Allen, second R Sneddon.**

6 **Yea: K Allen, K Eck, D Giles, R Sneddon, B Fesz**

7 **Nay: None**

8 **Abstained: None**

9 **Excused: None**

10
11 **Discussion prior to vote**

- 12 • K Allen asked about the concern Spring Creek Water Company had that the City could not have a board
13 member.
- 14 • Mayor Drew explained the City is a corporation and by law has the right to representation just as any
15 other shareholder.
- 16 • Chad Woolley explained the shareholders vote for the Board of Director members during their annual
17 meeting. The City does have stock and is entitled to representation.
- 18 • R Daniels believed that Spring Creek Water Company has had a very good relationship with Providence
19 City. The Board of Directors look out for all the shareholders. He would be concerned about a Board
20 Member that had a self-interest. He did not feel Spring Creek Water Company had ever done anything
21 against the City.
- 22 • R Daniels explained he feels the Mayor and the City Council are trying to create a rift between the City
23 and Spring Creek Water Company by wanting to put someone that represents the City on Spring Creek
24 Water Company Board. He stated he is against the City trying to put someone on Spring Creek Water
25 Company Board.
- 26 • S Eames asked what the attorney meant by “we are shareholders”. C Woolley explained “we” is
27 Providence City.
- 28 • R Sneddon stated this is a nomination not an election for representation on the Spring Creek Water
29 Company Board.
- 30 • K Eck asked who votes to elect the Board members. Mayor Drew explained it is the shareholders who
31 vote for this person.
- 32 • K Allen felt there may be other Board Members that have personal agendas. He did not feel the City had a
33 personal agenda. He felt Spring Creek Water Company was a benefit to the City. He did not feel a City
34 representative’s purpose would be to tear down or disrupt what is in place.
- 35 • S Bankhead explained to the best of her knowledge Providence City has never nominated someone to
36 represent the City on the Board.
- 37 • K Eck explained she felt it is important to have a good relationship with the water company.
- 38 • Mayor Drew explained Brent Speth has recently said weather runs in cycles. Mayor Drew explained B
39 Fesz toured the spring area with R Daniels. B Fesz’s suggestions during today’s executive staff meeting
40 were ways to bring more water down the Canyon for the benefit of the Water Company. Many of the
41 executive staff’s discussions have been how do we help the water flow through the canyon.
- 42 • C Webb reviewed the process. This is just a nomination, it is not an appointment. There is no guarantee
43 that B Fesz will be elected.

44
45 **Staff Reports:** Items presented by Providence City Staff will be presented as information only.

46 **Rob Stapley**

- 47 • R Stapley reported the fog sealing should be completed this weekend. They will start after the Top of Utah
48 Marathon finishes in the area. The striping is scheduled for the following Friday. A two to three day wait
49 prior to painting the fog sealed surface is recommended.
- 50 • Jay’s Well Park was hydro seeded.
- 51 • We have a temporary employee that is working in the water department to change the existing water
52 meters to radio read meters. He also explained that the City does not charge for excess water during the
53 winter. Changing to radio read meters would allow the City to read water meters during the winter.

- 1 • R Stapley felt changing the rate structure would take a lot of research.
- 2 • Mayor Drew explained at the end of the year, there will be about 150 water meters remaining that will
- 3 not be radio read.
- 4 • K Allen asked about the water coming from Conservice’s driveway. R Stapley explained it was an irrigation
- 5 problem in River Heights.
- 6 • R Stapley asked for feedback on Hillcrest Park. He would like to put the grading plan out for bid. S
- 7 Bankhead is preparing a bid package. It proposes four terraces. K Allen felt moving forward was good. R
- 8 Stapley met with fence companies and is waiting for their estimates.
- 9 • K Eck asked how the City advertises for bids. R Stapley explained he contacts companies and it is put in
- 10 the newspaper. K Eck asked that the local landscaping companies receive notice of bids.
- 11 • B Fresz complimented 1000 S roadwork. Mayor Drew also complimented 400 E roadwork.

12 S Bankhead

- 13 • S Bankhead explained there are over 400 people who are signed up for the pipeline. She explained most
- 14 people are signed up for emergency messaging.
- 15 • S Bankhead reported Connie Clark has accepted a position with the Federal Government in Salt Lake City.
- 16 Her last day with Providence is Friday.
- 17 • K Eck asked if openings were posted on Indeed. S Bankhead stated openings are posted on Indeed,
- 18 Workforce Services, LDS Employment and USU.
- 19

20 **Council Reports:** Items presented by the City Council members will be presented as informational only; no formal

21 action will be taken. The City Council may act on an item, if it arose subsequent to the posting of this agenda and

22 the City Council determines that an emergency exists.

- 23 • D Giles – no additional report
- 24 • K Eck – no additional report
- 25 • R Sneddon – no additional report
- 26 • K Allen – no additional report
- 27 • B Fresz – no additional report
- 28 • Mayor Drew reported he asked for call volumes from Logan City Fire.
- 29 • Mayor Drew reported one of the properties in the Josh Barnett annexation request has a boundary
- 30 concern, which is a survey problem. They have filed a protest. This may delay the process.
- 31 • R Stapley reported the City still has an opening for a street technician.
- 32 • Mayor Drew reported Gustavo Garcia has taken another job.

33 **Executive Session Notice:**

34 The Providence City Council may enter into a closed session to discuss pending or reasonably imminent litigation as

35 allowed by Utah Code 52-4-205(1)(c).

36 The Providence City Council may enter into a closed session to discuss professional competence or other factors

37 allowed by Utah Code 52-4-205(1)(a).

38 The Providence City Council may enter into a closed session to discuss land acquisition or the sale of real property

39 Utah Code 52-4-205(1) (d) and (e).

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

41 **Vote:**

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

43 **Nay: None**

44 **Abstained: None**

45 **Excused: None**

- 46 • Council entered closed session at approximately 8:30 p.m.

47 **Motion to close the executive session – B Fresz, second – D Giles**

48 **Vote:**

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

50 **Nay: None**

51 **Abstained: None**

52 **Excused: None**

1 • Closed session ended approximately 8:55

2 **Motion to adjourn — K Eck, second – R Sneddon**

3 **Vote:**

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

5 **Nay: None**

6 **Abstained: None**

7 **Excused: None**

8

9 Meeting adjourned approximately 8:55 PM

10 Minutes prepared by Mindi Petersen

11

12 **APPROVED 09/25/2018**

13

14

15

16 _____
John Drew, Mayor

Skarlet Bankhead, City Recorder