

1 **PROVIDENCE CITY COUNCIL MEETING**
2 **October 10, 2017 6:00 PM**
3 **Providence City Office Building, 164 North Gateway Drive, Providence UT**
4

5 Opening Ceremony:

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

10 **Approval of the minutes**

11 **Item No. 1.** The Providence City Council will consider approval of the minutes of September 26, 2017

12 **Motion to approve the minutes – K Allen, second – R Sneddon**

13 **Vote:**

14 **Yea: K Allen, J Baldwin, J Drew, D Giles, R Sneddon**

15 **Nay: None**

16 **Excused: None**

17 **Abstained: None**

- 18 • No corrections

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

- 24 • Michael Semadeni, 535 Garden Drive, expressed concern for the safety of his children and the
25 children in the area. He was concerned that people needed to accept personal responsibility for
26 their driving habits. He did not feel his landscaping was the problem; he felt poor driving habits
27 were the problem. He reported he studied the intersection both in person and using a trail
28 camera. He also had a friend study another intersection in the area that had no clear-view
29 obstructions. He gave the following results:
- 30 ○ 1-hour in person study: one of four drivers stopped at the stop sign; zero of four
31 stopped at the other corner.
 - 32 ○ M Semadeni also did a video study using a G42 Stealth Cam with a 0.5 second trigger
33 time, it detects motion and is used for wildlife. It took 470 pictures, 142 are going
34 straight (north and south), 231 false trigger. The device also records sound, when
35 triggered you can hear the car. If a car is going too fast at the stop sign, it triggers, but
36 does not take an image of the car. If the car is turning left, going too fast to trigger the
37 camera, it will not take the image of the car. His memory card captured three days of
38 information: 31 vehicles of 97 vehicles came to a complete stop (31.9%), 8 vehicles
39 questionable stop, 58 made no attempt to stop. If you combine the 97 with the 231:
40 76% are not stopping, 18.9% stopping, 4.8% questionable stop. There were 2.4 vehicles
41 per hour.
 - 42 ○ M Semadeni understands his landscaping is in violation. He stated he was in violation of
43 the clear-view ordinance as written. He feels, even with the current landscaping, you
44 can see clearly when you turn left and right. He recommends police presence.
 - 45 ○ J Baldwin commented very few stop at the corner of 300 East 200 North.
 - 46 ○ M Semadeni felt removing the landscaping may cause people to stop even less.
 - 47 ○ J Drew felt that was an interesting point; people being able to see better, not stopping
48 and just motoring along.

- 1 ○ K Allen felt there was a well thought out reason for clear-view at corners. That does not
2 mean people should not stop. He felt both law enforcement and understanding why the
3 clear-view ordinance exists are important to solving the issue.
- 4 ○ R Sneddon reported that when he came to a complete stop at the intersection, he could
5 see both directions. The problem is, if there was an accident, what would the City's
6 liability be by not enforcing the ordinance.
- 7 ○ M Semadeni felt each corner needed to be looked at; some corners have poor visibility
8 even when they comply with the ordinance. He use the example of 400 South 100 East.
- 9 ● Lindsay Jensen stated she stops at the stop sign, but realizes many do not. Her concern is driving
10 on Garden Drive and not being able to see children coming down 535 South. She reported three
11 times she has had encounters not seeing children on bikes coming down the street. The children
12 are in the wrong, but you just can't see them coming.
- 13 ● Steve Smith also lives on the corner of 535 South and 300 West. There are about 80 children in
14 the area. He did not feel the stop sign was the problem; it is not being able to see children when
15 turning left.
- 16 ● Brianne Miller, 624 South 300 West, reported one time her 3 year old was learning to ride a
17 bike; he could not stop and she was very concerned that people could not see him. She agreed
18 people not stopping at the stop sign are a problem. But the issue is not being able to see
19 children coming down the street. She also understands parents need to be responsible and
20 teach their children safety; children will make mistakes. Trees are not worth a child's life.
- 21 ● Heidi Carlston, 539 Garden Drive, lives across the street to the west of M Semadeni. She has told
22 children to stop at the stop sign and not come into the street. The problem is, coming south you
23 cannot see the children coming down 535 South. She has seen it over and over. Drivers need to
24 be able to see. She appreciated the efforts other neighbors have made to bring their corner-lot
25 landscaping into compliance; and felt M Semadeni should bring his into compliance.
- 26 ● Sharell Eames lives on the corner of 400 South and 100 East. It is a terrible corner. The trees are
27 in the City right-of-way.
 - 28 ○ Rob Stapley explained adjacent property owners are responsible for the park strip. He
29 also reported the City has scheduled to trim the 100 East trees.
- 30 ● K Allen asked how many people use the area in question. It was explained the people from the
31 top part of the neighborhood funnel down through, so there is quite a bit of traffic. K Allen felt
32 there needed to be more education and more discussion in the neighborhood about safe
33 crossing. He suggested having an officer speak with the children.
- 34 ● Kathleen Fortune, 560 Garden Drive, the opposite corner, received a notice about a clear-view
35 violation 2 years ago. They removed their berm and bushes and put a flag pole in, so their
36 property is compliant. She agreed that people do not stop; there is also a speed issue; and little
37 children just barrel down the street – do not stop, and go right into the road. She does not let
38 her children use their bikes until they can do it safely. Children are more important than trees;
39 but parents need to take responsibility to teach their children safety; if they are not stopping,
40 take the stuff away until they learn.
- 41 ● Tiffany Putman explained she was not at the stop sign when she almost hit someone. The
42 problem is not at the stop sign. People need to stop. The problem is driving south on Garden
43 Drive and not being able to see children coming down 535 South. In addition to teaching
44 children to be responsible, we should be responsible to follow the laws – all the laws; not just
45 one or the other. She encouraged neighbors contact the police and have them patrol the area.
46 She is asking the City to enforce the clear-view ordinance, making the area a better place. She
47 felt this could be a potential problem if something bad were to happen. She just wants the trees
48 removed. She had to do CPR on a child that was hit by a car, not here; it is the last thing anyone

1 would want to do. The clear-view just needs to be enforced.

- 2 • Amy Horsburgh, 580 South Garden Drive, wanted to make it clear she is not trying to avoid
3 responsibility as a driver. As users of the road, people can follow the laws more closely. She has
4 had near misses with a couple of children. She stops and texts the parents. She also knows that
5 children do not always listen and obey the rules. She also felt Juniper trees were an invasive
6 species.
- 7 • Doyle Rindlisbacher, 560 Garden Drive, stated people do not stop. If people and children would
8 take personal responsibility, this would not be a problem.
- 9 • Mayor Calderwood stated the City will enforce the ordinance.
- 10 • J Baldwin suggested the Council review the ordinance before enforcing.
 - 11 ○ J Drew reported that two or three years ago the Council spent quite a bit of time
12 discussing it. He felt the ordinance should remain as is.
- 13 • D Giles commented there were many corners throughout the city that are in violation. We need
14 to enforce everywhere.
- 15 • S Bankhead explained part of the enforcement problem that is frustrating to the homeowners is
16 that it comes several years after the homeowner plants. When first planted, much of the
17 vegetation is below the 2-ft mark; it complies with the ordinance. Then it grows into the clear-
18 view area; we come to enforce, and people are frustrated they weren't told in the beginning.
19 She felt there needed to be an education effort.
- 20 • J Drew felt there were plenty of plants that don't grow that tall. He didn't feel the City should
21 get in the business of telling people what to or not to plant.
- 22 • K Allen stated there are also fences that are in violation.
- 23 • R Sneddon suggested the City help with the cost of changing the landscaping on a case by case
24 landscaping. He felt City participation to heal a neighborhood would be a good thing. Other
25 council members did not agree.

26 **Public Hearing(s) 6:15 PM – 2018 Budget Adjustments:** Prior to making adjustments to the 2018
27 Budgets, the City Council is holding a public hearing. The purpose of the public hearing is to provide an
28 opportunity for anyone interested to comment on the adjustments before action is taken. The City
29 Council invites you to attend the hearing in order to offer your comments.

30 **Motion to open the public hearing – J Baldwin, second – J Drew**

31 **Mayor opened the public hearing.**

32 Public hearing open:

- 33 • S Bankhead reviewed the following amendments. Both adjustments are for projects that were
34 anticipated in the 2017 budget year, but did not happen. She also explained the Baur Avenue
35 project has not gone to bid, but staff feels it is a good ball park number.
 - 36 ○ Budget Adjustments for the 2018 Capital Project Fund (CPF)
37 Increasing CPF Revenue: Intergovernmental Revenue – Grant-County from \$0 to
38 \$700,000 (CCCOG 2015 Award for Gateway Drive)
39 Total CPF Revenue Increase: \$700,000
40 Increasing CPF Expense: Streets Division – Engineering from \$25,000 to \$40,000; and
41 Increasing CPF Expense: Streets Division –Construction – Improvements from \$360,000
42 to \$1,045,000
43 Total CPF Expense Increase: \$700,000
 - 44 ○ Budget Adjustments for the 2018 Water Fund
45 Increasing Non-Operating Income Prior Year Revenue from \$0 – 450,000 (Baur Avenue
46 Waterline Improvement)
47 Increasing Expenses – Downtown Water Project from \$0 - \$450,000
- 48 • J Baldwin expressed concern about contractors bidding based on the allocated budget. S

1 Bankhead explained some money should be put in the line item right now; suggested \$100,000.
2 This would allow proceeding with the engineering and up-front costs. Another budget
3 adjustment could be made after the bids have been received. S Bankhead also explained that
4 City Engineer, Max Pierce is very careful with engineer estimates to avoid influencing a bid.

5 **Motion to close the public hearing – J Drew, second – D Giles**

6 **Vote:**

7 **Yea: K Allen, J Baldwin, J Drew, D Giles, R Sneddon**

8 **Nay: None**

9 **Excused: None**

10 **Abstained: None**

11
12 **Business Items:**

13 **Item No. 1. Resolution 046-2017 2018 Budget Adjustment:** The Providence City Council will consider for
14 adoption a resolution adjusting the 2018 Budgets.

15 **Motion to approve Resolution 046-2017 – R Sneddon, second – J Drew**

16 **Vote:**

17 **Yea: K Allen, J Baldwin, J Drew, D Giles, R Sneddon**

18 **Nay: None**

19 **Excused: None**

20 **Abstained: None**

21 Discussion prior to vote:

- 22 • No additional discussion.

23
24 **Item No. 2. Resolution 048-2017 Bid Award.** The Providence City Council will consider for adoption of a
25 resolution awarding the bid for the audio/video improvements for the City offices located at 164 North
26 Gateway Drive, Providence.

27 **Motion to approve Resolution 048-2017 awarding the bid to AllTech – J Baldwin, second – K Allen**

28 **Motion that Resolution 048-2017 bid be awarded to AllTech subject to confirmation by J Baldwin that**
29 **other cities in the valley are satisfied with their performance – R Sneddon, second – J Drew**

30 **Vote:**

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

32 **Nay: None**

33 **Excused: None**

34 **Abstained: None**

35 Discussion prior to vote:

- 36 • Mayor Calderwood gave a brief description of the proposed improvements.
- 37 • S Bankhead reported the City received estimates from three firms. J Baldwin, S Bankhead, and R
38 Stapley met with the firms to get a better understanding of each estimate. Two of the three
39 submitted an adjusted estimate, one firm did not submit the adjusted estimate.
- 40 • J Baldwin reviewed the Next Audio and the AllTech bids.
 - 41 ○ Next felt the control equipment should be installed in the IT Room, rather than a cabinet
42 in the Council Room. Very knowledgeable about the system; they're proposing top of
43 the line equipment. One concern was ongoing training and product support. Next would
44 provide one training and bill hourly for product support.
 - 45 ○ J Baldwin reported AllTech has put systems in Hyrum, Nibley, Smithfield, Richmond, and
46 one other city. J Baldwin reported Smithfield had a problem with the system and AllTech
47 fixed it. J Drew suggested contacting the other cities; he felt it may help us avoid an
48 unfortunate experience. R Sneddon suggested approval conditional upon J Baldwin
49 talking with the other cities. AllTech provided unlimited training and product support for

1 a year.

- 2 ○ J Baldwin reported Next uses more wireless; AllTech uses more hard wiring. Next felt
- 3 the wireless system would be a secure system. AllTech felt the security control with
- 4 hardwiring was the better way to go. There is some wireless in the AllTech system.
- 5 Hardwiring also has an advantage when dealing with the building's physical firewalls.
- 6 ○ J Baldwin reported the plan is to build a new podium for the council room that would
- 7 house the equipment. The side facing the council would have a mounted television for
- 8 the council to view.
- 9 ○ The request was for three large screen televisions (two for the council room and one for
- 10 the downstairs room) and the smaller television for the podium. Next proposed a
- 11 projector for the downstairs room rather than a television.
- 12 ○ J Baldwin was also concerned about the camera configuration that Next proposed. He
- 13 felt AllTech addressed the camera placement to better meet the City's needs. Consent
- 14 notices will be posted, notifying people the meetings are filmed.
- 15 ○ J Baldwin felt the cabinet proposals were fine. There was also a difference in the
- 16 microphone systems. The AllTech system seemed to better meet the City's needs.
- 17 ○ J Baldwin felt both bids were complete. If the council had more questions,
- 18 representatives from both firms could be invited to the next council meeting.
- 19 ○ S Bankhead reported AllTech installed the current system the Council is using.
- 20 ● J Drew felt the other cities should be contacted for reference.
- 21 ○ J Baldwin will contact the other cities. If he receives good comments, he will move
- 22 forward with the project.
- 23

24 **Item No. 3. Resolution 049-2017 Contract:** The Providence City Council will consider for adoption a
25 resolution approving a contract between the State of Utah-Department of Heritage and Arts and
26 Providence City for the general purpose to provide grant funds to undertake local historic preservation
27 projects under the Certified Local Government (CLG) program. (Amended 10/09/2017)

28 **Motion to approve Resolution 049-2017 – K Allen, second – J Baldwin**

29 **Vote:**

30 **Yea: K Allen, J Baldwin, J Drew, D Giles, R Sneddon**

31 **Nay: None**

32 **Excused: None**

33 **Abstained: None**

34 Discussion prior to vote.

- 35 ● S Bankhead reported the Historic Preservation Commission (HPC) approached the City Council in
- 36 February regarding an application for a Certified Local Government (CLG) grant. The HPC's intent
- 37 is to have intensive level surveys on five locations and update the Walking Tour brochure with
- 38 the additional locations. The Utah Division of State History recently notified the City of the grant
- 39 award. She explained this is a matching grant, some of the match can be in-kind.
- 40 ● S Bankhead reported the members of the Historic Preservation Commission are: Howard
- 41 Christenson, Wes Bitters, Gail Trowbridge, and Julie Barker.
- 42 ● J Baldwin asked about the timeframe. S Bankhead explained the award begins September 15,
- 43 2017 and ends August 31, 2018.
- 44

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

46 **Rob Stapley:**

- 47 ● R Stapley expressed concern about enforcing the clear-view ordinance, because the violations
- 48 are on private property. He visits the property owner and explains the violation, and documents
- 49 the meeting. The City staff is systematically trying to remove problems in the public way.

- 1 ○ J Baldwin realizes the corner in question is in violation, but doesn't feel it is the worst
- 2 corner. J Baldwin suggested having the Sheriff Deputies monitor the area in an
- 3 unmarked car. He would like a 3rd party (Sheriff Deputy) opinion of what is happening.
- 4 ○ R Stapley stated unless he receives other direction, he will continue knocking on doors a
- 5 few hours every few weeks to discuss violations with homeowners. The office staff will
- 6 also put clear-view information in the zoning permit package to help educate
- 7 homeowners.
- 8 ○ K Allen felt there was something to be said for having law enforcement presence. He felt
- 9 with the direction staff is taking and the law enforcement presence, people would
- 10 comply.
- 11 ○ R Sneddon liked the direction the staff was going.
- 12 ○ J Drew agreed with the Mayor, the ordinance should be enforced. The question of every
- 13 corner is a different issue; but where we have been notified, we need to enforce. The
- 14 stop sign violation also happens all over.
- 15 ○ D Giles asked who is responsible to enforce, the staff, the public works director.
- 16 ○ S Bankhead explained staff will make the initial contacts. If the homeowner does not
- 17 comply, the City Attorney will get involved and we will follow the legal process.
- 18 ○ S Bankhead stated Council support is very important. Once the staff, attorney, and law
- 19 enforcement start the process, having Council support with the angry citizens is
- 20 extremely important.
- 21 ○ R Sneddon felt city participation may make the difference. J Drew felt we needed to be
- 22 very careful before opening the citizens' pocketbook.
- 23 ○ J Baldwin asked how our ordinance compared to other cities. R Stapley will ask other
- 24 public works directors.
- 25 ○ Mayor Calderwood stated the ordinance will be enforced.
- 26 ● R Stapley reported as soon as Rocky Mountain Power has the lights on, we will open the 100
- 27 South roundabout.
- 28 ● R Stapley and S Bankhead discussed the street change (knuckle) at 1250 South and Hidden View
- 29 Drive. The Developer has had money in an account for a very long time waiting for the City to
- 30 decide on the corner. In speaking with Chad Woolley, City Attorney, the City does have some
- 31 responsibility because it took so long for the City to decide. Staff met with the property owners,
- 32 the developer joined by phone, and discussed options. Robert Campbell would like to combine
- 33 his two properties; the water and sewer services for that lot would not be needed. If the council
- 34 agrees, the Developer will put in the entire amount of the bond, each property owner will
- 35 contribute between \$1,500 - \$2,000, and the City would make up the balance. S Bankhead felt
- 36 the City would contribute \$6,000 to \$9,000. R Stapley felt the costs could be kept down and was
- 37 optimistic the City's amount would be less than \$6,000. This would not require a budget
- 38 adjustment. The staff would like a general direction from the Council. After discussion, the
- 39 Council felt the staff should proceed to get the best deal we can.
- 40 ● S Bankhead reported her written staff report contains the invoice report for September.
- 41 ○ The Planning Commission is working on design standards for multi-family units.
- 42 ○ S Bankhead thanked everyone that participated in the recent Oktoberkraut Celebration.
- 43 ○ S Bankhead reminded the Council members they were invited to the general plan
- 44 charrette.
- 45 ○ S Bankhead reported CCID Charter School will be ready for the meet the candidate
- 46 event. Eric Frandsen, Cache Valley Media Group will moderate the Q&A session.
- 47 Afterward, there will be a 30-minute meet and greet.
- 48
- 49

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

1 no formal action will be taken. The City Council may act on an item, if it arose subsequent to the posting
2 of this agenda and the City Council determines that an emergency exists.

- 3 • Mayor – no report
- 4 • J Baldwin reiterated taking a careful approach to the clear-view.
- 5 • K Allen felt candidates needed to police themselves and be careful about placement of
6 campaign signs.
- 7 • R Sneddon – no report
- 8 • J Drew explained he puts fewer campaign signs out, moves them around, and talks with the
9 property owner about the placement. He also reported he and S Bankhead met with Max
10 Backlund, a director with EDCUtah, regarding economic development. The idea is to have a pro-
11 active plan, targeting the best types of businesses for Providence.
- 12 • D Giles thanked everyone for a great celebration event.

13 **Executive Session Notice:**

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

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

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

20 **Motion to enter executive session – J Baldwin, second – J Drew**

21 **Vote:**

22 **Yea: K Allen, J Baldwin, J Drew, D Giles, R Sneddon**

23 **Nay: None**

24 **Excused: None**

25 **Abstained: None**

26 The City Council entered a closed session at approximately 8:50 PM

27 **Motion to close the executive session – J Drew, second – J Baldwin**

28 **Vote:**

29 **Yea: K Allen, J Baldwin, J Drew, D Giles, R Sneddon**

30 **Nay: None**

31 **Excused: None**

32 **Abstained: None**

33 The Council re-entered the open meeting at approximately 9:23 PM

34 **Motion to adjourn – J Baldwin, second – J Drew**

35 **Vote:**

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

37 **Nay: None**

38 **Excused: None**

39 **Abstained: None**

40
41 Council meeting adjourned at approximately

42
43 Minutes taken and prepared by S Bankhead.

44
45 **APPROVED 10/24/2017**

46
47
48 _____
Don W Calderwood, Mayor

Skarlet Bankhead, City Recorder