

1 **PROVIDENCE CITY COUNCIL MEETING MINUTES**
2 **March 12, 2019 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, K Allen, K Eck, R Sneddon, B Fresz (by phone)
8 Excused: D Giles
9 Pledge of Allegiance:
10 Opening Remarks – Prayer:

11
12 **Approval of the minutes**

13 **Item No. 1.** The Providence City Council will consider approval of the minutes of February 26, 2019

14 **Motion to approve the minutes for February 26, 2019 – K Allen, second – R Sneddon**

15 **Vote:**

16 **Yea: K Allen, R Sneddon, K Eck, B Fresz**

17 **Nay: None**

18 **Excused: D Giles**

19 **Corrections:**

- 20 • None

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

- 26 • Kent Dunkley spoke about the city's plan to bore under Highway 165 with sewer. He wondered if that is
27 still happening.
28 • Mayor Drew said that it is an engineering challenge. The decision hasn't been made yet. He explained
29 that he would like to invite the property owners to discuss how they would like to proceed
30 • Josh Paulsen complimented the Mayor on his demeanor over the past few months and stated that it is
31 noticed. He asked that S Bankhead speak into the microphone for the recording. He also noted that the
32 rules of conduct are not in the bylaws. The holding of signs is a free speech issue that has been litigated
33 on before. Ceding of time is a long-held practice at the state and federal legislative levels. He feels that
34 the newsletter has become propaganda. Most of it is authored by the Mayor. He would like the
35 newsletter to include articles written by other members of the council. He also suggested printing the
36 newsletter in black and white to save money. He would like to see money saved and not spent on
37 refreshments. He also noted that the minutes and agendas are non-searchable PDFs. He requested that
38 they be searchable so that they can be indexed and searched.

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

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42 **Item No. 1.** Annexation and Zone Assignment for Parcel No. 02-004-0001 & 02-004-0002: Prior to making a
43 decision on granting the annexation petition and assigning a land use zone, the City Council is holding a public
44 hearing. The purpose of the public hearing is to provide an opportunity for anyone interested to comment on the
45 annexation before action is taken. Parcel No.s 02-004-0001 & 02-004-0002, 22.13-acres (+/-) are located in the
46 general area of 615 North 300 E.

- 47 • Ruth-Anne Nelson from River Heights referenced a study done by Alliance Consulting Engineers. Ground
48 water was found at 11ft. She read from PCC 10-5-5, which states that if ground water levels may occur
49 within 12 feet of the natural grade, building requires a conditional use permit. The conditional use permit
50 shall not be issued unless there are no basements, and building footprints and all paved areas cover no

- 51 more than 40% of the lot. She feels that townhomes are not appropriate in this area. She felt that
52 parking would be an issue.
- 53 • Mayor Drew explained that the property in question was an alfalfa farm. The family that owned it did
54 sub-watering. They put perforated pipe 4 ft below grade, and by irrigating they artificially raised the
55 water table. The mayor explained that there is an annexation agreement that requires the developer, if
56 necessary, to put in a land drain. Also, town homes and condominiums will not have basements.
 - 57 • Jake Watterson of Providence is an attorney with a local firm. He asked if the city has adopted a general
58 master plan.
 - 59 • S Bankhead explained that the bulk of the plan was adopted in 2001 and has been revised over the years.
60 The most recent revision was 5 months ago when the Annexation Policy Plan was updated.
 - 61 • J Watterson asked if this plan encompasses the Chugg property.
 - 62 • S Bankhead said that it is in the the Annexation Policy Plan.
 - 63 • J Watterson asked if the City believes that once standards are met for a zoning application, the City is
64 required by law to adopt it.
 - 65 • Mayor Drew explained that once land is annexed into the City, the council assigns a zone to it. The
66 property owner requests a particular zone. However, the council is not required to go with what they
67 requested.
 - 68 • J Watterson referenced Baker v. Carlson, a decision issued by the Utah Supreme Court in November. It
69 deals with the referendum process that the citizens of Holladay used to stop the Cottonwood Mall
70 development. He said that there are a number of citizens prepared to start that process.
 - 71 • Jenette Stimson of Providence has a large parcel, and would like to stay in Providence when she is no
72 longer able to take care of the land. This could be a smaller lot or a town home. She is in favor of the
73 development.
 - 74 • Jamie Saltern of River Heights lives within 100 yards of this development and would like to request a 60
75 day extension before a decision is made. She would like more facts and information on property values,
76 traffic, infrastructure and schools before a decision is made.
 - 77 • Chris Williams of Providence appreciates the growth in Providence. His property values have gone up. He
78 hopes that the council continues to drive that growth. He stated that growth shouldn't be one-
79 dimensional, such as only single family homes on half-acre lots. He felt that it would be wise to consider
80 the LCR type of development.
 - 81 • Dustin Poulsen of Providence is a local real estate agent. He stated that it is very difficult to get people to
82 move to Providence because of the high cost of lots. He felt that having something more affordable
83 would be beneficial to families that would like to reside in Providence.
 - 84 • Nick Dursch of Logan will be moving to Providence in a few months. He could not afford a home in
85 Providence and is building a home with friends. He feels that there needs to be more affordable options
86 in Providence.
 - 87 • Brenda Poulsen of Providence explained that the town homes that are selling by Macey's are at a price
88 point of 260,000-280,000. Mayor Drew said that they are going for 226,000-240,000. B Poulsen feels that
89 that is still not affordable housing.
 - 90 • K Eck said that the only housing that is "affordable" is an apartment. She said that N Dursch was referring
91 to attainable housing.
 - 92 • B Poulsen said that many were against the annexation of the first Chugg property, and yet it was still
93 approved and her tax dollars were used to pay for the bridge. She felt that the city continues to vote
94 against the citizens. She and some others will actively campaign against the council members in the
95 upcoming elections. She would like to request the 60 day extension before a decision is made.
 - 96 • Emily Merkley of Providence lives a few houses away from the Chugg property. She understands the
97 need for smart growth. She is not against LCR but she is against it being in the wrong places. She feels
98 that traffic and safety studies need to be completed before a decision should be made. She said that it is

99 not smart to carry out this plan far away from the city center. High density areas need shopping, dining,
100 parks, and transit, which the Chugg property does not have. She would like to see a compromise and
101 would like the council to listen to the citizens. She would like to request the 60 day extension.
102

103 **Business Items(s):**
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105 **Item No. 1.**Resolution 007-2019 Annexation Agreement for Parcel No. 02-004-0001 & 02-004-0002 The Providence
106 City Council will consider for adoption a resolution approving the annexation agreement for Parcel No.s 02-004-
107 0001 & 02-004-0002, 22.13-acres (+/-) located in the general area of 615 North 300 E.

108 **Motion to approve resolution 007-2019 –R Sneddon, second – K Allen**

109 **Motion to amend the resolution and include language stating that the bridge will be completed within 30 days**
110 **after FEMA approval, or in phase 2, whichever is sooner AND**

111 **Motion to amend the resolution to paragraph 8a to state that Providence City’s cost will be capped at a**
112 **maximum of 25% of the total cost of the Spring Creek Crossing, or \$75,000, whichever is less. – K Eck, second –**
113 **K Eck**

114 **Vote:**

115 **Yea: B Fresz, R Sneddon, K Eck, K Allen**

116 **Nay: None**

117 **Excused: D Giles**

118 **Discussion:**

- 119 • K Eck stated she would like to make a full disclosure that her husband Randy Eck works for Mt. Sterling
120 Management, which is part of the developer. Her husband will not make any additional money if K Eck
121 votes for the development. He is a salary employee.
- 122 • Mayor Drew said that the city's portion of the Spring Creek crossing bridge is 25%, up to \$75,000. The
123 engineer's estimate is \$291,000 for the total. We will need to make an amendment to the resolution to
124 clarify the City’s obligation.
- 125 • J Jackson asked that the council amend the portion that says that the bridge will go in with the first phase.
126 FEMA is backed up because of the government shutdown, and therefore gaining approval could take
127 longer.
- 128 • A Nance explained that she felt that the bridge needs to be completed before phase 2 is started.
- 129 • Jana Hawkes of Providence asked why development will be allowed to go into phase 2 before the bridge is
130 built.
- 131 • K Allen asked why we would want to delay phase 2 for the bridge.
- 132 • J Hawkes said that many citizens are concerned about the traffic. Before we allow more homes to be built,
133 the bridge should be in place. She said that citizens of River Heights and Logan will also be affected by the
134 traffic.
- 135 • J Jackson said that he would be fine with agreeing to build the bridge with phase 1, or within 30 days of
136 FEMA approval, whichever is sooner.
- 137 • Gary Wilkinson of River Heights explained that he felt that the point of the bridge is to create access, and
138 felt that the bridge should be in place before phase 1 is built. He would like to see things stop until all
139 permits are in place from FEMA.
- 140 • Ruth Anne Nelson felt that the bridge needs to be in place before phase 1 starts. She wondered which
141 street construction vehicles will use to access the property if the bridge is not in place. She is concerned
142 about the road fronting River Heights Elementary School having lots of construction traffic.
- 143 • J Jackson stated that fire code only requires two emergency accesses into a development. This
144 development already has 3. The bridge is not required from an emergency access standpoint, but is
145 something that the city council is requiring as a benefit to citizens. In a normal single family development,
146 the developer would not be paying for the bridge.

- 147 • J Jackson said that Phase 1 will not generate any more traffic than a typical subdivision, such as
- 148 Providence Hollows, etc.
- 149 • J Jackson explained how construction traffic will reach the site. They could use 1000 E to access it from
- 150 the north and south, and 600 south to access it from the west.They could also turn before the school and
- 151 use Spring Creek Parkway once the bridge is in.
- 152 • K Allen said that all citizens will feel the effects of development as long as the population keeps growing.
- 153 We have to manage it.
- 154 • J Jackson said that whether construction on the bridge starts before or during phase 1, the asphalt will be
- 155 laid on the bridge at the same time that it is laid on streets for the development. Regardless of when the
- 156 bridge construction starts, all of phase 1 will be done without the use of the bridge.
- 157 • R Sneddon asked about the stormwater coming off of Little Baldy.
- 158 • J Jackson said that the agreement requires a 24" pipe that connects to Spring Creek. As part of the
- 159 annexation agreement, they will be fixing some of the flooding problems in the area.
- 160 • J Jackson displayed the concept plan for the development. He explained that over the past two years, he
- 161 has incorporated suggestions from residents, such as creating a buffer zone against 1000 E and 600 south
- 162 so that there are no driveways there, and surrounding the town homes with single family homes so that
- 163 the development blends well with existing uses. A 1-mile walking trail encircles the entire project. The
- 164 diagram shown represents 32% open space, but not 32% usable open space. Once you add the side and
- 165 back yards for the single family homes, it would meet the 40% unpaved/unbuilt requirement that was
- 166 discussed earlier in the meeting. He also addressed the distance from the city center. He said that once
- 167 Spring Creek Parkway is complete, the development will be about 3/4 mile from the city office building.
- 168 He said that there may not be a piece of land of the right size closer to the city center than this piece. He
- 169 doesn't think that there is a better piece of land in Providence for this zone.
- 170 • J Jackson noted that all amenities will be owned and maintained by the HOA.
- 171

172 **Item No. 2.** Ordinance 2019-004 Annexation and Zone Assignment for Parcel No. 02-004-0001 & 02-004-0002: The
 173 Providence City Council will consider for adoption an ordinance approving the annexation and assigning a land use
 174 zone for Parcel Nos. 02-004-0001 & 02-004-0002, 22.13-acres (+/-) located in the general area of 615 North 300 E.
 175 This annexation also includes the portion of 1000 East that is adjacent to the property.

176 **Motion to approve ordinance 2019-004 and Zone Assignment – K Allen, second – R Sneddon**

177 **Vote:**

178 **Yea: B Fresz, R Sneddon, K Eck, K Allen**

179 **Nay: None**

180 **Excused: D Giles**

181 **Discussion:**

- 182 • Josh Paulsen asked where the apartments are in the development.
- 183 • J Jackson explained that currently, the plan is to have condos, not apartments.
- 184 • J Paulsen felt that a decision made now would not be beneficial since there is a public hearing scheduled
- 185 tomorrow evening on changes to the LCR ordinance. One of the proposed changes would require
- 186 apartments in any development over 25 acres.
- 187 • Blaine Murray of Providence believes that the city has a lot more leverage over development with this
- 188 model than with a standard single-family development. He supports the development.
- 189 • Danny McFarlane of Providence explained that he felt that what is being presented is quality
- 190 development. He said that many cities would clamber to get this kind of a project. He feels that
- 191 developments like this are needed because there is not anything else in the low 200s that is available.
- 192 • Mayor Drew said that in the Life Cycle Zone, the construction has to meet Providence City's multi-family
- 193 design standards. For example, aluminum and vinyl siding are not allowed. The exterior material has to be
- 194 stucco, brick, stone or hardy board. Mayor Drew said that the design standards were made in order to

- 195 respond to the concerns of residents. All types of construction in the Life Cycle Zone has to meet this
 196 standard, including single family homes.
- 197 • Michelle Kimball of River Heights asked if the developer would be able to explain the density in each area
 198 of the development. She also asked if this is a final plan.
 - 199 • J Jackson explained that he has done a lot more prep work for this project than he would normally do
 200 prior to an annexation and rezone. The rezone and the annexation is the starting point, and usually they
 201 do not do much until this is settled, because it determines what they can plan for. Once they rezoned the
 202 first property in this development to LCR, they felt confident that that pattern would continue, and so
 203 they went ahead and invested money to prepare the concept. Normally, they wouldn't be able to show
 204 residents something like the plan they are showing today
 - 205 • J Jackson explained that single family lots must be a minimum of 5,000 sq ft. Home sizes could range from
 206 1300-3400 square feet without a basement. The town homes will be similar to the ones being built
 207 behind Macey's. Those units are 1501 sq ft. He explained that there will be two types of townhomes: front
 208 load and rear load. For parking, the single family homes will have 4 stalls at a minimum. Most town homes
 209 will have two car garages, and some will have single car garages. They will also have two parking stalls in
 210 the driveways. He explained that all of the front load town homes will have a patio off the back, and the
 211 rear load town homes will not have a yard. The condominiums are 10 plexes. On the main level, they have
 212 10 single-car garages. Each unit has two parking spaces, one in a garage, and one outside. There is guest
 213 parking around the condos. J Jackson says that they have exceeded the parking requirements in the
 214 ordinance by a lot.
 - 215 • J Jackson explained that there are 89 single family lots, 105 street-loaded town homes, 50 alley-loaded
 216 townhomes, and 110 condos in the current plan.
 - 217 • J Jackson explained that the city has a lot more control of landscaping and design in this type of
 218 development than in a typical single family development.
 - 219 • J Jackson explained that he doesn't think that there is any reason to delay the project until the changes to
 220 the LCR ordinance are passed. Ordinances change frequently, and he is willing to adapt the project to the
 221 changes.
 - 222 • Rod Rounds of Cache County lives behind this development. He stated that the condos will devalue his
 223 property. He will no longer be able to see the mountains.
 - 224 • Barbara Moon of Providence asked J Jackson if there is another development in the valley that has the
 225 same lot size so that people can see what this will look like. She feels that these lot sizes are very small.
 - 226 • K Eck said that Brookside has similar lot sizes.
 - 227 • J Jackson stated that he would be happy to do research and get the information to B Moon. He explained
 228 that reduced side yard setbacks allow them to put the same house on a smaller lot, and have the same
 229 size back yard.
 - 230 • K Allen thanked J Jackson for explaining this process and feels that a decision should be made.

231
 232 **Item No. 3. Ordinance 2019-005 Rezone:** The Providence City Council will consider for adoption an ordinance
 233 approving the rezone request for Parcel No. 02-209-0006 located in the general area of 593 W 300 S, Providence,
 234 UT; The property is currently zoned Commercial Highway District (CHD); the applicant is requesting Multi-Family
 235 High (MFH)

236 **Motion to approve ordinance 2019-005 – K Eck, second – R Sneddon**

237 **Vote:**

238 **Yea:**

239 **Nay: B Fresz, R Sneddon, K Eck, K Allen**

240 **Excused: D Giles**

- 241 • S Bankhead explained that Commercial Highway District is retail friendly, so that the city can get sales
 242 tax. The applicant is asking that 3.7 acres of that area be changed from Commercial Highway to Multi

243 Family High (MFH). MFH allows 18 units per acre. It is the same zoning that is on Providence Gateway. The
244 Corner is also zoned MFH. The planning commission recommends changing the General Plan Map to show
245 the applicant's property as MFH.

- 246 • S Bankhead noted that the types of businesses that bring in sales tax are changing. Small businesses look
247 for the number of dwellings in the area. Therefore, adding more dwellings could contribute to bringing in
248 more business.

249 S Bankhead read from the following report:

250 **FINDINGS OF FACT:**

- 251 1. ES used the Providence City Master Plan 2000 as revised, and examined current and anticipated
252 development in the immediately surrounding area, to review the application. General Plan Sheet
253 5-BFuture Re-Zone of Existing Districts does not presently call for the zone for this area to change
254 to Multi-Family High (MFH)
- 255 2. Providence City Master Plan 2000 Revised 8 December 2009 lists Principles Governing the Master
256 Plan 2000, including but not limited to the following:
 - 257 • Strengthen the economic base of the community by encouraging the growth of a quality
258 commercial area.
 - 259 • Focus prime development opportunities on strong retail facilities that generate sales taxes.
260 (Res 09-035, 12/08//2009)

261 **CONCLUSIONS OF LAW:**

- 262 1. The General Plan does not anticipate this property zone changing from CHD.
- 263 2. Changing the zone to MFH is not in harmony with the Master Plan directives listed in Findings of
264 Fact, Item 2.
- 265 3. The General Plan should be amended in order to make a favorable recommendation on this
266 rezone request.

267 **CONDITIONS:**

- 268 1. The applicant shall meet all applicable City, state and federal laws, codes, rules.
- 269 • S Bankhead explained that the owner has expressed a desire to create a walkable, mixed-use area by
270 combining the property they hope to change to MFH with a renovated commercial area to the west
271 (where Edwards Furniture was located).
 - 272 • Tyson Coleman, a member of the development group for Arbor Fields, explained that finding a big box
273 tenant to fill that space is very difficult. He believes that smaller businesses will have more success. He
274 said that it would be unlikely for a commercial development to happen on the property in question (east
275 of the Edwards Furniture building). He is interested in town homes, and would like to have a price point of
276 \$220,000, but feels that even that price will be difficult to achieve.
 - 277 • B Fresz said that this property is actually very close to Highway 165, even though it is behind the Edwards
278 building. It is closer to the Highway than the Macey's building. He felt that 300 S is a main road for people
279 coming west, and it should have retail. He is not in favor of MFH, but would be in favor of mixed use.
 - 280 • Ashley Nance of Providence explained that she has a strong opinion. She felt that changing zones from
281 commercial to residential is a bad idea because of the limited commercial space available. She likes the
282 idea of mixed use in this area and feels it is a good area for commercial.
 - 283 • Nelson Palmer asked for clarification on the maintenance plan on 300 south. He also felt that the plan for
284 this area should include the Allen property.
 - 285 • R Stapley explained that 300 south is put on the back burner for now because of future development. The
286 developer may be required to improve the road.

- 287 • K Dunkley asked if a rut can be chip and sealed.
- 288 • R Stapley explained that it can overlaid and then chip and sealed.
- 289 • K Dunkley asked when priority will be given to deteriorating roads.
- 290 • Mayor Drew explained that in order to de-politicize street maintenance, the City had LTAP from Utah
- 291 State do a street report. They recommended spending the money we have on maintaining our good
- 292 roads, and letting the bad roads fail. They will do another report in 3 years.
- 293 • K Dunkley felt that the only maintenance this road has had in 28 years is crack seal. He is not for high
- 294 density residential. He feels that mixed use is better in this area. He is concerned about the number of
- 295 new residents that would come with high density.
- 296 • Josh Paulsen felt that it is odd that the city says it has no money for roads when in a previous meeting the
- 297 auditor said that there is \$400,000 more in the general fund than is allowed by state law.
- 298 • Mayor Drew explained that one block tends to cost about \$250,000. He said that we can afford to spend
- 299 about \$800,000 per year on road maintenance and replacement.
- 300 • T Coleman explained that the new commercial units would face east. He explained that both properties
- 301 were originally considered for mixed use, but now the idea is to zone the east parcel as MFH and keep the
- 302 west one commercial. This effectively creates mixed use.
- 303 • S Bankhead explained that part of the reason that the idea of rezoning both parcels to mixed use was
- 304 abandoned was that people were uncomfortable with having the Edwards parcel be mixed, because it is
- 305 right on the highway. It was thought that it would be better to keep it as Commercial Highway District. In
- 306 a mixed use zone, the apartments or multi-family units could have gone right on the highway.
- 307 • K Eck asked why there couldn't be small shops along 3rd South. She thinks that they would fill up.
- 308 • T Coleman said that they may fill up, but it would take some time. They are not opposed to the idea.
- 309 • Mayor Drew explained that commercial mixed use works in areas that have high pedestrian traffic. He
- 310 feels that with a small piece of land like this, it is hard to make mixed use commercial work.
- 311 • R Sneddon said that he feels that it is unnecessary for us to make changes to the zone simply because
- 312 Edwards furniture failed. He would rather wait and see what happens with commercial. He feels that both
- 313 the Edwards lot and the lot east of it is a prime location for a businesses that generate tax funds.
- 314 • K Eck said that she agreed.
- 315 • K Allen said that he thinks that the proposal needs more work and thought.
- 316 • B Fresz has a hard time giving up commercial on 3rd South. He said that we should be planning for 15-20
- 317 years in the future, when we have more population.
- 318 • Eric Jones with the development group for Arbor Fields said that this was discussed in great length at the
- 319 planning commission meeting. The development will be very near the county line, on the edge of
- 320 Providence. It would provide traffic for surrounding businesses. The hope was to have a transitional area
- 321 with commercial, then small commercial, then town homes and then single family housing. He said that in
- 322 the future there will be more opportunities with the Allen property, the properties across the street, and
- 323 hopefully going on through to the school in Millville.

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 325 **Item No. 4.** Proclamation – Sexual Assault Awareness Month: Representatives from CAPSA will review the
 326 proclamation for April 2019.

- 327 • Anna Likwen of CAPSA spoke about sexual assault prevention. She has been going throughout the valley
- 328 encouraging cities to proclaim April sexual assault awareness month. She read the proclamation.
- 329 • K Allen thanked CAPSA and the hard work they do for Cache Valley.
- 330 • Mayor Drew signed the proclamation.

331
 332 **Item No. 5.** Sheriff's Report: Sheriff Chad Jensen will give a report on Cache County Sheriff's Office.

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- 334 • Lieutenant Bartschi of the Cache County Sherrif's Office, speaking on behalf of Chad Jensen, said that the
- 335 contract rate will remain the same this year for police and animal control services. Last year, there were
- 336 1,350 calls for police service. There were also 130 calls for animal control. For the 2018-2019 contract
- 337 year, there have been about 900 calls for service so far, and 117 calls for animal control. They have added
- 338 two full-time investigators to the office. They have also added one animal control officer. Providence City
- 339 contracts for 1,498 hours per year. As of January, the department provided 2,295 hours, which is about
- 340 150% of the contracted amount. They have been paying special attention to the school zones.
- 341 • Mayor Drew asked if we could add more hours to the contract.
- 342 • Lt Bartschi said that the position of the sheriff's office is that the current arrangement is cost effective,
- 343 and they feel that the department is able to meet the needs of the city.
- 344 • Mayor Drew said that some residents are concerned that there are not enough deputies to cover the
- 345 schools during crossing times.
- 346 • K Eck asked about the instances when the sheriffs accompany a medical call, and whether that falls under
- 347 the contract hours.
- 348 • Lt Bartschi said that it does. They show up in case extra man power is necessary. They also come in case
- 349 they see anything suspicious. Sometimes they assist with CPR, and they also gather information to make
- 350 sure that no criminal acts took place.
- 351 • K Allen asked about dealing with large amounts of cats.
- 352 • Lt Bartschi said that cats are not part of their mandate under state law.
- 353 • Mayor Drew said that he appreciates the policing style of the sheriff's department.
- 354 • Cory Bowers of Providence said that he deals with law enforcement every day, and that our sheriffs do a
- 355 great job.

357 **Item No. 6.** Resolution 005-2019 – Inter-local Agreement: The Providence City Council will consider for adoption a
 358 resolution approving an Inter-local Agreement between Cache County and Providence City for law enforcement for
 359 the fiscal year 2020.

360 **Motion to approve resolution 005-2019 –K Eck, second – R Sneddon**

361 **Vote:**

362 **Yea: B Fresz, R Sneddon, K Eck, K Allen**

363 **Nay: None**

364 **Excused: D Giles**

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366 **Item No. 7.** Resolution 006-2019 – Inter-local Agreement: The Providence City Council will consider for adoption a
 367 resolution approving an Inter-local Agreement between Cache County and Providence City for animal control
 368 services for the fiscal year 2020.

369 **Motion to approve resolution 006-2019 –K Eck, second – R Sneddon**

370 **Vote:**

371 **Yea: B Fresz, R Sneddon, K Eck, K Allen**

372 **Nay: None**

373 **Excused: D Giles**

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375 **Item No. 8.** Resolution 008-2019 – Authorizing Sale of Real Property: The Providence City Council will consider for
 376 adoption a resolution authorizing the sale of Parcel No.02-113-0076, a 1.09 acre of property located in the general
 377 area of 300 East 300 South.

378 **Motion to table resolution 008-2019 –K Eck , second – R Sneddon**

379 **Vote:**

380 **Yea: B Fresz, R Sneddon, K Eck, K Allen**

381 **Nay: None**

382 **Excused: D Giles**

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- Chad Wooley, city attorney, explained that this agreement hasn't been completed yet. He asked that the council wait until next council meeting to address it.

386 **Item No. 9.** Discussion: The Providence City Council will discuss 100 S West of 200 West, Providence.

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- Mark Thompson of Providence provided a history on property that was bought by himself, Kent Dunkley and Tim Kohler. At that time, they were required to get written permission from the land owners in order for the City to issue a building permit, because the street was private property. In 1995, Mayor Leonhardt wanted to widen the street, but the homeowners opposed it because they didn't want it to be a thru street. At the time, it was only 12-17 ft wide (prescriptive use). In January 2006, the sewer became an issue. Mayor Simmons told the residents that the city needed another trunk line out of Providence. The residents proposed making the road a cul-de-sac in exchange for deeding property to the city so that they could put in the sewer line. The sewer was put in, but the cul-de-sac was never put in. He asked where the cul-de-sac is and what the intentions of the city are.
 - Kent Dunkley provided plats for the council to look at. M Thompson stated that the homeowners have provided all maintenance on that part of the road. There hasn't been snow removal or grading. They would like the city to keep their commitment to put in a cul-de-sac.

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

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402 R Stapley, Public Works Director:

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- R Stapley explained that the pond at Hampshire Park is cleaned every two years. Hampshire Park water level is monitored on a daily basis. He explained that there will be an education and inspection process to ensure proper hook ups to the new secondary water system based out of Hampshire Park. The connection fee will be associated with that. Initially there are 12 homes that will be on the system. The pond is fed from gravity and the pump will maintain a constant pressure.
 - K Allen asked where this kind of system could expand to.
 - R Stapley said that it depends on the way things develop. He could see it expanding south and southwest first.
 - K Allen asked if a pressurized system could work on the Chugg property.
 - R Stapley stated that it is possible. It depends on if they can get the water. That would be a great questions for Jeff Jackson.
 - K Allen asked if J Jackson still has water shares associated with the property, or if he has dedicated them to the city.
 - S Bankhead explained that we have not yet reached the phase of the development process where he would need to dedicate shares to the city in order to meet the water requirement.
 - R Stapley will meet with Cirlce B Irrigation for designs and cost estimates for Hillcrest Park. His plan is to put in irrigation and grass, and then see how much money is left for other amenities.
 - R Stapley ordered an International CV truck with the components for plowing and sanding. It cost about \$80,000, which is \$30,000 less than we budgeted.
 - R Stapley ordered a hydraulic conveyor for shouldering roads. It will come in about 2 weeks.
 - R Stapley will meet with Cache County to go over options for chip and seal projects. The county is reducing the amount of chip and seal that they will allow for each city due to scheduling needs. Last year we got all of the priority roads chip and sealed. However, there are many roads that still need HA5 product.
 - EPA water sampling will commence soon.
 - We are planning on getting the readings from Logan's sewer meter sent directly to our system.
 - K Allen asked about the water leak on 300 S, and whether it was the city's responsibility.

- 430 • R Stapley explained that when the road was widened the first time, they had to move a water meter.
431 When they did that they added a fitting. The fitting blew apart. It is the city's responsibility to fix it.

432 S Bankhead, Administrative Services Director

- 433 • Registration is now open for the Utah League of Cities and Towns mid-year conference in April.
- 434 • We found the person who dumped packing material into the recycle dumpsters, but we cannot issue a
435 citation because Logan City doesn't have the bins labeled properly.
- 436 • Sales tax is up a little bit.
- 437 • If people complain that they don't get notified about things in the city, tell them to sign up for the
438 notification service.

439

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

- 443 • K Allen explained that he met with the PTA last week to go over the agreement with Providence City and
444 the school district with regards to the softball field behind the elementary school. The school district
445 asked how official the agreement was and suggested that we have attorneys draw it up.
- 446 • K Eck stated that their concern is with something not being signed. New employees and new council
447 members, etc. will come, and the school district may have to discuss the situation again if it is not an
448 official agreement.
- 449 • K Allen explained that they would like to be able to play on the grass on wet days, and will get monitors to
450 keep the children off of the infield.
- 451 • K Allen feels that it is unnecessary to get the legal teams involved.
- 452 • Mayor Drew said that he would be willing to sign the agreement to make it more official.
- 453 • K Allen says that he will report to the PTA that the city is undecided about opening the field on wet days,
454 and that Mayor Drew will sign the agreement.
- 455 • Mayor Drew explained that J Jensen has spoken with Millville. He has a legal contract he could enforce
456 that would require Millville to do a boundary line adjustment with Providence for any land to which
457 Millville cannot provide utilities service. As to the water issue, he is willing to discuss other options that
458 would work instead of the Providence City paying \$400,000+ for the remaining water rights.
- 459 • R Sneddon explained that the water shares under the agreement are very inexpensive.
- 460 • K Eck noted that there is money set aside already that can only be used for water shares.
- 461 • Jeremy Jensen and the Highlands development were discussed further. K Eck felt that Single Family
462 Traditional would be an appropriate zone to suggest to J Jensen for the area. K Allen felt that cities should
463 not suggest what zone a property owner applies for. Mayor Drew felt that developers seek that kind of
464 suggestion from cities all the time. Mayor Drew said that even if the area were to remain Single Family
465 Large, J Jensen would still need to provide a second access to the area. Mayor Drew explained that J
466 Jensen would like to deal with Providence rather than with Millville when it comes to the road. Therefore,
467 he would like to annex the land that he would need for the road into Providence. He would like to annex it
468 as agricultural land in order to save on property taxes.
- 469 • Mayor Drew met with Mr. Larsen and it went very well. He acknowledged that they need to clean up their
470 property, and he committed to doing it. April, city staff, will take pictures once per week. Mayor Drew told
471 them that in 30 days the city will revisit it. There needs to be substantial improvement by that time. It
472 needs to be completely cleaned up in 60 days. Bishop Norton, Mr. Larsen's church leader, was happy with
473 the plan.
- 474 • Mayor Drew said that at the next council meeting, we should discuss secondary water rates.

475

476 **Executive Session Notice:**

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

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

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

483

484 **Motion to enter an executive session –R Sneddon , second – K Allen**

485 **Vote:**

486 **Yea: B Fresz, K Allen, R Sneddon, K Eck**

487 **Nay: None**

488 **Abstained: None**

489 **Excused: D Giles**

490 Entered approximately 10:10 pm

491

492 **Motion to close the executive session – K Eck, second – K Allen**

493 **Vote:**

494 **Yea: B Fresz, K Allen, R Sneddon, K Eck**

495 **Nay: None**

496 **Abstained: None**

497 **Excused: D Giles**

498 Closed approximately 10:58pm

499

500 **Motion to adjourn – R Sneddon, second – K Allen**

501 **Vote:**

502 **Yea: B Fresz, K Allen, R Sneddon, K Eck**

503 **Nay: None**

504 **Abstained: None**

505 **Excused: D Giles**

506

507 Meeting adjourned approximately 11:00 PM

508 Minutes prepared by Mindi Petersen & Jesse Bardsley

509

510

511 _____
John Drew, Mayor

511 _____
Skarlet Bankhead, City Recorder

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516