

1 **PROVIDENCE CITY COUNCIL MEETING MINUTES**
2 **March 26, 2019 6:00 PM**
3 **Providence City Office Building, 164 North Gateway Drive, Providence UT**
4
5

6 Opening Ceremony:

7 Call to Order: Mayor Drew
8 Roll Call of City Council Members: Mayor Drew
9 Attendance: B Fresz, R Sneddon, K Eck, D Giles, K Allen
10 Pledge of Allegiance:
11 Opening Remarks – Prayer: None
12

13 **Approval of the minutes**

14 **Item No. 1.** The Providence City Council will consider approval of the minutes of March 12, 2019

15 **Motion to approve the minutes for March 13, 2019 – D Giles, second – R Sneddon**

16 **Vote:**

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

18 **Nay: None**

19 **Excused: K Allen**

20 **Corrections:**

- 21 · Page 2 line 113 K Eck cannot second her own motion
22 · Page 2 line 109 **construction on the bridge will commence**
23 · Page 3 121 salaried employee
24 · Page 6 line 253 5-b future
25 · Page 7 line 288 can be overlaid
26 · Page 9 line 418 Circle
27

28 **Business Item No. 1.** The Providence City Council will consider a proposal from the Historic Preservation
29 Commission to relocate and restore an old post office building.

- 30 · H Christenson presented to the council a proposal to restore an old post office building and relocate it.
31 · The post office was built in 1911 and currently sits on private property on 3rd east at about 180 north. If
32 we place it close to where it used to be, the State will declare it a historic site. Ralph Call offered to
33 provide space for the building in the southeast corner of the Old Rock Church lot. H Christensen explained
34 that he thinks that it will cost somewhere between \$4,000 to \$5,000 for supplies to renovate it and to
35 move it. He thinks that the labor for renovation could be done by volunteers. He is asking for support and
36 funding from the council.
37 · K Eck felt that it is a great idea.
38 · B Fresz would like more information before money is allocated, but felt that it is worth pursuing.
39 · All members of the council felt that it is worth pursuing.
40 · The Historic Preservation Committee will gather more information and bring it back to the council.
41

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

- 46 · Rob Cruz of Providence is against the rezone. He is worried that there has not been proper planning for
47 traffic and parking. He stated that he is not against development but is against high density housing in
48 this area.
49 · Josh Paulsen of Providence explained that because of the minutes, he was able to research people that
50 spoke in favor of the Chugg property annexation, and 5 out of the 6 who spoke during public comments
51 are employees of Visionary Homes, the developer of the Chugg property.
52 · Doug Adams of Providence said that the LCR that is proposed will literally be in his back yard. He moved

53 to Providence because it is peaceful and quiet. To have high density is a mistake. He strongly suggests the
54 council vote against the rezone.

- 55 • K. Eck clarified that the council didn't propose this rezone. It was the developer.
- 56 • Frank Montoya, Jr, of Providence, explained that after moving many times in his life, he chose Cache
57 County to retire. He feels that these types of housing developments create a nightmare in terms of
58 traffic. He is concerned about property values and schools as well.
- 59 • Ned Miller of Providence stated that lives on the corner of Providence Hollow and Providence Shire
60 developments. He is horrified with the change in the neighborhood, and the traffic on his street. He does
61 believe that there is a time and a place for the Life Cycle Zone; however, it should be close to the city
62 center. He addressed the Mayor and stated that the agenda does not state that only people who have
63 never spoken will be able to speak.
- 64 • Kim Frederick of Providence encouraged the council to make the right decision. If the wrong decision is
65 made it will take three times the effort to get it corrected. He asked that the zone be tabled if the council
66 members are on the fence.
- 67 • Chase Brammer of Providence urged the council to consider the impact on individuals in the highlands
68 area and their home equity. He would like to hear why this area is good for LCR. Research, such as what
69 has been done by Scott Findley, warns against the property value impacts of this type of development in
70 this area.

71
72 **Business Items(s): Continued**

73 **Item No. 2. Discussion:** The Providence City Council will discuss the Secondary Water Ordinance.

- 74 • Mayor Drew explained that the council decided to discuss rate methodology during this meeting. Some
75 people, including the Mayor, have suggested that early adopters have no charge for use of the system for
76 the first year.
- 77 • Mayor Drew noted that Hyrum charges based on acreage.
- 78 • B Fresz felt that if meters are being put in, charges should be based on usage. He asked how much we
79 spend in electricity for the pump.
- 80 • R Stapley explained that we do have some electrical data for the pump. A decent guess for the new
81 secondary water system is that it would use twice the electricity as what we currently use.
- 82 • B Fresz asked what the life of the pump is. R Stapley felt that a rough estimate would be 15 years.
- 83 • B Fresz felt that the electricity costs should be estimated for the first year, and the rates should be based
84 on that. He doesn't think that it should be free.
- 85 • S Bankhead estimated that the electricity for the pump costs \$2500 per season
- 86 • K Eck felt that we should run it for a year, and then decide what to charge. The city will not be out that
87 much money.
- 88 • S Bankhead said that by having the meters in place and monitoring it for a year, we could come up with a
89 per-gallon charge.
- 90 • B Fresz said that if we only charged for the electricity, it would only be about \$25 per household per
91 month for eight months.
- 92 • R Sneddon felt that making it free would not send the right message. However, the price could be reduced
93 at first.
- 94 • B Fresz suggested a base rate of \$10-20 per month until the rates are determined.
- 95 • D Giles agreed with a base rate to pay for the electricity.
- 96 • R Stapley explained that once the ordinance is in place he can educate the home owners on how the
97 process and installation will go. Each home that wants to connect will require an excavation.
- 98 • There are about 6 homes that are interested so far.
- 99 • This will be voted on in the next council meeting.
- 100 • B Fresz clarified that no connection fee will be charged.
- 101 • R Stapley said that backflow preventors and switchover connections will be required.

102
103 **Item No. 3. Ordinance 2019-006 :** The Providence City Council will consider for adoption an ordinance granting a
104 rezone request for Parcels 02-116-0004 (59.11 acres) and 03-036-0027 (19.85 acres) located on the southeast area
Providence City Council Minutes

105 of the City, in the general area east of Grandview and 800 East, changing the zone from SFL to LCR.

106 **Motion to approve ordinance 2019-006 –R Sneddon, second – K Allen**

107 **Vote:**

108 **Yea:**

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

110 **Excused:**

- 111 • K Eck is not opposed to the LCR zone and feels that there is a place for it. She does not believe that this is
112 the place for it.
- 113 • R Sneddon does not believe that LCR was appropriately used in this area. He is not against the concept,
114 but is against this rezone.
- 115 • K Allen explained that he felt that there are certain ideas and attitudes that have been expressed by the
116 public that are not helpful to the city. There has been no issue that has come up during his term as a
117 council member about which he has spent more time researching and listening to comments. He
118 appreciates those who have really looked at the issues and made thoughtful, reasonable comments. He
119 will oppose this particular rezone. He cannot approve it because of its size. He would consider smaller
120 parcels of land.
- 121 • D Giles felt that people who have bought homes in this area should not have this brought upon them right
122 now.
- 123 • B Fresz said that he has done a lot of research. He has read every paper on real estate pricing models that
124 he could find. He has had city staff look at other studies. He said that there is not a lot of research out
125 there for this particular type of development. He noted that there may be representation here tonight
126 from up to 10% of Providence Families. He thanked the community for the large attendance.
- 127 • B Fresz noted that there are not a lot of homes in the immediate area of the proposed rezone, due to the
128 buffers of the power lines and the cliffs. He noted that the access road is a service level A road. Even if all
129 of the homes were built, it would be no less than a level C, which is what our standard for the city is. He
130 said that there is mixed evidence on the effects on property values for this type of development. Some
131 studies do say that property values are negatively impacted by proximity to multi-family development.
132 However, there are caveats in the studies. If the multi-family is well-done and there are appropriate
133 buffers, this effect can be mitigated. The council mitigated these factors with the multi-family design
134 standards. The council listened and spent a year working on these standards. Because of this, some of the
135 recent multi-family development that is coming in is looking quite good.
- 136 • Other studies indicate that the larger the development, the higher the property values are inside it and
137 around it because of consistency in planning.
- 138 • As for cluster development, it is debatable whether LCR would be considered a cluster. One study is in
139 favor of cluster development, because the open space offsets the effect of the smaller lot sizes.
- 140 • B. Fresz found that mixing of uses, if done right, increase values. Proximity to open space increases value.
141 Proximity to parks also increases value. He felt that the proximity to the Canyon was a point in favor of
142 the development, due to the proximity of recreation.
- 143 • B Fresz noted that most of property tax money goes to the schools. Schools plan and use models to
144 predict increases in population and school needs. The city council does not decide where schools go.
- 145 • B Fresz noted that this property is 1.9 miles from the highway. The American Lung
146 Association recommends that people not live within 1/4 mile of a freeway due to pollution. B Fresz said
147 that the property is far, and will not be walkable to services. However, it is a straight road going down
148 with one stop sign. He thinks the traffic can be handled. As for parking, this is regulated by the design
149 standards.
- 150 • The parcel in question is large. B Fresz doesn't think that this is the right time to change it to LCR.
151 However, he does not like Single Family Large for the parcel, which is its current zone. He thinks that this
152 zoning has a lot to do with the mentality of having a large house on the hill, which is an us vs. them
153 mentality. He does believe that some town homes or condos would be good for the area as there are
154 some people who want a view but not a yard. How many could be decided at a later date. He said that he
155 put a lot of work into this, and does not appreciate the comments from those who say that the council
156 does not listen.

- Mayor Drew explained that the council does not push a particular zone in any part of the city. The council is obligated by state law to entertain the petition, and consider it seriously.

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

S. Bankhead, Administrative Services Director:

- S Bankhead explained that the ordinance passed by the council annexing 22 acres of the Chugg property and assigning the Life Cycle Zone received an application for referendum on March 15. The signature sheets and the verification sheet have been given to the sponsors. The packets have been brought in to the city. We will number them and return them. The sponsors have until May 5th to get the signatures and turn them in to the County Clerk. The County Clerk then checks that all signatures are from registered voters. Within 30 days, the county will return the packets to the city. Then the city will count the valid signatures and determine if there are adequate signatures to meet the threshold required by state code. If they have an adequate number of signatures, it will go on the ballot.
- Spring sports will be starting soon. The parks will be busy.
- Budget presentations are due to the council before the first meeting in May.
- S Bankhead said that there has been a lot of interest in annexing the property south of 300 S. One of the challenges will be sewer. Our city engineer thinks that the time is right to meet with the property owners about this issue. We are hoping to hold that meeting on April 4th.
- The Spring Creek Water Company Board and the city council will hold a workshop on April 3, 2019 at 6:00 pm. This will be a public meeting.

R. Stapley, Public Works Director

- The street department is busy cleaning up from the winter and installing street signs. The wells will be flushed this week.
- Providence City's daily sewer totals are now being sent to R Stapley's email.
- We have a contract with Twin D to camera and clean 1/3 of the sewer system per year. We also have our own camera which we will start running in the high ground water areas soon.
- The new International truck is on its way. The road shoulder machine is also on its way. R Stapley explained that he has not heard anything from the VW settlement.
- R Sneddon asked about road shouldering. R Stapley explained that it is when you put road base on the shoulder of a road that does not have curb and gutter.
- B Fresz asked if we have looked into purchasing an asphalt miller. R Stapley said that we have had a demo of a backhoe attachment version. It didn't work out very well. R Stapley said that it was also too heavy for the backhoe.
- B Fresz asked if there is anyone in Providence who has that kind of equipment. R Stapley said that Logan City does.
- K Eck asked if there is money in the budget for exercise equipment to be put in at Jay's Well Park. She asked R Stapley to report back.
- George Hill of Providence asked if the sewer problems on 5th south and Main have been cleaned up. R Stapley explained they have been remedied.
- G Hill asked if 5th South would be repaired. R Stapley said that the project plan does include a new pad of asphalt.
- Hal Hansen asked if the street lights by Baer Welding are the city's responsibility or the power company's. R Stapley said that it is the power company's responsibility, but that residents should report it to the city and then the city will put in a work order to the power company. He explained that for the lights on Highway 165, it is unclear whether UDOT or Rocky Mountain Power are responsible. R Stapley explained that the best thing to do is to get the pole number, and then give it to the city.
- Dee Yoast of Providence asked who stripes the roads. She wanted to let someone know about a dangerous situation on the intersection of Gateway Drive and Golf Course Road. In rain or at night, it is hard to see the lines on the road for the turn lane. R Stapley explained that the roads are striped once a year, and that the chip and seal on that road made the lines less vibrant.
- R Stapley said that there are many roads that could use the HA5 treatment.
- Mayor Drew asked if we are going to work on the road near Zions Bank on 300 S.

- R Stapley said that the goal is to repair 3rd south and other roads that had water leaks and potholes.

210

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

214 • Mayor Drew explained that Brent Bateman from the state Office of the Property Rights Ombudsman will
215 attend the planning commission meeting on March 27, 2019 to provide training on what is expected of
216 planning commissions and how their meetings should be conducted.

217 • Mayor Drew invited the council members to write articles for the city newsletter.

218 • Mayor Drew explained that some updates need to be made to the emergency HAM radio in the city
219 office. We are working with Rick Hughes of Utah Public Radio to fix it.

220 • B Fresz asked whether we have chosen a new planning commission member yet. The mayor listed those
221 who have been recommended: Lynn Lemon, Nick Jones, and Josh Paulsen. B Fresz recommended Ashley
222 Nance. Mayor Drew recommended Shari Johnson.

223 • Mayor Drew explained that Robert James resigned, Gary Sonntag became the chair, and Bob Perry
224 became a full member. We need to fill an alternate position.

225 • The Mayor said that several terms will be up for the planning commission soon. John Parker will not
226 return, and R Cecil is willing to serve again if the council approves

227 • B Fresz suggested a training plan for members of the planning commission.

228 • S Bankhead explained that the current training is called Land Use 101.

229 • B Fresz said that there have been many questions asked in Planning Commission that were due to a lack
230 of training.

231 • B Fresz suggested that new members of the planning commission have a provisionary status until they
232 pass the training.

233 • B Fresz asked for help attending planning commission meetings to represent the council. His new job will
234 make it difficult to attend all of the meetings.

235

236

237 **Executive Session Notice:**

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

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

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

244

245 **Motion to enter an executive session –B Fresz, second – R. Sneddon**

246 **Vote:**

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

248 **Nay:** None

249 **Abstained:** None

250 **Excused:**

251 Entered approximately 7:50 pm

252

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

254 **Vote:**

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

256 **Nay:** None

257 **Abstained:** None

258 **Excused:**

259 Closed approximately 8:25pm

260

261 **Motion to adjourn – R Sneddon, second – D Giles**
262 **Vote:**
263 **Yea: B Fresz, K Allen, R Sneddon, K Eck, D Giles**
264 **Nay: None**
265 **Abstained: None**
266 **Excused:**
267 Meeting adjourned approximately 8:40 PM
268 Minutes prepared by Mindi Petersen & Jesse Bardsley

269
270
271
272 _____
273 John Drew, Mayor

274 _____
275 Skarlet Bankhead, City Recorder

DRAFT