

1 **PROVIDENCE CITY COUNCIL MINUTES**

2 **March 23, 2010**

3 **Providence City Office Building**

4 **15 South Main Providence, UT**

6 Call to order:

Mayor Liechty

7 Roll Call of City Council Members:

Mayor Liechty

8 Attendance:

D Astle, J Russell, D Low, B Bagley, D Calderwood

9 Pledge of Allegiance

Mayor Liechty

10 Motivational Thought:

B Bagley

12 **Approval of the minutes for March 10, 2010:**

13 **Motion to approve the minutes from March 10, 2010 with the following changes: D Astle, J Russell second**

14 Page 3 of 4 – Line 48 – Motion to approve the ordinance.

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

16 **Nay: None**

17 **Abstain: None**

18 **Excused: None**

20 **PROCLAMATION:**

21 Shelley Lindauer, Child and Family Support Center, will present the Council a proclamation proclaiming April as Child Abuse Prevention Month.

23 Julie Miller is here in place of Shelley Lindauer. The support center serves the community in 4 ways. They provide therapy, baby sitting to provide scheduled breaks for parents, sexual abuse prevention programs and parenting programs. This support center is widely used. She left flyers letting the community know about the different activities for the month of April. Mayor Liechty read the proclamation and declared April to be Child Abuse Prevention Month.

28 **PUBLIC COMMENTS:**

29 None

31 **BUSINESS ITEMS:**

32 **Item No. 1. Resolution No. 10-007:** The Providence City Council will consider for adoption a resolution amending the Providence City Council by-laws.

34 **Motion to adopt the by-laws with the following changes: D Astle, B Bagley second**

35 R Liechty page 2 of 9 – E – delete the word affirmative.

36 Page 2 of 9 - C – Change the wording in this section.

37 Page 2 of 9 - F – Change to 1 member

38 Page 7 of 9 – F – delete “it”

39 B Bagley page 3 of 9 – 3.4 – City Recorder capitalized

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

41 **Nay: None**

42 **Abstain: None**

43 **Excused: None**

45 **Item No. 2. Resolution No. 10-011:** The Providence City Council will consider for adoption a resolution providing funding for Citizen Emergency Response Teams (CERT) participants. Paul Masuyama will give a presentation on the CERT program.

48 R Liechty said that Paul Masuyama came and asked the Mayor if the City would pay for citizens to attend the CERT program. The Mayor suggested that they train 18 citizens here in the City and the City pay for them. Paul Masuyama was very excited about this. Dave Low is CERT trained. The Mayor would like for the LDS Church to get their block captains involved in this training.

52 Paul Masuyama explained how the CERT program works. During a disaster the outlying areas will be the last areas to receive help. Preparing the local citizens to help others survive until emergency services can reach them is essential. The course is 8 weekly 3 hour sessions. The participants will be taught what to do during and after a disaster. The language that is taught works with the Fire Department. CERT is an aid to the emergency responders. They help the largest amount of people

1 in the least amount of time. He is asking for support from the City. It is \$45 per student. This includes a helmet, vest and
2 manual.

3 S Bankhead said there is money available in the Public Safety budget.

4 D Astle asked how many Cert trained people do we need in Providence.

5 P Masuyama said 1 team per block. They will work their own block.

6 **Motion to approve: D Astle, D Calderwood second**

7 R Liechty said he would like to have at least 24 citizens.

8 D Astle would like to have them scattered throughout the community.

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

10 **Nay: None**

11 **Abstain: None**

12 **Excused: None**

13
14 **Item No. 3. Discussion:** Blair and Cynthia Thompson are requesting an exception to Providence City Code Title 6 Motor
15 Vehicles and Traffic, Chapter 2 Parking Regulations, Section 8 Winter Regulations.

16 R Liechty reminded the Council that this was discussed at the last meeting.

17 B Bagley said he went and looked at their property. He suggested they take out the trees in front of their home. There is also
18 a soft culvert in front of their house.

19 B Thompson said he believes if they take the trees out they should have enough room to park. He talked about the ditch and
20 what needed to be done with it.

21 D Astle said it looks like south of their house they could put two concrete strips for vehicle parking.

22 B Thompson said there is a utility easement in that area. They do want to be compliant with the parking regulations. He
23 wants the Council to understand their situation.

24 R Liechty said that the Tree Committee is working with Rocky Mountain Power to remove some of the trees in the City.

25 D Astle asked if they have checked with the Irrigation Company about the culvert.

26 B Thompson said they have not. The Thompson's piped the ditch a few years ago.

27 C Thompson asked how close to the sidewalk they were allowed to park.

28 R Liechty said they just can't park on the sidewalk.

29 D Low said he feels like the Thompsons need to comply with the ordinance.

30 B Thompson said they don't want to cause anymore problems. They want to make sure they are on the same page as the
31 Council.

32 D Low said most homes that have drive-ways lose property.

33 C Thompson said they have already given up property because of the driveway beside them that goes to the house behind
34 them. They don't feel they should have to give up anymore.

35 D Astle said if the Council allows them to park in the public right of way everyone will think its ok to park there. He feels
36 like they can put in a driveway on the south side of their home.

37 B Thompson said if Providence City will allow them to park eight feet off the asphalt they are in compliance.

38 D Astle said that is correct.

39 R Eck reminded the Council that curb and gutter could go down that street in the next couple of years.

40 R Liechty asked if the Council would be OK with taking out the trees.

41 D Low and J Russell said they weren't sure.

42 D Low doesn't believe the Council should cater to the Thompsons specifically.

43 D Astle said he believes you have to get permission to remove trees in the park strip.

44 B Thompson said they will wait and see what Rocky Mountain Power does with the trees.

45 D Low feels like this is a tough situation to deal with.

46
47 **Item No. 4. Discussion:** Susan Roberts will discuss the effects of the Spring Creek Parkway alignment change on her
48 property.

49 Steve and Susan Roberts are owners of the Willows Miniature Golf Park and the property next to it. He sent the Council a
50 written detail of what is going on. He also told the Council some of the history behind it. They are concerned about the way
51 the new CMPO road is affecting their property. There is a triangle piece of property that is being created by this new road.
52 They are losing their frontage. They were told that this is a UDOT project and the City cannot work with them on this. They
53 want their property deeded back to them. They feel like this will impact their property.

54 R Liechty said the property they are talking about belongs to Providence City. How can you lose something that isn't yours?

55 S Roberts said they feel like things haven't been worked out with the issues. He talked about a letter that he wrote to the

56 Council. They want assurance that nothing will be done with this property in question. They got a letter telling them that they
57 need to deal with UDOT.

1 S Bankhead said the City was told by UDOT that they needed to be very careful when meeting with the citizens. The City
2 went through UDOT property acquisition. With the utilities under the right of way the City needs to keep the property.
3 S Roberts said UDOT told them that Providence City did not want to meet with the Roberts. They don't feel like they have
4 gotten this resolved in anyway. They feel like the City needs to deal with the problems this is causing. They feel like they are
5 in the dark on this project. UDOT needs to work this out with them.
6 R Liechty suggested they do a meeting with himself, S Bankhead, R Eck and the Roberts and discuss this further.
7 The Council and the Roberts are OK with this suggestion.
8

9 **Item No. 5. Resolution No. 10-010:** The Providence City Council will consider for adoption a resolution supporting the
10 Recycling Marketing Development Zone.

11 **Motion to approve: B Bagley, D Astle second**

12 S Bankhead explained that the State will decide if this zone is accepted. Businesses that qualify for this zone are allowed tax
13 credits.

14 There is one business in town that takes advantage of this.

15 **Vote: Yea: D Astle, B Bagley, D Calderwood, D Low**

16 **Nay: None**

17 **Abstain: None**

18 **Excused: J Russell**
19

20 **Item No. 6. Resolution No. 10-009:** The Providence City Council will consider for adoption a resolution approving the
21 purchase of a truck with a utility bed (\$28,000) to be used jointly by the Water and Sewer Departments; and a \$14,000 loan
22 from the Sewer Fund to the Water Fund to be repaid in two equal installments to be paid annually beginning in Fiscal Year
23 2011.

24 S Bankhead said this should be Resolution No. 10-012.

25 **Motion to approve: D Astle, D Low second**

26 R Eck went through the handouts that he gave to the Council. He explained what the truck does everyday during work hours.
27 There is a lot of starting and stopping. This is a lot of wear and tear on these trucks. The truck that this one will replace is a
28 1990. It has almost 100,000 miles. We are using a lot of money to keep this truck on the road. He read a recommendation
29 from Steve Burruss Automotive on the condition of this truck. We can get a great deal with our State Contract. The Mayor
30 and S Bankhead got a chance to look at the truck that the City would like to purchase. He is asking the Council to please
31 approve the purchase of this truck. There is money in the budget for this truck.

32 B Bagley asked about depreciation.

33 S Bankhead said that is an option.

34 R Eck said we will try to surplus this truck and another one we have this summer.

35 B Bagley asked what the warranty is on this truck.

36 R Eck said 5 and 50.

37 **Vote: Yea: D Astle, B Bagley, D Calderwood, D Low**

38 **Nay: None**

39 **Abstain: None**

40 **Excused: J Russell**
41

42 **Item No. 7. Discussion:** The Providence City Council will discuss a proposed ordinance amending Providence City Code
43 Title 10 Zoning, Chapter 1, Section 4, Definitions, by adding the definition for Business Office – General, Business Office –
44 Low Impact, Business Office – Medium Impact, Fitness Center Commercial (Gym) and amending Providence City Code
45 Title 10 Zoning, Chapter 6, Use Regulations, by adding the following uses to the use chart: Business Office – General,
46 Business Office – Low Impact, Business Office – Medium Impact, Fitness Center Commercial (Gym) in some or all of the
47 City's zoning districts and adding ^Use is allowed as a permitted or conditional use only if it is a home business, child care
48 business or nonconforming business that complies with Title 3, Chapter 4 of this Code, Conditional Businesses.

49 S Bankhead said the Planning Commission has been working on this for quite a while. The first part of these definitions is to
50 separate the business offices. The second part is from Mike Shetler, from Gold's Gym asking for a fitness center definition.

51 Bruce Baird and KC Bills from Amsource helped to come up with the fitness center definition. The third part is in the use
52 chart and it is adding definitions. She went through the ordinance and explained the changes that the Planning Commission
53 has suggested. The Planning Commission held their public hearing on this item. They feel like this is ready for the Council to
54 look at.

55 R Sneddon said the Planning Commission feels like they did their homework on this.

56 R Liechty said he wants to make sure of the percentage for incidental use when this comes back for action.

57 S Bankhead told the Council what the definition for incidental use is.

1 R Liechty asked if the Council would like for this to come back as an action item for the next meeting. He also wants to know
2 what the percentage for the incidental portion will be.

3 D Astle wants to make sure that incidental is defined.

4 B Baird said you could have the input from the Commission after tomorrow night.

5 S Bankhead said we are in the pending ordinance stage.
6

7 **STAFF REPORTS:**

8 R Eck said Rocky Mountain Power is updating the power line that is going up to the Foxridge area. There is no permit
9 required. The green waste bins will be here the first week in April. There will also be a City wide clean-up in April. The
10 church wants to clean up all the parks in April.

11 S Bankhead reported that staff has met with GBS Benefits. They are an insurance broker. This looks very promising.

12 We should be getting some quotes shortly. Baseball and Softball registrations will end on March 25th. The Beehive league
13 will be on our baseball fields this summer. We have 3 teams that will use our field as their home field. She talked about the
14 fees that are charged for using our fields. Public Works will be hiring a new employee shortly to replace Sam Wentz.

15 Tentative budgets will be talked about the first meeting in May. Sales tax revenue is at 69%. Property tax revenue isn't
16 available yet.
17

18 **COUNCIL REPORTS:**

19 D Calderwood attended the Planning Commission and the Historical Preservation meeting.

20 B Bagley met with R Eck to find out how he runs the Public Works. They also talked about the access to the Maceys area.

21 There needs to be some ground work laid there. They discussed some of the concerns with the Amsource area. There are a lot
22 of office complexes and doctor's offices on the north side of town. He feels like we really need to better control the
23 commercial on the south side of town.

24 D Astle said he has had a lot of questions on the power poles. He talked about the DRC meetings. He has talked to Carl
25 Seethaler about the Historic Preservation Committee. The monument will be cleaned up this week.

26 D Low said he was asked why part of the Historic Preservation Committee isn't citizens.

27 D Astle said it is not required by the ordinance.

28 D Low said a love for Providence and living in Providence isn't the same thing. Why is the percentage so high?

29 D Astle said most of the people on the Commission have spent many years living in the City. They have a real interest in the
30 City. He doesn't feel like living in the City should be a requirement.

31 S Bankhead said they were looking for people who understood historic buildings. She agrees that it would look politically
32 correct to have citizens on the board. She feels like everyone on the Committee has a soft spot in their heart for Providence
33 City.

34 D Astle said they are looking at the Commission members. Some of them would like to step down. He would like to provide
35 training for them.

36 D Astle said that he received an email from a citizen concerning the decision by the Historical Preservation Committee on the
37 accessory dwellings.

38 B Bagley talked to North Logan about their accessory dwelling ordinance. He feels like our ordinance needs to be clarified.

39 R Eck said DRC doesn't feel like we should be too specific.

40 D Astle said an accessory dwelling is an independent area in your home.

41 D Calderwood said he talked to a number of people about accessory dwellings. Everyone agreed with the Council decision.

42 R Liechty thanked the Council for their support on the CERT program. Everything is going very well with the City.
43

44 **Motion to adjourn – D Calderwood, D Low second**

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

46 **Nay: None**

47 **Abstain: None**

48 **Excused: None**
49

50 Meeting adjourned at 8:40 p.m.

51 Minutes taken and prepared by Terri Lewis
52

53 _____
54 Ronald Liechty, Mayor

Skarlet Bankhead, City Recorder