

1 **PROVIDENCE CITY COUNCIL MINUTES**

2 **February 10, 2009**

3 **Providence City Office Building**

4 **15 South Main Providence, UT**

5  
6 Call to order:

Mayor Simmons

7 Roll Call of City Council Members:

Mayor Simmons

8 Attendance:

D Astle, K Baker, J Russell, D Low, R Liechty

9 Excused:

10 Pledge of Allegiance:

Cameron Kent

11  
12 **Approval of the minutes for January 27, 2009 City Council Meeting:**

13 Motion to approve the minutes from January 13, 2009: R Liechty, K Baker second

14 All in favor

15 Vote: Yea: K Baker, D Astle, J Russell, D Low, R Liechty

16 Nay: None

17 Abstained: None

18 Excused: None

19  
20 **PUBLIC COMMENTS:**

21 None

22  
23 **NEW BUSINESS:**

24 **Item No. 1. Report: John Gilchrist from PB Americas will present a progress report on the CMPO 100 east project.**

25 John Gilchrist showed the Council a map of the project area. J Gilchrist has been working with Providence a little over a year  
26 on the 100 East corridor from Providence Lane to 300 South in Logan. They are finishing up the plans and it should go out to  
27 bid at the end of March. In the area where we cross Spring Creek there is some right of way acquisition that will be required.

28 They are working with the land owners and UDOT to get this taken care of.

29 R Simmons asked if there was a cooperative agreement that Providence has to sign.

30 J Gilchrist said there was and he believed UDOT was taking care of that.

31 J Gilchrist said he believes that the construction on the bridge across Logan River should begin the first of March.

32 J Gilchrist showed some of the areas on the map and discussed them with the Council. He invited the Council to call him  
33 with any questions or concerns they have with this project.

34  
35 **Item No. 2. Discussion: A representative from the State Alcoholic Beverage Control Department will discuss**  
36 **ordinances, regarding brew pubs.**

37 N Cohen is the licensing and compliance officer with the Department of State Alcoholic Beverage Control. Jeremy Jensen  
38 the owner of Iron Gate Grill was also here to answer questions about his plans.

39 N Cohen handed out the information on what the Alcohol Beverage Controls role is in meeting with the licensee and making  
40 sure that they get the correct license for their business. Once the license is granted the ABC meets with the owners at least  
41 once a year. They educate and train them on what the laws and rules are for their license. The ABC's goal is to make sure that  
42 the licensee has the correct information to comply with these laws. These licenses have to be renewed every three years.

43 The actual liquor laws are enforced by the Alcohol Enforcement Division of the Highway Patrol.

44 N Cohen discussed the difference between a restaurant license and a tavern license. A restaurant license must sell food with  
45 the alcohol. A tavern license does not.

46 N Cohen handed out the handouts that they use in their classes that they hold for restaurant servers. He said that there are  
47 substantial rules and regulations that have to be followed to obtain a license and they are regulated constantly by the State. If  
48 the Council has any questions or concerns he asked them to please give him a call and he would be glad to answer their  
49 questions.

50  
51 **Item No. 3. Discussion: Max Pierce, Providence City Engineer, will discuss the Cutler Dam TMDL study.**

52 M Pierce talked about the study that the State did on the clean water act for the Cutler Dam and the Bear River within Cache  
53 County. There were 5 different criteria that the State looked at to determine whether the water had been impaired. Out of this  
54 study it showed that 1 criteria had been impaired. There is a lot of disagreement among the advisory committee as to whether  
55 it is impaired. The study showed that it was impaired for dissolved oxygen for certain times and situations. It could have

1 potential to affect juvenile fish. The advisory committee is trying to decide how to improve the water quality. They have put  
2 out a survey to get comments from the public. When they get the survey back they will see how valid the comments are and  
3 decide where to go from there.  
4

5 **CONTINUED BUSINESS:**

6 **Item No. 1. Resolution 08-047: The Providence City Council will consider for adoption a resolution allocating \$3,027**  
7 **to the office of the Cache County Water Manager to study water brokering and aquifer storage and recovery options**  
8 **for Cache County and its citizens.**

9 Motion to approve: R Liechty, D Astle second.

10 R Liechty said he doesn't see what the Water Manager can do for us that we can't do ourselves.

11 R Simmons said in order for a County to act as a broker you would have to change State law. The way the law is written now  
12 we can do our own brokering with the Irrigation Companies.

13 D Low asked if there was anything else this would accomplish.

14 R Simmons said R Fotheringham's goal is to try and keep water rights in Cache County. Providence City only cares about the  
15 water rights in Spring Creek and Blacksmith Fork. R Simmons initially thought that this was a good idea but he no longer  
16 does.

17 R Simmons suggested that the Council sit down with Craig Smith the City attorney and the Irrigation companies and  
18 determine what needs to be done to protect the water rights that we have here in Providence. The Council agreed.

19 D Astle wants assurance that the City will not lose its beneficial use through neglect.

20 Vote: Yea: D Low

21 Nay: K Baker, J Russell, R Liechty, D Astle

22 Abstained: None

23 Excused: None  
24

25 **STAFF REPORTS:**

26 S Bankhead said that she would have a preliminary budget to the Council by next Thursday for the workshop on Tuesday the  
27 17<sup>th</sup>. District 7 Soccer has started their registrations. Baseball and Softball registration will start the end of February and go  
28 until the middle of March. So far the budget estimates are holding.  
29

30 **COUNCIL REPORTS:**

31 K Baker showed the Council the new plagues that she received for the Historic Walking Tour.

32 D Low updated the Council on the City Celebration.

33 R Simmons reminded the Council of the League of Cities and Towns Convention.

34 Motion to adjourn: R Liechty, K Baker second

35 Vote: Yea: K Baker, D Astle, J Russell, D Low, R Liechty

36 Nay: None

37 Abstained: None

38 Excused: None  
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40 Meeting adjourned at 8:10 p.m.

41 Minutes taken and prepared by Terri Lewis  
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47 Randy Simmons, Mayor

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Skarlet Bankhead, City Recorder