

1 **Providence City Council Meeting**
2 **Providence City Office Building**
3 **15 South Main, Providence UT**
4 **March 22, 2005 5:30 p.m.**

5 **Attendance:** Mayor: Alma H. Leonhardt
6 Council: Randy Eck, Deon Johnson, Stacie Gomm, Ron Liechty, Vic
7 Saunders

8 **The Providence City Council will meet for a study session at 5:30 p.m. in the City**
9 **Council Chambers. This is a public meeting; however, no public comment will be**
10 **heard and no action will be taken on the agenda items.**

11 Traffic flow through Millville City:

12 Mayor Mike Johnson, Council Member Rod Hobbs, and Council Member Brian Jensen
13 from Millville City attended the study session.

- 14 • Mayor Johnson expressed concern about the traffic from Providence Highlands
15 Subdivision using 550 North in Millville. The road is very narrow. Millville
16 does not have the funds to improve the road.
- 17 • Mayor Johnson also expressed concern about 450 North. He reported Millville
18 City has two new subdivisions containing about 70 homes. He explained
19 Millville City is also planning a city park on the west end of 450 North.
- 20 • V Saunders felt as development occurs, the extension of Bessie Lane west to
21 SR238 (200 West) will take some traffic from 450 North.
- 22 • V Saunders explained Providence City has a transportation plan; but the City is
23 limited by the funds it has and most of the roads will be constructed by
24 developers as development occurs.
- 25 • Mayor Leonhardt suggested Millville City apply for CMPO contingency money
26 to improve 550 North. He explained the contingency of \$250,000 is allocated
27 every year.
- 28 • D Johnson asked if Millville had the easement to expand 550 North. S Hobbs
29 explained they have 99 feet on the east end; but very little on the west end. He
30 thought the property owners on the west end would work with Millville City.
- 31 • Mayor Johnson reported Millville City has park and water impact fees.
- 32 • V Saunders did not feel the City could limit traffic access because of a park.
33 Mayor Johnson explained the parking for the park will be on the east side.
- 34 • Mayor Johnson felt Millville was “kind of getting dumped on.” He felt the
35 majority of the Grandview area and the Sunset Estates area would use 1000
36 South (450 North). Mayor Johnson explained 450 North is master planned as a
37 collector.
- 38 • R Eck and V Keeslar explained roads can be built to different life expectancies.
39 V Keeslar felt at maximum build out, Providence City would have approximately
40 5,000 average daily traffic trips on 1000 South (450 North). He also explained
41 Providence City allowed a crusher on the Providence Highlands site which
42 helped keep truck traffic off 1000 S.
- 43 • V Keeslar explained Providence City has 500 East, 300 East, Main Street, and
44 Bessie Lane extensions on the master plan to provide outlets. He reviewed the
45 current transportation plan and explained the City is in the process of updating
46 the master plan.

- 1 • V Saunders felt the topography of Providence City limited the options. He
- 2 explained, with the Canyon and the gulley, the options are limited. However, the
- 3 City has information that supports that the City has sufficient roads for the traffic.
- 4 • V Keeslar reported the CMPO Functional Classification Map include 2300 South
- 5 (550 North). The City is very willing to support Millville City with the CMPO.
- 6 • R Eck commented that M Cohen stated in a previous meeting he would help with
- 7 both cities with transportation.
- 8 • Mayor Johnson reported they are currently working with the County and
- 9 Providence City to improve the dirt road that connects to Providence City's 400
- 10 East just south of Hillsborough.
- 11 • Mayor Johnson felt improving 550 North was the most important. He explained
- 12 Millville's 200 East is waiting to connect with Providence City's Main Street.
- 13 • R Hobbs asked about the extension of Providence City's 500 South west to
- 14 Highway 165. Mayor Leonhardt explained 500 South is being built as
- 15 development occurs.
- 16 • R Eck estimated it would cost approximately \$500,000 to build 550 North with a
- 17 60-foot right-of-way.
- 18 • S Gomm asked what options, other than getting the developer to help and
- 19 working with the CMPO, Providence City had to help Millville City. Mayor
- 20 Johnson explained he did not want Providence City to build Millville's roads, but
- 21 to plan other outlets throughout Providence City. V Saunders explained
- 22 Providence City is very active in master planning the City.
- 23 • Mayor Leonhardt felt the first step should be to go after the CMPO contingency
- 24 money. Mayor Johnson agreed. V Saunders suggested a study of the viability of
- 25 a boundary adjustment to include 550 North in Providence City. At that point
- 26 Providence City would build the road. Mayor Johnson felt it wasn't a bad idea,
- 27 but Millville City wanted to keep some area for commercial development.
- 28 Mayor Johnson did not think the boundary could be adjusted north of 450 North
- 29 but was willing to consider the 550 North portion.
- 30 • R Hobbs felt Providence City needed to plan more accesses off of the benches.
- 31 He did not feel the City could just consider the 70 homes in Providence
- 32 Highlands Phase 1. He felt improving 500 South to HWY 165 was very
- 33 important.
- 34 • Mayor Johnson did not feel Providence City had changed its transportation
- 35 master plan to compensate for the growth on the South Bench. V Keeslar
- 36 explained the City already had the transportation plan in place with anticipation
- 37 of future traffic.
- 38 • Mayor Leonhardt explained the City will be cognizant of transportation in the
- 39 master plan update. He also felt the CMPO money should be perused. V Keeslar
- 40 explained the CMPO asks for a 7% match. V Keeslar explained the next
- 41 application date is November 2005.

42 Update on Providence Highland.

43 Mark Cohen, Jeremy Jensen, and Rick Arnold represented Providence Highlands.

- 44 • V Keeslar explained Craig Smith is getting the feeling from the State Water
- 45 Engineer, that the City should not push so hard. The developers are concerned

- 1 with slowing the process because of the restrictions in the Water Conveyance
2 Agreement.
- 3 • M Cohen explained if the City does not hit the May hearing date; the next date
4 won't be until November 2005. He felt, with the notice provisions and all things
5 involved with the application, time to meet the May hearing is running out.
 - 6 • M Cohen explained Craig Smith felt if it is to be done right, don't go so fast. M
7 Cohen explained he understands the standard protester's protest to delay the
8 process to give them time to look into the cause and effect.
 - 9 • Jeremy Jensen explained UP&L is more concerned with people getting new water
10 rights, but they send a form letter of protest on everything.
 - 11 • V Keeslar explained City representatives will be meeting with Bob Fotheringham
12 next week on the application.
 - 13 • M Cohen explained he does not want to do anything that is not in the best interest
14 of the City. However, they would like to start the submission process for Phase 2
15 this fall. He explained both the building permits on Phase 1 and the submission
16 process in Phase 2 are restricted by the Water Conveyance Agreement. M Cohen
17 explained they need up to 20 building permits over the next 60 days. J Jensen
18 explained there are 9 that must be ready for the Parade of Homes; five parade
19 homes and 4 model homes.
 - 20 • R Liechty stated he would consider allowing permits for the 9 homes for the
21 parade but nothing more without the water.
 - 22 • R Arnold explained the water rights have been deeded to the City. The
23 segregation documents have been prepared, except for one which is waiting for
24 the state engineer. C Smith is proposing the slow down for the City; slowing the
25 process allows the City to maximize the return on the water right transfer.
26 Slowing down does nothing for the development.
 - 27 • M Cohen explained C Smith feels the City has sufficient water rights to allow
28 development.
 - 29 • R Liechty expressed concern that the developers are already asking the City to
30 consider changes to the agreements. He is willing to consider changing the
31 agreement, but wants to be able to explain the reasoning. R Eck felt the parade of
32 homes and the models needed to happen. R Liechty agreed. M Cohen felt the
33 nine permits would be fine for now. If there are problems, the developers will
34 come back to discuss problems.
 - 35 • V Keeslar explained if the application is submitted by April 1, all permits can be
36 issued. The Council agreed to allow building permits for the nine homes for the
37 parade even if the application is not ready by April 1.
 - 38 • R Eck expressed concern about silt fences and other problems that may arise with
39 runoff. M Cohen will follow up.
- 40 Accessory Dwelling Units:
- 41 • R Eck expressed concern that the longer the City waits to change the City Code,
42 the more units will be approved.
 - 43 • Mayor Leonhardt requested a retreat.
- 44 Future Agenda Items

- 1 • R Liechty reported the following items are coming from the Planning
2 Commission: Dunker's Accessory Apartment, IHC Preliminary Plat, and Eagle
3 View Preliminary Plat.
- 4 • V Keeslar reported the Proclamation April 2005 Child Abuse Month is scheduled
5 for April 12.

6 **City Councils' Report**

7 Mayor Leonhardt:

- 8 • Mayor Leonhardt gave the Council a copy of traffic counts from the Cache
9 County Sheriff's Office.

10 **Agenda Items:**

11 **Pledge:** Mayor Leonhardt **Opening:** Stacie Gomm

12 **Minutes:**

13 Motion to approve the minutes of March 8 – S Gomm, second – R Liechty

14 Corrections:

- 15 • Page 2 line 19 Rod Elwood
- 16 • Page 4 line 3 Deon Van Dyke

17 Vote: Yea: R Eck, D Johnson, S Gomm, R Liechty, V Saunders

18 Nay: None

19 Abstained: None

20 Excused: None

21 **Item No. 1. Resolution 05-006. The Providence City Council will consider for**
22 **adoption a resolution granting a conditional use for a home business for colon**
23 **hydrotherapy located generally at 560 Edgewood Drive, requested by Colette Yates.**

24 Mayor Leonhardt explained discussion on this item has been open to the public in several
25 previous meetings; this will be Council discussion only.

26 Motion to approve Resolution 05-006 – V Saunders, second – D Johnson,

- 27 • V Saunders read the six conditions listed on the resolution

28 Motion to amend with condition that this be one year only, at that time the business must
29 move to a different zone – R Eck, second – R Liechty,

- 30 • V Saunders felt the Council already had the ability to review the conditional use.
- 31 • S Gomm did not know if a year would be enough for a commercial place to house
32 this use.
- 33 • D Johnson felt the conditional use should be reviewed in a year, but did not agree
34 with the one year limitation.

35 Vote on amendment: Yea: R Eck, R Liechty

36 Nay: D Johnson, S Gomm, V Saunders

- 37 • V Keeslar explained the modifications to the residence were done without a
38 building permit. The Applicant has applied for the building permit; inspections
39 will be scheduled through the Building Department. V Keeslar explained if there
40 are ramifications that do not meet the building code, it will hold up the license.

41 Vote on original motion: Yea: D Johnson, S Gomm, V Saunders

42 Nay: R Eck, R Liechty

43 Abstained: None

44 Excused: None

- 45 • V Saunders explained that this discussion over the past several months has
46 brought to light the need to update the City's ordinances. He did not want to

1 reduce the viability of the residential zone. S Gomm explained there are many
2 uses permitted that need to be reviewed. She asked if the Council should consider
3 a moratorium on allowing the uses. V Saunders did not feel the need to stop; but,
4 he felt the changes should be done as soon as possible.

- 5 • C Yates thanked the Council for their decision.

6 **Item No. 2. Public Hearing - Resolution 05-009. The Providence City Council will**
7 **consider for adoption a resolution adjusting the Providence City budgets.**

8 Motion to continue to the April 12 meeting – V Saunders, second – R Liechty,

9 Vote: Yea: R Eck, D Johnson, S Gomm, R Liechty, V Saunders

10 Nay: None

11 Abstained: None

12 Excused: None

13 **Item No. 3. Resolution 05-010. The Providence City Council will consider for**
14 **adoption a resolution authorizing a one-time payment to the Cache County**
15 **Mosquito Abatement Board for initial operation costs.**

- 16 • Bryan Cox reported many other cities approve \$1.00 per household. V Saunders
17 explained the District was formed without funding. Cache County is loaning the
18 District funding for a year. The amounts given by the cities will be repaying the
19 County. .

- 20 • B Cox explained the appropriate title is the Cache Mosquito Abatement District.

21 Motion to approve Resolution 05-010 with the change of removing County from the title

22 – S Gomm, second – V Saunders,

23 Vote: Yea: R Eck, D Johnson, S Gomm, R Liechty, V Saunders

24 Nay: None

25 Abstained: None

26 Excused: None

27 **City Councils' Report (continued)**

28 Mayor Leonhardt:

- 29 • Mayor Leonhardt reported the LDS Church is willing to sell some of the property
30 west of the soccer fields. They only want to retain enough for a parking lot.
31 Mayor Leonhardt explained the City has \$50,000 toward the purchase of property
32 and impact fees can be used toward the development of a softball field. Mayor
33 Leonhardt also reported Amsource is willing to work with the City.

34 Council Member Randy Eck:

- 35 • R Eck suggested the City reconsider the striping on 100 North to better serve the
36 commercial area. He felt the north side should be a double lane from 200 West to
37 Highway 165. R Eck will follow-up with staff.
- 38 • V Saunders felt the Theaters may request their sign be moved for better visibility.
39 Mayor Leonhardt felt the Theaters were well enough established they will leave
40 the sign.
- 41 • S Gomm asked about traffic continuing south across 100 North at the Parkway. R
42 Eck felt at some point a traffic light will be needed.

43 Council Member S Gomm:

- 44 • No Report.

45 Council Member Deon Johnson:

1 • D Johnson reported he and City staff toured Hyrum City’s wastewater treatment
2 plant. He felt with the property needed, the operation expense, and the liabilities
3 involved, continuing to contract with Logan City was a good idea.

4 • V Keeslar explained Hyrum City has a very good system. He explained even
5 though this is a wastewater treatment plant, it is a drinking water plant.

6 Council Member Ron Liechty:

7 • R Liechty asked if the City had set times when the Sheriff’s Deputy was
8 scheduled in the City. S Gomm explained the assigned deputy varies between the
9 Nibley, Millville and Providence. V Keeslar explained the roving officer is also
10 available.

11 Council Member Vic Saunders

12 • V Saunders complimented the City on the new stop signs.

13 • V Saunders reported Paul Matsuyama and two of his neighbors are taking the
14 CERT training. They are requesting the City sponsor a volunteer CERT force.
15 They would like to make a presentation to the City. R Eck reported he is CERT
16 certified. He feels it is a money pit. S Gomm reported she is also CERT certified.
17 She felt it important that people remember CERT is not first responder; it is
18 triage.

19 • V Keeslar explained Keith Thompson would also like to put together a list of
20 names of people that can be called on in an emergency.

21 City Manager Report:

22 Recreation registration is on going:

23 • V Keeslar explained the recreational programs are now registering.

24 Dan Hogan:

25 • V Keeslar explained Dan Hogan would like to discuss the 1979 and 2004
26 annexations with the Council at a future meeting.

27 • Mayor Leonhardt felt the April 26th agenda would be the best.

28 ULCT Spring Conference:

29 • V Keeslar reported the information has been put in the Council mail boxes. V
30 Saunders felt the zoning day would be a good day. Mayor Leonhardt agreed.

31 Speed limit sign:

32 • V Keeslar presented a picture of Hyrum City’s sign stating all speed is 25 mph
33 unless otherwise posted.

34 • V Saunders and R Eck explained this sign is not enforceable but is educational.

35 Cache County Planner:

36 • V Keeslar informed the Council that Mark Teuscher is no longer with the County.

37 Motion to adjourn – V Saunders, second – Deon Johnson,

38 Vote: Yea: R Eck, D Johnson, S Gomm, R Liechty, V Saunders

39 Nay: None

40 Abstained: None

41 Excused: None

42 Minutes taken and prepared by S Bankhead.

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Alma H. Leonhardt, Mayor

Skarlet Bankhead, City Recorder