

1 **PROVIDENCE CITY COUNCIL MEETING MINUTES**

2 **April 22, 2008**

3 **Providence City Office Building**

4 **15 South Main, Providence UT**

5
6 Call to Order: Mayor Randy Simmons
7 Roll Call of City Council Members: Mayor Randy Simmons
8 Attendance: Mayor Simmons, K Baker, D Low, R Liechty, T
9 Rasmussen, J Russell
10 Excused: None
11 Pledge of Allegiance: D Low

12
13 **APPROVAL OF THE MINUTES FOR MARCH 25, 2008 CITY COUNCIL MEETING:**

14 Motion to approve the minutes- T Rasmussen Second- R Liechty

15 Page 2 of 6, line 23- landscape needs an 'e' on the end

16 Page 5 of 6, line 33- D Low thought it would 'be' helpful

17 Vote: Yea: K Baker, D Low, R Liechty, T Rasmussen, J Russell

18 Nay: None.

19 Abstained: None.

20 Excused: None.

21
22 **APPROVAL OF THE MINUTES FOR THE APRIL 2, 2008 CITY COUNCIL, PLANNING**
23 **COMMISSION, AND HISTORIC PRESERVATION COMMISSION JOINT WORKSHOP:**

24 Motion to approve the April 2, 2008 minutes- J Russell Second- R Liechty

25 Vote: Yea: K Baker, D Low, R Liechty, T Rasmussen, J Russell

26 Nay: None.

27 Abstained: None.

28 Excused: None.

29
30 **PUBLIC COMMENTS:**

31 David Jensen, 825 S. 400 E., said that the newsletter had stated that 3.68 acres is being considered for Everton

32 Minor Subdivision Amendment #1 Phase 1. He said that they own a little over 2 acres of that subdivision.

33 S Bankhead said she would address that issue when the Council got to that agenda item.

34 Gary Stauffer said that the Land Use Authority agenda on the bulletin board said the meeting was scheduled for

35 April 22nd and the meeting was actually held on April 21st.

36 Sharell Eames understands that the Council will answer D Jensen's question. She asked if questions can be
37 answered during the Public Comment portion of the meeting.

38 Mayor Simmons said she should call with her questions, and the Staff will put her questions on the agenda.

39 Sharell Eames asked if she needs to go through a Council member to do that.

40 Mayor Simmons said she just needed to call Skarlet Bankhead, City Recorder/Administrator.

41
42 **TRAINING:** The Providence City Council will continue training on the open and public meetings act.

43 The Council listened to the last 10 minutes of the Open and Public Meetings Act training DVD featuring David
44 Church, general counsel for the Utah League of Cities and Towns.

45
46 **CONTINUED BUSINESS:**

47 Item No. 1. Resolution 08-006. The Providence City Council will consider for adoption a resolution establishing
48 right-of-way guidelines for Canyon Road and 400 East between Canyon Road and the City's south boundary line.

49 Motion to approve Resolution 08-006- R Liechty Second- T Rasmussen

50 D Low asked when the plan the Council passes for these roads will take place.

51 Mayor Simmons said when it gets put into the budget and when it develops.

52 D Low thinks that safety is why we put sidewalks in. He thinks there needs to be a sidewalk on Canyon Road. He

53 drew a picture on the whiteboard. He thinks the sidewalk should be 4 ½ -5 feet. He thinks the park strip should be

54 2 or 2 ½ feet. He thinks the standard for curb and gutter is 2 ½ feet. He thinks Canyon Road is one of the most

1 dangerous places to drive. He thinks we need a sidewalk.
2 K Baker asked if it would be on the north side or south side.
3 D Low said that he would recommend it being on the north side. He feels in retro-fitting there are a lot of options
4 we can go with. He said it is reasonable to have 5 ft. sidewalk in some places and have 4 ½ feet in other places.
5 He hopes citizens that live on Canyon Road will work with the City. He thinks it will be best for all of Providence
6 to plan for a sidewalk there.
7 R Liechty asked what we build sidewalks to right now. He thinks if we don't build sidewalks big enough then
8 people won't use them. He asked what type of curb and gutter D Low is proposing, rolled curb or standard curb.
9 Mayor Simmons drew a picture of the standard curb and gutter on the whiteboard.
10 R Liechty asked what the standard park strip width is.
11 S Bankhead said the new standard is 6 feet to accommodate the utilities and snow removal. She said some old
12 standards may have called for a 24 inch park strip.
13 D Low said that we need to make a compromise. He thinks that 6 feet of park strip is too much for a retro-fit area.
14 Mayor Simmons said that in Brookside Village the park strips are 30 inches.
15 R Liechty was concerned because he hears R Eck talk about needing larger park strips all the time.
16 D Low asked if we should have a larger park strip.
17 R Liechty thinks we should have as large a park strip as will work.
18 Mayor Simmons said the City owns about the width of curb and gutter in our right-of-way. Beyond that we need
19 to ask the property owners to work with us and sell the property.
20 D Low said 24 inches won't work as well as 6 ft., but we need to figure out what will work.
21 R Liechty asked if we could go to 30 inch park strips.
22 Mayor Simmons said this is a retro-fit issue that will require flexibility.
23 R Liechty said the dimensions need to be right. He said the sidewalk needs to allow people to walk side by side.
24 He said if R Eck will be fine with 24 inch of park strip then he will consider it.
25 Mayor Simmons said that R Eck would much rather have 30 inches than 24 inches.
26 R Liechty wants R Eck to approve the park strip width. He hasn't heard any complaints with 30 inches.
27 G Stauffer asked about near Jerry Fuhriman's house.
28 Mayor Simmons said children walk to the church house and to the bus stop.
29 D Low said with retro-fitting they can change things. He said they can change the standard for small spaces. He
30 feels like it is more flexible.
31 Canyon Road- curb and gutter on north side 2 ½ ft., park strip on north side (flexible to less than 30" with Council
32 approval), and 5 ft. of sidewalk.
33 J Russell feels we are doing things piece meal. He doesn't know why we are addressing these two roads. He said
34 unless we are going to use this as a standard for future resolutions he isn't sure why the Council is considering
35 this.
36 D Low thinks you have to look at retro-fitting differently.
37 Mayor Simmons said the Staff is getting a book ready to approve for each street in the downtown area.
38 J Russell thinks the Council needs to make some sort of statement that they will have a uniform decision and go
39 towards a certain standard.
40 R Liechty said that we don't want to go lower than this unless we absolutely have to.
41 S Bankhead asked if when people subdivide if we should ask for 29 ft. of asphalt or what they will be required to
42 do. She wanted to know if they want to wait for the subdivisions to come. She wants to know what the Council
43 wants the Staff to ask the developer for if there were a subdivision application submitted.
44 D Low wanted to know why S Bankhead didn't think it would be wise to just look at them as they come in.
45 S Bankhead said 24 ft. of asphalt is the least the City will accept.
46 R Liechty would rather look at these case by case.
47 Mayor Simmons asked what language we should have for 400 East.
48 R Liechty didn't know why we would change it from what they decided on Canyon Road except having
49 everything on the east side.
50 D Low said that when people get creative they can adjust it so there are minimal problems.
51 Mayor Simmons said that in front of the Jensen's there could be curb and gutter, sidewalk, and no park strip. This
52 would not affect their property at all.
53 The 400 East part of the resolution will read the same as the Canyon Road part except it will be on the east side.
54 R Liechty asked if we can ask the developer to set aside money for sidewalk on the other side.

1 S Bankhead said it is too close to an impact fee, and the City could get challenged.
2 D Low asked if we are talking about past Kathy's property or all the way to Millville.
3 R Liechty asked if from 1000 South to Millville there are gullies.
4 Mayor Simmons said that there are some that are even deeper.
5 D Low asked if in 30 years the Council will want a sidewalk. He said that Meg Ryan spoke about connectivity.
6 He said this decision is short-sighted if a Council decides they want one in the future.
7 Mayor Simmons said the City can ask for the dedication of right-of-way, but then not require the developer to
8 install curb, gutter, park strip, and sidewalk.
9 R Liechty said he feels we should ask for a 56 ft. right-of-way.
10 Mayor Simmons re-read the "fill in the blanks" to clarify that everyone was on the same page.
11 Mayor Simmons also said any new subdivisions built on the east side of 400 East will build to the current City
12 specs.
13 Vote: Yea: K Baker, D Low, R Liechty, T Rasmussen, J Russell
14 Nay: None.
15 Abstained: None.
16 Excused: None.
17

18 Item No. 2. Resolution 08-013. The Providence City Council will consider for adoption a resolution approving the
19 Development Agreement for the Everton Minor Subdivision Amendment No.1 Phase 1, located generally at 853
20 South 400 East, requested by Stephen Harrison.

21 S Bankhead said that Mr. Harrison asked this to be pulled off the agenda until the City Council made a decision
22 about 400 East.
23 D Jensen said that Mr. Harrison doesn't own what the newsletter said.
24 S Bankhead said that in order to correct the fact that the property was sold illegally the developer has to correct
25 the original subdivision so Louise Everton's lot is on the plat.
26 Mrs. Jensen said that the 3.68 acres is their lot plus Stephen Harrison's lot.
27 Mayor Simmons asked if they access 300 East from their property.
28 D Jensen said that they own an easement.
29

30 Item No. 3. Resolution 08-014. The Providence City Council will consider for adoption a resolution approving the
31 Development Agreement for Hampshire Estates Subdivision, located generally at 285 West 575 South, requested
32 by Jay Olsen.

33 Motion to approve- T Rasmussen Second- K Baker

34 S Bankhead said that the Staff doesn't have the construction estimates.
35 T Gessel said he did get the estimates to Max, but he wasn't sure of the day.
36 R Liechty asked if we could have a meeting on Tuesday, April 29, 2008 for this. He didn't mind doing that. He
37 said if Max can get them signed then the Council will anticipate having a meeting next Tuesday at 5:30pm.
38 S Bankhead said the Staff will e-mail them the development agreement when it is ready.

39 Motion to continue to Tuesday, April 29th at 5:30pm- R Liechty Second- K Baker

40 Vote: Yea: K Baker, D Low, R Liechty, T Rasmussen, J Russell
41 Nay: None.
42 Abstained: None.
43 Excused: None.
44

45 5 minute break.

46
47 Item No. 4. Discussion. The Providence City Council will discuss building a fire station in Providence City.
48 Motion to discuss building the fire station- D Low Second- J Russell

49 Chief Meaker, Logan Fire Chief, was at the meeting. He said that when you talk about a fire station you talk about
50 a few different things. He said factors include affordability, time, etc. They have to balance risk vs. cost. He
51 disclosed that he does live in Providence and is an advocate for building a station in Providence. He said it is
52 important for them to have confidence in their Fire Chief. He has been working in fire departments since the 70's.
53 He worked for the 7th largest fire department in California. He came to Cache Valley as the 3rd highest ranked
54 person in Sac Metro's department. He gave a few more of his accolades. He said he would 1st like to talk about

1 response time and then cover cost. He said there is a national standard for urban and one for rural. The NFPA
2 (National Fire Protection Agency) sets the standards for everything dealing with fire service. The standard for
3 response time for an urban area is to be on scene within 5 minutes 90% of the time. He said it is very hard to meet
4 that standard. He said 4-6 minutes after cardiac cessation there is brain damage. He said that he is going to show a
5 DVD of 100 people dying 4 years ago here in the United States. He said that fire departments have the strictest
6 time restraints of any entity in the nation. He showed the DVD. Chief Meaker said this is in Rhode Island with a
7 professional fire crew less than a mile and a half away. He gave somewhat of a “play by play” of the DVD.
8 Chief Meaker said the DVD shows how fast fire moves. He said that the Logan Fire Department can cover part of
9 Providence in 5 minutes, most of Providence in 8 minutes, and the upper bench part of Providence in 10-12
10 minutes. He said the downtown core area of Logan averages a little over 3 minutes for EMS. He said in zone 71
11 which is the new Hillcrest area the average is 4 minutes and 21 seconds for EMS. He said in Providence for EMS
12 they average 6 minutes and 27 seconds. They are here within 5 minutes 44% of the time. He next gave
13 percentages for fire calls. For Providence on fire calls the average is 7 minutes and 11 seconds. He said they are
14 here less than 24% of the time within 5 minutes. He next showed some color coordinated maps drawn by a
15 computer program that projects response time. He then showed a map that projected a fire station near Edward’s
16 Furniture. He said 75% of the City is within a 5 minute envelope with that projection. He then showed a map that
17 projects a fire station near the golf course. He said it still lowered the times, but there were still some places that
18 were at an 8-12 minute response time.

19 D Low asked if there is a difference between 5 and 6 minutes, 6 and 7, or 5 and 7.

20 Chief Meaker said that for EMS it varies. When a fire hits flash-over it doubles exponentially. Flash-over usually
21 happens around 10 minutes into the fire. He said it is virtually impossible to be on scene within 5 minutes if you
22 are more than 2 miles away. He wanted the Council to understand that a station being built doesn’t just depend on
23 response time. You have to balance it with call volume. He said Providence will be at about 450 calls per year at
24 build-out. He said the number of people required to generate one Fire/EMS is proportionate to the population
25 densities. He said it happens because people act more poorly to each other when they are crowded. He said urban
26 areas also attract people who are accustomed to having different services. He said as Providence develops the
27 citizens won’t be happy with 10-12 minute response time. He said Logan knows they need to build a station in the
28 southern part of the valley. He said that once they build a station in the south west part of the valley Providence
29 will lose its chance forever.

30 Chief Meaker said on the contract from 1993 Providence’s contract is for 2% of fire suppression and prevention.
31 He said Providence’s cost goes up as the fire department’s budget and costs go up. He asked S Bankhead to write
32 some things on the white board. He said the bill for Providence is \$44,816. This divided by 7000 citizens makes it
33 \$6.40 per capita. He said River Heights has a population of about 1500-1600. They have a bill of \$31, 132. Their
34 cost is \$19.45 per capita. He said Logan has about 50,000 residents and have a budget of about \$4.5 million. He
35 said the per capita is \$87. 11. Chief Meaker said that if hypothetically the City bonds for \$100,000 a year and pay
36 Logan \$44,000 a year that number divided by 7000 people is about \$19.00-\$20.00. Chief Meaker said that Logan
37 has about 10-12 calls a day. They have available capacity, and that is why Logan can sign contracts that give
38 Providence and River Heights much lower per capita costs than Logan. He said to run a 3 person fire station
39 staffed 24 hours a day requires 12 personnel. The employees make about \$30,000 plus benefits. He said the
40 driver’s make about \$40,000 plus benefits. The captain makes about \$50,000 plus benefits. It costs \$600,000 for
41 the personnel. The fire engine cost \$500,000, ambulance \$200,000, and the brush truck \$100,000.

42 Mayor Simmons asked how long the contract lasts.

43 Chief Meaker said that it started in 1993 and can be terminated with a 1 year written notice.

44 S Bankhead said that it is perpetual if it isn’t terminated.

45 Chief Meaker said that Providence will build out. He said development needs to occur where there is already
46 infrastructure.

47 Chief Meaker said he’s heard the fear is that Providence will invest the money for the station and then Logan will
48 pull out. He said that the fire department can already pull out with a 1 year written notice. He invited everyone to
49 the training facility. He said the training Logan’s fire fighters are getting is some of the best in the nation. He said
50 that Providence will probably want a longer term of warning than 1 year. He said the fire department will as well.
51 He said that they are open to discuss how long the term will be with Providence. He said the Logan City Council,
52 Mayor Watts, and the Fire Department do not want to pull out anytime soon.

53 Chief Meaker said that there is an education program now about fire safety around the County.

54 R Liechty is concerned about keeping the standards where we need to be. He doesn’t want the standards to be

1 changed to make building happen. He said he knew of some exceptions that had been made for developers.
2 Chief Meaker said the fire code requires certain things. He said it is the Fire Chief's responsibility to see if an
3 alternative method will meet the fire code. He said he has signed about 100 variances over the 5 years he has been
4 here. He said he is prepared to defend those actions to the media and in the court of law. He said the fire
5 department knows when to say no, but they aren't perfect. He said Providence should want a Fire Chief who will
6 compromise when it's justifiable and not compromise when it's not justifiable.

7 Keith Thompson asked Chief Meaker to summarize the statistics he put on the board.

8 Mayor Simmons said our estimated bond cost is about \$100,000. Then there is an annual fee of \$44,000.

9 J Russell said the Council's job is to make sure this is done in a cost efficient manner.

10 Chief Meaker said the Hillcrest fire station was \$913,000. He said you can build nice fire stations for about
11 \$500,000 or \$600,000. He also said that when a city gets its own fire station kids go to "their city's fire stations"
12 for field trips. Large public meeting can be held there as well.

13 D Low thanked Chief Meaker for spending time with him.

14 Motion to approve that we move forward and build a fire station in Providence with the other details to be worked
15 out later- D Low Second- T Rasmussen

16 S Eames said the Council can't do that.

17 S Bankhead clarified that this is just direction to get started on the legwork. The Council is not appropriating any
18 money out of budget.

19 S Eames asked the motion to be read.

20 Substitute motion:

21 Motion that Providence City begins the research and investigative phase of putting a fire station in Providence- J
22 Russell Second- R Liechty

23 D Low agreed with the substitute motion.

24 S Eames said she did not oppose them continuing with it, just that they were voting on it without it being on the
25 agenda.

26 Vote: Yea: K Baker, D Low, R Liechty, T Rasmussen, J Russell

27 Nay: None.

28 Abstained: None.

29 Excused: None.

30 D Low said encouraged the other City Council members to go to the training. He said that it was awe-inspiring.
31 He also said they should go look at the Hillcrest fire station.

32 Mayor Simmons said they could also look at the Smithfield station for an example of another building type.

33 Mayor Simmons said we are saving about \$500,000 a year based on some students research as far as Fire/EMS
34 costs are concerned.

35
36 Item No. 5. Discussion. The Providence City Council will discuss an ordinance establishing a public safety impact
37 fee.

38 Motion for this to be an action item for the first meeting in May- R Liechty Second- T Rasmussen

39 Vote: Yea: K Baker, D Low, R Liechty, T Rasmussen, J Russell

40 Nay: None.

41 Abstained: None.

42 Excused: None.

43
44 **NEW BUSINESS:**

45 Item No. 1. Ordinance No. 000-2008. The Providence City Council will consider for adoption an ordinance
46 vacating a portion of right-of-way (approximately ninety-nine feet [99'] in length and approximately forty feet
47 [40'] in width) located generally at 220 South 300 East

48 S Bankhead said that they are considering vacating a part of the right-of-way. She did some research and found
49 some deed information that Max Pierce is researching right now. She said that the Staff doesn't advocate vacating
50 land, but in this situation it may be in order because it was supposed to have been done a long time ago.

51
52 **STAFF REPORTS:**

53 S Bankhead thanked K McDermott for being a great assistant for Providence City and wished her the best in her
54 new job in Holladay.

1
2
3 Motion to go into executive session to discuss property acquisition and a person- J Russell Second- T Rasmussen

4 Vote: Yea: K Baker, D Low, R Liechty, T Rasmussen, J Russell

5 Nay: None.

6 Abstained: None.

7 Excused:

8
9 T Rasmussen excused.

10
11 **COUNCIL REPORTS:**

12 K Baker said Lynn Lemon met with herself and R Liechty and wanted them to put some petitions into the official
13 record.

14 R Liechty said that the Council doesn't intend to put the sidewalk in right now at this moment.

15 K Baker said she goes back and forth with the fire station. She doesn't know if we should wait and see where they
16 build the station.

17 J Russell said when he met with them Chief Meaker said they don't know where or when they would build a
18 station if they don't build in Providence. He spoke with someone who said that the only way they saw the Fire
19 Department pulling out was if there was an extreme financial hardship.

20 R Liechty said that he thinks it is a win-win for the citizens.

21 J Russell said the Hillcrest station is beautiful, but we don't have to build that if we decide to build a station.

22 Mayor Simmons said Hillcrest was \$300,000-\$400,000 more than Smithfield.

23 K Baker said that both times she had to call 911 they were not there for 10-15 minutes.

24 J Russell said he thinks \$20 per capita is a great investment.

25 S Bankhead said baseball and softball sign-ups are done. The Utah State Aggies baseball team helped with the
26 try-outs for the 11-12 year olds. There were no 10 year olds put in the majors.

27 Mayor Simmons said 4 year olds cannot play t-ball either.

28 S Bankhead said that t-ball is frustrating. Her family watched the Padres play, and they have a miniature major
29 league field. The City will be creating an actual little field for t-ball and kickball. She said the real problem this
30 year was 6 year olds wanting to play up. Shane and Randy worked to find a place for it.

31 Mayor Simmons said that S Bankhead met with Dee Barnes and informed him that Providence was doing a
32 reduction in force. He said they are reviewing all the City positions and will have a report at the next regular
33 Council meeting. He said that we spend 1.8 cents for every dollar, and we are the 4th lowest in the valley.

34 S Bankhead has a list of services that we offer that she will present with the Mayor's report at the next Council
35 meeting.

36 D Low wanted to thank the City for allowing him to go to the Utah League of Cities and Towns training in St.
37 George. He said if anyone wants to talk about the library to see him.

38
39 Motion to adjourn- R Liechty Second- J Russell

40 Vote: Yea: K Baker, D Low, R Liechty, T Rasmussen, J Russell

41 Nay: None.

42 Abstained: None.

43 Excused:

44
45
46 Meeting adjourned at 8:49pm.

47 Minutes taken and prepared by Katie McDermott.

48
49
50
51 _____
Randy Simmons, Mayor

Skarlet Bankhead, City Recorder