

1 **PROVIDENCE CITY COUNCIL MINUTES**

2 **May 12, 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:	R Liechty

11  
12 **Approval of the minutes for April 28, 2009 City Council Meeting:**

13 **Motion to approve the minutes from April 28, 2009: R Liechty, J Russell second**

14 Pg. 1 – line 47 – University Conservation Corp.

15 Pg 3 – line 52 – Tom Baird’s house

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

17 **Nay: None**

18 **Abstain: None**

19 **Excused: None**

20  
21 **Public Comments:**

22 None

23  
24 **Business Items:**

25 **Item No. 1. Resolution 09-019.** A resolution awarding the bid for a sewer project located at 100 South west of 200 West.

26 **Motion to approve: J Russell, K Baker second**

27 Randy Eck was here to discuss this. This request was posted in the Herald Journal. Bid openings were May 1<sup>st</sup>. Low bid was  
 28 Ron Foster Construction. R Eck asked that the Council give the bid to Ron Foster Construction. He will obtain a construction  
 29 bond for this project. This company is more than capable of doing this job. He discussed the other contractor’s abilities.  
 30 R Eck will supervise this project. The City will reserve the right to refuse this contractor if they can’t obtain a bond.  
 31 R Simmons couldn’t find a reason to not give this contractor the bid.  
 32 R Eck asked the Council to let the people on 100 south be able to hook up to the sewer for the original price.

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

34 **Nay: None**

35 **Abstain: None**

36 **Excused: None**

37 **Motion if Mr. Foster can’t obtain his bonding we will go to the next bid, Grover Construction.**

38 **J Russell, R Liechty second**

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

40 **Nay: None**

41 **Abstain: None**

42 **Excused: None**

43  
44 **Item No. 2. Discussion:** Friends of Providence Canyon.

45 **Motion to skip: D Low, R Liechty second**

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

47 **Nay: None**

48 **Abstain: None**

49 **Excused: None**

50 **Motion to return to item 2. D Low, J Russell second**

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

52 **Nay: None**

53 **Abstain: None**

54 **Excused: None**

1 Debbie Roghaar talked to the Council and explained that she is a point person for the Friends of Providence Canyon to make  
2 sure the Canyon is taken care of. DWR and Forest Service try to watch the goings on in the Canyon. Citizens volunteer to  
3 pick up trash and try to keep it clean. There are packets that citizens can obtain to learn how they can help. They are looking  
4 at putting up a kiosk that has ideas about distributing information to become a responsible user. They can put together clean  
5 up committees and use as many youth as possible.

6 V Simmons said some of his concerns on this are instead of showing us how we can use the Canyon for fun they want to shut  
7 it down to motorized vehicles. If that is the case why would you put a trail on the south side of the Canyon if you won't let  
8 the citizens and other people use it? He would like to see the focal point be to help good people use it so it is better taken care  
9 of. He feels like the Forest Service is shutting down the areas.

10 D Roghaar said she would like to see more of an educational point. She would like to teach people how to take care of the  
11 Canyon.

12 D Astle said the Canyon belongs to everyone.

13 D Roghaar said that she would like for people to call her when they see a mess and volunteer to clean it up. She does not  
14 want to close the Canyon down.

15 S Bankhead said from the Staff's point of view, we would just like for someone to coordinate the cleanups and have someone  
16 be the person that we can direct calls to about the Canyon.

17  
18 **Item No. 3. Resolution 09-016** The Providence City Council will consider for adoption a resolution requesting UDOT grant  
19 the variance for a second access into the Amsource Development.

20 **Motion to approve: D Low, R Liechty second**

21 R Simmons explained that the Council has talked about changing the warrant on Hwy 165. He met with Amsource and  
22 Macey's to discuss moving the original access further to the south. Macey's was completely opposed to moving the existing  
23 access.

24 M Coombs said that when he talked to UDOT they were not going to give them a second access.

25 R Simmons asked the Council if they would be willing to support this.

26 J Russell said he feels that a second access would be safer.

27 R Liechty suggested that they have an in and out access.

28 S Bankhead said they are asking for a total of 3 accesses. There will also be 2 on 100 south. This will probably turn into a  
29 very busy road. When 100 East goes thru this should help our Commercial Development.

30 M Coombs said that 100 north is not a very busy access.

31 D Low said UDOT won't grant another access unless it is safe.

32 D Astle said the City has no right to ask for another access.

33 S Bankhead said that the Mayor will go to UDOT and tell them that we want this access no matter what.

34 R Simmons said this is consistent with the Council asking for a category 5. The traffic study came back from UDOT and  
35 there is no reason to lower the speed limit. He would like to see them make the current access right in and right out. He  
36 would like to see this development succeed.

37 D Astle said if this development is not successful that will be a huge problem for Providence. This will be a blight on the  
38 community. It seems UDOT is treating the other communities differently than they treat us. It's about time we ask UDOT to  
39 give us consideration and give us an access to help this development.

40 J Russell asked if Amsource has considered closing off the access on 100 north. He hates this access.

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

42 **Nay: None**

43 **Abstain: None**

44 **Excused: None**

45  
46 **Item No. 4. Resolution 09-018:** The Providence City Council will consider for adoption a resolution approving the  
47 Development Agreement and Addendum for the Eagle View Estates Phase 2 Subdivision, a 7-lot residential subdivision  
48 located generally at Eagle View Drive and Sherwood Drive.

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

50 S Bankhead said the way the ordinances work the Council approves the Development Agreement. The Council has a copy of  
51 the new agreement with the changes from DRC.

52 Dan Turner showed the Council a copy of the final plat and the changes. They talked about Lots 4 & 7 and the private drive.  
53 They also talked about the turnaround. The City has asked for an easement so we will be able to use the turnaround. The Fire  
54 Marshall attends DRC meetings and she is OK with this subdivision. They talked about the walking trail in the subdivision.  
55 The trail is also an easement.

56 R Liechty asked about the irrigation ditches.

57 S Bankhead said that this keeps the City out of the middle of any problems with the homeowners and the Irrigation  
58 Companies.

1 **Vote: Yea: D Astle, K Baker, R Liechty, D Low, J Russell**  
2 **Nay: None**  
3 **Abstain: None**  
4 **Excused: None**  
5

6 **Item No. 5. Resolution 09-008:** The Providence City Council will consider for adoption a resolution amending the  
7 Providence City Personnel Policy regarding travel reimbursement.

8 **Motion to continue: D Low, D Astle second**

9 **Vote: Yea: D Astle, K Baker, R Liechty, D Low, J Russell**  
10 **Nay: None**  
11 **Abstain: None**  
12 **Excused: None**  
13

14 **Item No. 6. Resolution 09-010:** The Providence City Council will consider for adoption a resolution adjusting the  
15 Providence City Fee Schedule.

16 **Motion to approve: R Liechty, K Baker second**

17 The staff is suggesting that the City charge a flat fee for solicitors. This is for Commercial Sales people that come from  
18 different areas to go door to door. They need to have a criminal background check. Staff has to issue them badges and  
19 certificates. This takes a little while to do this.

20 **Vote: Yea: D Astle, K Baker, R Liechty, D Low, J Russell**  
21 **Nay: None**  
22 **Abstain: None**  
23 **Excused: None**  
24

25 **Item No. 7. Ordinance 002-2009:** The Providence City Council will consider for adoption an ordinance amending  
26 Providence City Code Title 9 Chapters 1, 2, 3, 4, 5 & 6.

27 **Motion to approve: K Baker, J Russell second**

28 S Bankhead wanted this on the agenda to discuss so that if someone questions this we can say that we do have something on  
29 the books. She would like for the Council to study this and then bring it back in two weeks.

30 **Motion to continue until the next meeting: J Russell, D Astle second**

31 **Vote: Yea: J Russell, D Low, R Liechty, K Baker, D Astle**  
32 **Nay: None**  
33 **Abstain: None**  
34 **Excused: None**  
35

36 **Item No. 8. Ordinance 003-2009:** The Providence City Council will consider for adoption an ordinance amending  
37 Providence City Code Title 3 Chapter 8 Business License Regulations Residential Solicitation.

38 **Motion to continue to the next meeting: D Astle, K Baker second**

39 **Vote: Yea: K Baker, R Liechty, D Low, J Russell, D Astle**  
40 **Nay: None**  
41 **Abstain: None**  
42 **Excused: None**  
43

44 **Item No. 9. Resolution 09-015:** The Providence City Council will consider for adoption a resolution approving the Utah  
45 Local Government Trust Benefit Selection Agreement.

46 **Motion to approve: R Liechty, K Baker second**

47 D Astle and J Russell had a conference call with the Brokers through Utah Local Government Trust. This plan is  
48 administered through the Trust. They did talk about some different options with our Medical insurance which is through  
49 Altius. Our medical insurance is very good. We would like to continue to offer the current plan that we have we will just  
50 have to see how the budget comes out. T Lewis talked to some other cities about their insurance plans. We have been very  
51 lucky with our insurance. If we raise our deductibles we will be able to save some money. The medical insurance plan will be  
52 discussed at the next meeting.

53 J Russell said that the City has a very good program. He feels like every year we will be hit with increases again.

54 D Astle felt like the employees would have to use our dental plan continuously to get the City's money back. He would like  
55 to enter into this and decide how much the City will fund when we do the budget.

56 **Vote: Yea: R Liechty, D Low, J Russell, D Astle, K Baker**  
57 **Nay: None**  
58 **Abstain: None**

1           **Excused: None**

2  
3   **STAFF REPORTS:**

4   S Bankhead said she talked to Jeff Gilbert about the CMPO road. She feels like it is a little premature to enter into a inter-  
5   local agreement with the County. She would like to continue the process in getting the road ready to go, and then at that point  
6   enter into the inter-local agreement. The County has to pay any of the overruns before we enter into any agreement.

7   R Liechty said he talked to Mayor Watts who assured him that the County has the money for any overruns.

8   S Bankhead said hopefully we can go out to bid by August. She doesn't think that UDOT will have to condemn any property  
9   as long as the agreement holds.

10   S Bankhead told the Council that Rod Blossom is asking to condominiumize one of his buildings on Gateway Drive. This is  
11   for tax purposes and selling the office spaces.

12   S Bankhead said that Craig Call came and talked to DRC about mixed use zoning. He will bring some language to the  
13   Planning Commission on June 10<sup>th</sup>.

14   S Bankhead said that in order to support Amsource on this access resolution it will take political power.

15   The speed radar has been in the City this past week. It will be on 100 east this next week. People are not speeding on a whole.  
16   Recreation registrations have been a huge success. D Low will be willing to teach an adult tennis class. We will have a  
17   Welcome to Baseball on Saturday at Zollinger Park. The City runs a very good Baseball Program. Our baseball diamonds are  
18   some of the best in the State. Softball will be starting the first week of June. Our numbers in softball and baseball are  
19   significantly up this year.

20   Kaelynn Harris talked to D Low, K Baker and S Bankhead about doing a scholarship pageant. There were 20 young women  
21   that were interested in this. There would be no talent. They do need stage presence. She would like for Providence to have a  
22   presence in the parades. The last year the City did this only one participant used any of the money. If there is support for this  
23   out there maybe we need to look into it. We haven't budgeted for this, this year. It will be difficult to do it this year.

24   K Baker said that K Harris is assuming that the City can come up with the money for the scholarships.

25   S Bankhead suggested that they do a compromise and let the Youth Council participate in something like this. K Harris  
26   wasn't interested in this option.

27   R Simmons didn't know of anything else that had lower priority for him.

28   The Council was not interested in pursuing this any further.

29  
30   **COUNCIL REPORTS:**

31   D Astle reported about Richard Johnson. The City does not want to provide services for anyone living in another City. We  
32   will not be providing sewer to his home. The Monument Committee is getting nervous about the Monument Dedication on  
33   June 6<sup>th</sup>. There has been a lot of publicity for this event. President Packer will be here to dedicate the monument. Everything  
34   should be ready to go.

35   K Baker said that Wolford Hansen's children have requested the agreement between the City and Hansen's be completed for  
36   the road. They wanted to know how much water Hansen's have. They have filed for the water. Originally the property was  
37   going to be sold to Steve Roberts. The family does not want to develop right now. The City has a sewer easement on the  
38   property.

39   R Simmons said the celebrate Providence signs are excellent.

40   D Low asked if the Council would be interested in putting together a small children's book. He thinks it would be a benefit to  
41   the City. He will put a proposal together.

42   J Russell asked about the irrigation canal on 500 South. The eight families that live along the canal paid to have a pipe laid.  
43   They didn't feel like the canal was safe.

44   R Simmons asked the Council to look at Jay Kriese's property and see if they think it is any better than Ben Turman's. If the  
45   Council is going to enforce the Turman property they need to do it for everyone. The City will send a letter to the other  
46   property owners. Tony's Grove has opened a satellite store next to Edward's Furniture.

47  
48   **Motion to adjourn: R Liechty, D Low second**

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

50           **Nay: None**

51           **Abstain: None**

52           **Excused: None**

53  
54   Meeting adjourned at 8:35pm

55   Minutes taken and prepared by Terri Lewis