

1 **Providence City Council Meeting**  
2 **Providence City Office Building**  
3 **15 South Main, Providence UT**

4 **Tuesday, October 26, 2004 6:00 p.m.**

5 **Attendance:** Mayor: Alma H. Leonhardt  
6 Council: Randy Eck, Stacie Gomm – excused, Deon Johnson, Ron Liechty –  
7 arrived at 6:20 p.m., Vic Saunders  
8 City Manager: Vern Keeslar  
9 City Recorder: Skarlet Bankhead  
10 Public Works Director: Dee Barnes

11 **The Providence City Council will meet for a study session at 6:00 p.m. in the City Council**  
12 **Chambers. This is a public meeting; however, no public comment will be heard and no action**  
13 **will be taken on the agenda items.**

14 Checketts Annexation

- 15 • Stan Checketts expressed concern that the newspaper misrepresented Stan Checketts. He felt  
16 the paper made it appear he was trying to buy his way into the City. He explained he was not  
17 asking for special treatment. He is ready to annex and felt the property should be in  
18 Providence. S Checketts reported when first considering annexation, he worked with both  
19 Mayor Leonhardt and V Keeslar.
- 20 • S Checketts explained he has no water shares to give. There have never been water shares on  
21 this property. If he had water shares, he would be willing to donate the shares. He does not  
22 want to buy his way into anything.
- 23 • S Checketts does believe new homes should pay for the roads and obtaining water. He felt  
24 the developer should pay for whatever the development costs.
- 25 • S Checketts felt it was unfortunate that Clint Thompson had used scare tactics with the water  
26 and planning of schools to prevent development.
- 27 • S Checketts reported he has talked with Logan City and annexation into Logan is possible. S  
28 Checketts explained he has always felt the property should be in Providence. However, if  
29 Providence City does not want to annex, S Checketts will approach Logan City. S Checketts  
30 had a map showing how the annexation to Logan would work.
- 31 • V Saunders did not feel anyone on the Council felt badly toward S Checketts. However, the  
32 Council cannot control what is printed in the Herald Journal. V Saunders felt the only thing  
33 Clint Thompson had done for the Council was created discussion that brought the City's  
34 water situation into focus.
- 35 • V Keeslar reported S Checketts originally talked about annexing a smaller parcel of property.  
36 After the County reviewed the application, it was discovered that the smaller proposal created  
37 an island. In order to include the island property and have 51% of the owners, the proposal  
38 was expanded. V Keeslar explained the expanded amount was already included in the City's  
39 Annexation Policy. V Keeslar felt it was important to protect the City's Annexation Policy  
40 against another city taking what Providence City is planning for.

41 Planned Unit Development discussion.

- 42 • V Keeslar explained the City has six Planned Unit Developments; Creekside, Brookhaven,  
43 Providence Place, Hidden Creek, The Cottages, and Mountain View Retirement.
- 44 • V Keeslar reported he has had discussions with Creekside, Providence Place, Brookhaven,  
45 and Mountain View. Providence Place will be resolving their concerns with a budget change  
46 during next year. Creekside and Mountain View are struggling. Creekside is very unhappy  
47 about the sewer being billed by unit. Creekside has disclosed they have a 50% delinquency  
48 rate on their homeowner association fees.
- 49 • V Keeslar explained the only utility the City owns is water. He suggested the City consider a  
50 50% reduction of the water bill for the month of September 2004. This would be a one time  
51 reduction, not an annual reduction. It would only apply to the water portion of the utility  
52 billing.

- 1 • Mayor Leonhardt explained Mountain View also changed the president of the homeowner's  
2 association about the same time the City made the change on the sewer payments.
- 3 • V Keeslar felt the one time rate reduction would be a gesture of good will. This will be a  
4 combined reduction of approximately \$2,200. If the Council agrees with the proposal, the  
5 staff will proceed with a resolution.
- 6 • V Saunders felt it would be fine as long as the recipients understand it is a one time reduction.
- 7 • V Keeslar explained Creekside has obtained legal representation.
- 8 • V Saunders asked if the City had allowed a payment plan for the sewer billing charge that  
9 took place in August. V Keeslar reported the City offered a payment plan; Providence Place  
10 was the only one to take advantage of it.
- 11 • V Saunders asked if PUDs were a passing fad. V Keeslar explained there are many good  
12 PUDs. Several years ago the City needed to look at expanding different levels of housing.  
13 Now that the City has done so, PUDs may not be as popular. V Keeslar reported the trend is  
14 now toward the neo-traditional form of housing.
- 15 • The staff will prepare a resolution for the next council meeting.

#### 16 Providence Logo.

- 17 • V Keeslar explained the current logo was the result of a contest held many years ago. V  
18 Keeslar asked the Council if they wanted to move the current logo to the City seal and get a  
19 contemporary logo.
- 20 • V Saunders explained his son is a graphic art student at USU. His son presented a modified  
21 circle design. The circle meaning ever moving. It has clean lines.
- 22 • Mayor Leonhardt felt it may look to simple. V Saunders explained the trend is simple,  
23 particularly when putting on clothing items, vehicles, etc.
- 24 • R Liechty suggested putting the proposal in the newsletter for public input.
- 25 • R Eck liked the proposal. He felt perhaps it should be opened up to others. He felt there may  
26 be some heat by just using the design from a council member's son. V Saunders agreed and  
27 explained he had struggled with presenting the idea for months because it came from his son.
- 28 • The proposal will be put in the newsletter with an opportunity to submit designs.

#### 29 Future Agenda Items:

##### 30 Accessory dwelling unit for Britany Holmgren.

- 31 • V Keeslar explained this property is currently approved as an accessory dwelling unit. The  
32 property is changing ownership. V Keeslar explained conditional uses usually run with the  
33 property and are not tied to ownership as the current ordinance is.
- 34 • R Eck and V Saunders liked the current ordinance. V Keeslar expressed concern about the  
35 legality. V Saunders felt it was very appropriate to have the condition of ownership. He felt  
36 having the use run with the property may convolute the zoning. V Saunders felt in one  
37 particular development being able to have accessory dwelling units was used as a selling tool.  
38 He felt this would disrupt the integrity of the zoning.

##### 39 Rezone and final plat for Sunrise Acres.

- 40 • V Keeslar explained Sunrise Acres is the Bell property.

##### 41 Street and yard setback in the SFT zone.

- 42 • The Planning Commission is recommending a change to 20' for a street side yard in the SFT  
43 zone.

##### 44 City Councils' Report:

##### 45 Mayor Leonhardt

##### 46 Road closed signs on 100 South.

- 47 • Mayor Leonhardt reported the road closed signs came from Nibley City and has been placed  
48 on the street by one of the property owners, not the City. He felt the signs should be  
49 removed.
- 50 • V Keeslar explained the City has a prescriptive easement only. The ownership, for the most  
51 part, belongs to the property owners. V Keeslar explained by law the prescriptive easement  
52 must be claimed.

- 1 • Mayor Leonhardt felt the City needed to look at a water line down 100 South. V Keeslar felt
- 2 the water was okay but recognized a sewer line would need to be installed at some point.
- 3 • R Liechty reported he had received a complaint about the road closed signs. He also
- 4 expressed concern about a fence located at 560 West 100 South. He felt the front of the
- 5 fence violated the ordinances.
- 6 • Mayor Leonhardt reported Scott Theurer had a problem getting large equipment to his
- 7 property because of the road closed signs.
- 8 • D Johnson felt the signs should be removed. The Council agreed.

9 Holiday dinner:

- 10 • Mayor Leonhardt invited the Council to the Holiday dinner scheduled for December 1.
- 11 Several members of the Council had a conflict with December 1. The staff will reschedule
- 12 the dinner.

13 Council Member Eck.

14 Storm water system:

- 15 • R Eck asked how many different brands of grates were being installed in the storm water
- 16 system. D Barnes explained the brand of grate is not specified only that it be bicycle safe. R
- 17 Eck suggested the staff may want to consider specifying the brand of grate. This will help
- 18 with replacement and repair in the future. D Barnes reported the drop boxes are standard in
- 19 size.

20 Street lights:

- 21 • R Eck expressed concern about the street lights. D Barnes has been contacting UP&L; they
- 22 are about 18 months out.
- 23 • Mayor Leonhardt will also contact UP&L.

24 Council Member Johnson:

25 South end of Main Street:

- 26 • D Johnson reported he spoke with Bud Kohler about the sunken road around the sewer lids.
- 27 V Keeslar reported he visited the site with B Kohler. D Barnes reported it is on the schedule
- 28 to be repaired. This is a private road; the city does not plow it.

29 Hoth Garage:

- 30 • D Johnson asked when Marlin Hoth would take down the garage on the side of the Parkway.
- 31 V Keeslar explained the Hoths are using the garage for storage. They will not receive
- 32 occupancy for the four-plex until the garage is torn down.

33 Council Member Liechty:

- 34 • R Liechty requested follow-up for the road closed signs and fence violations on 100 South. V
- 35 Keeslar will talk with the property owner.

36 Council Member Saunders:

- 37 • V Saunders reported he was out of town and not able to attend the Planning Commission
- 38 meeting.
- 39 • V Keeslar reported the Planning Commission items were discussed in the future agenda
- 40 items.

41 Mayor Leonhardt reported the bids for the parking lot at the new park came in today. Due to changes  
 42 in the weather, the staff recommends making a decision as soon as possible. Mayor Leonhardt  
 43 explained the Council may hold an emergency meeting at the end of this meeting to review the bids, if  
 44 a majority of the Council chooses to do so.

45 Motion to have emergency meeting to discuss Resolution 04-089 a resolution awarding the bid for the  
 46 west yard parking lot - V Saunders – second D Johnson.

47 Vote: yea: R Eck, D Johnson, R Liechty, V Saunders  
 48 nay: none  
 49 excused: S Gomm  
 50 abstained: none

51 **Agenda items:**

52 Pledge: Mayor Leonhardt

1 Prayer: R Eck

2 Motion to approve the minutes of October 7 and October 12 – R Liechty, second – R Eck

3 Corrections:

4 October 7

- 5 • Page 2 line 20 ~~since~~ **sense**

6 October 12

- 7 • Page 2 line 19 **Mayor Leonhardt expressed concern that much of the irrigation water is**  
8 **flowing out of the City without being used.** V Saunders asked about the development . . .

9 Vote: yea: R Eck, D Johnson, R Liechty, V Saunders

10 nay: none

11 excused: S Gomm

12 abstained: none

13 **Item No. 1. Proclamation. Proclaiming November 8, 2004 as World Town Planning Day.**

14 V Keeslar reviewed the proclamation.

15 Motion to accept the proclamation – D Johnson, second – V Saunders,

16 Vote: yea: R Eck, D Johnson, R Liechty, V Saunders

17 nay: none

18 excused: S Gomm

19 abstained: none

20 **Item No. 2 Public Hearing - Ordinance Modification 029-2004. The Providence City Council**  
21 **will consider for adoption an ordinance granting a petition to adjust a common boundary with**  
22 **Millville City, adjusting its west boundary line located generally at 761 South 200 East to**  
23 **include 5.09 (+/-) acres of property currently located in Millville City, requested by Craig**  
24 **Kendrick.**

25 Mayor Leonhardt declared the public hearing open. He reviewed the purposed of the public hearing.

- 26 • Megan Roe asked why the adjustment was requested. Mayor Leonhardt explained the  
27 property owner approached the City. He also reported the City has a sewer line running  
28 through the property.

29 Mayor Leonhardt closed the public comment.

- 30 • V Saunders asked if there was a residence on the property. V Keeslar reported there is one  
31 home on the property.
- 32 • V Saunders asked if Millville City had been notified. R Eck explained this property was  
33 discussed in the study session with Millville City.
- 34 • V Keeslar reported there is one home on the property. The owner shares a well with two  
35 other homes. Millville City is not providing water. Mr. Mathews and Mr. Kendrick intend to  
36 approach Millville City a second time.

37 Motion to approve Ordinance Modification 029-2004 – R Liechty, second – V Saunders,

38 Vote: yea: R Eck, D Johnson, R Liechty, V Saunders

39 nay: none

40 excused: S Gomm

41 abstained: none

42 **Item No. 3 Resolution 04-086. The Providence City Council will consider for adoption a**  
43 **resolution approving the contract for construction of the Public Works Vehicle Building.**

- 44 • R Eck asked why there was no steel in the floor. D Barnes reported he asked about steel in  
45 the floor. The City Engineer said it was not necessary. The specs did not include steel. V  
46 Keeslar also explained Ellis felt six inches was enough and did not feel steel was necessary.
- 47 • R Eck expressed concern about the use without steel reinforcement. He felt there should be  
48 steel. D Barnes felt if not steel, there should at least be wire reinforcement.
- 49 • V Keeslar suggested revising the bid to include steel.
- 50 • D Johnson felt the compaction and gravel grade would override steel or mesh.
- 51 • V Saunders felt the City should take the extra step to reinforce the floor.

52 Motion to approve Resolution 04-086 with the change that steel rebar be added to the floor and accept  
53 the additional price – V Saunders, D Johnson – second,

1 Vote: yea: R Eck, D Johnson, R Liechty, V Saunders  
2 nay: none  
3 excused: S Gomm  
4 abstained: none

5 **Item No. 4 Resolution 04-087. The Providence City Council will consider for adoption a**  
6 **resolution approving surplus property to be sold per bid.**

- 7 • V Keeslar reported the City is trying to be a good neighbor by cleaning up and selling  
8 surplus. The sale will take place at the City Shop.
- 9 • V Saunders asked what would happen to items not sold. V Keeslar reported it would be  
10 scrapped.

11 Motion to approve Resolution 04-087 - R Eck, second – R Liechty,

12 Vote: yea: R Eck, D Johnson, R Liechty, V Saunders  
13 nay: none  
14 excused: S Gomm  
15 abstained: none

16 **Item No. 5 Ordinance Modification 030-2004. Providence City is requesting a code amendment**  
17 **to Providence City Code 7-1-3 Obstruction in Streets.**

- 18 • R Eck reported he met with V Keeslar and D Barnes to discuss the winter maintenance  
19 policy. During that discussion, they felt the Obstruction in Streets ordinance needed  
20 clarification. He felt it important that the Council understand why the change. He explained  
21 the driving force is people pushing snow from their driveways in the streets. R Eck explained  
22 snow frozen in the road is a serious issue. It creates safety problems for snow plows and  
23 vehicles.
- 24 • V Keeslar explained the wording change includes the entire width of the street. The current  
25 code involves the half of the street next to the property.
- 26 • V Saunders suggested ice, snow be listed first after Refuse.
- 27 • D Johnson explained he pushes snow from around his mailbox across the street.
- 28 • R Liechty explained he pushes snow into the street, but then pushes it into the side.

29 Motion to approve with the changes suggested during tonight's meeting – D Johnson, second – R Eck,

30 Vote: yea: R Eck, D Johnson, R Liechty, V Saunders  
31 nay: none  
32 excused: S Gomm  
33 abstained: none

34 **Item No. 6. Resolution 04-085. The Providence City Council will consider for adoption a**  
35 **resolution approving an Agreement between Utah Retirement Systems, Public Employees**  
36 **Health Program and Providence City for employee benefit programs.**

- 37 • S Bankhead explained this is a follow-up to the benefit package that began July 1, 2004. R  
38 Liechty asked if it affected employee deductions. S Bankhead reported the only change was a  
39 slight increase in premium; the percentage being paid by the City remained the same.

40 Motion to approve Resolution 04-085 – V Saunders, second – R Liechty,

41 Vote: yea: R Eck, D Johnson, R Liechty, V Saunders  
42 nay: none  
43 excused: S Gomm  
44 abstained: none

45 **Item No. 7. Resolution 04-088. The Providence City Council will consider for adoption a**  
46 **resolution adjusting the Providence City Budgets.**

47 Motion to accept Resolution 04-088 – R Liechty, second – D Johnson,

48 Vote: yea: R Eck, D Johnson, R Liechty, V Saunders  
49 nay: none  
50 excused: S Gomm  
51 abstained: none

52 Motion to adjourn – V Saunders, second – R Liechty,

53 Vote: yea: R Eck, D Johnson, R Liechty, V Saunders

1            nay:            none  
2            excused:        S Gomm  
3            abstained:      none

4 The meeting adjourned at 8:00 p.m.

5 **Emergency Meeting**

6 Motion to open emergency meeting – V Saunders, second – D Johnson

7 Vote: yea:            R Eck, D Johnson, R Liechty, V Saunders

8            nay:            none  
9            excused:        S Gomm  
10          abstained:      none

11 **Item No. 1 Resolution 04-089. The Providence City Council will consider for adoption a**  
12 **resolution awarding the bid for the west yard parking lot.**

- 13        • R Eck asked if there were any objections to awarding the project to the lowest bid.
- 14        • D Barnes reported he was fine with the low bid.

15 Motion to approve Resolution 04-089 – R Liechty, second – R Eck,

16 Vote: yea:            R Eck, D Johnson, R Liechty, V Saunders

17            nay:            none  
18            excused:        S Gomm  
19            abstained:      none

20 Motion to adjourn the emergency meeting – V Saunders, second – R Liechty,

21 Vote: yea:            R Eck, D Johnson, R Liechty, V Saunders

22            nay:            none  
23            excused:        S Gomm  
24            abstained:      none

25  
26 The meeting adjourned at 8:10 p.m.

27  
28 Minutes taken and prepared by Skarlet Bankhead.

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30  
31  
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33 \_\_\_\_\_  
Alma H. Leonhardt, Mayor

\_\_\_\_\_  
Skarlet Bankhead, City Recorder