

1 **PROVIDENCE CITY COUNCIL MINUTES**

2 **October 27, 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:

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

9 Excused:

10 Pledge of Allegiance:

John Russell

11
12 **Approval of the minutes for October 13, 2009 City Council Meeting:**

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

14 K Baker gave T Lewis a few changes earlier.

15 Pg 1 – line 27 – 600 feet from any structure at point of discharge.

16 Pg 2 – line 3 – District Court to appeal a decision of the Council

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

18 **Nay: None**

19 **Abstain: None**

20 **Excused: None**

21
22 **PUBLIC COMMENTS:**

23 None

24
25 **BUSINESS ITEMS:**

26 **Item No. 1. Discussion:** The Providence City Council will discuss the possibility of sharing sales tax with Logan City on a
27 development near the south side of 1200 South in Logan and on the west side of SR165.

28 Mayor Watts called Mayor Simmons about a developer that would like to develop east of Watkins Printing. Providence City
29 limits are a portion of that property. Logan City asked if we would share the sales tax on this property. How would the
30 Council propose to split this? Mayor Watts suggested 50%. There will be a road that will give Providence access to this
31 property. Logan also has a piece to the west of this property. On the west side Providence City goes all the way to
32 Blackhawk.

33 This would not set precedence for any other property. The Council would like Mayor Simmons to obtain specifics from
34 Mayor Watts.

35
36 **Item No. 2. Resolution 09-030:** The Providence City Council will consider for adoption a resolution approving interlocal
37 agreements between Cache County and Providence City for law enforcement services and animal control services.

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

39 S Bankhead said the only changes to this agreement are the hours.

40 D Astle asked how many animal incidents they do per month.

41 S Bankhead said 15 to 22 incidents a month.

42 D Astle would like to look at the budget next year and see if we need this much coverage.

43 S Bankhead said they are constantly patrolling for animals.

44 J Russell said last month they spent about 160 hours. Is there a schedule that they go by from the sheriff's office?

45 S Bankhead said even if the assigned officer is gone we still have an officer that takes care of Providence. We have two
46 officers that are assigned to the City. They do have a presence. This is less expensive than doing it ourselves.

47 R Simmons would like to look at the contract at the end of the year and see if the additional \$19,000 is worth it.

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

49 **Nay: None**

50 **Abstain: None**

51 **Excused: None**

52
53 **Item No. 3. Ordinance No. 006-2009:** The Providence City Council will consider for adoption an ordinance amending
54 Providence City Code Title 3 Business and License Regulations Chapter 1 General License Provisions and Chapter 4
55 Conditional Businesses.

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

2 R Simmons said these are the ordinances that came from DRC and have all of the changes that the Council asked for.

3 D Low asked who enforces violations. How do we know about them?

4 S Bankhead said we get complaints from citizens and then we send the sheriff's office to check it out.

5 D Low asked if the City requires background checks on childcare.

6 D Astle said that any childcare license from the City is also required by the State. The State is very stringent.

7 D Astle asked about commodities.

8 S Bankhead said that commodities needs to be struck through on page 10 line 45 and 46, also page 11 line 2.

9 **Motion to delete #4 on page 10 and #5 on page 11. D Astle, J Russell second**

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

11 **Nay: None**

12 **Abstain: None**

13 **Excused: None**

14
15 **Motion to approve with corrections: R Liechty, K Baker second**

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

17 **Nay: None**

18 **Abstain: None**

19 **Excused: None**

20
21 **Item No. 4. Ordinance No. 009-2009:** The Providence City Council will consider for adoption an ordinance amending
22 Providence City Code Title 11 Subdivision Regulations, Chapter 4 Design Standards; which includes Standards and
23 Specifications, Blocks, Lots and Open Spaces, Streets and Street Improvements, Water Systems, Sewer Systems, Storm
24 Drainage, Irrigation Ditches, Trees, Lighting, Signs and Monuments.

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

26 D Astle asked about Page 6 of 11 – section P – should the turnaround be a certain size.

27 S Bankhead said it is in the Spec book. We should add “see current specifications manual”.

28 D Astle said a lot of specifications have been eliminated. Who establishes the design specifications?

29 S Bankhead said DRC spent about 2 years working on this.

30 **Motion to amend Item P: R Liechty, D Astle**

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

32 **Nay: None**

33 **Abstain: None**

34 **Excused: None**

35 D Astle would like to add to 11-4-9: The developer is responsible for the street lights along the frontage of and within the
36 development.

37 D Astle asked about removing trees completely.

38 S Bankhead said trees are problematic when a developer does it before a lot is sold. Who will take care of the trees?

39 D Low said do we require homeowners to plant trees in the parkstrips.

40 S Bankhead said this is not required. In Title 7 we talk about trees within the parkstrip. There is a tree list that needs to be
41 followed.

42 D Astle feels like trees beautify communities.

43 R Simmons said that some subdivisions require trees thru their CC&R's.

44 D Astle said maybe this is where those kinds of requirements should be.

45 K Baker would like for the Planning Commission to look at a tree ordinance requiring trees in the parkstrips and when this
46 should be required.

47 S Bankhead said we could look at a landscaping bond with the building permit ordinance.

48 D Low asked what the size requirement for a tree is.

49 S Bankhead said 2 ½ inches.

50 D Low asked about sidewalks on page 5. Sidewalks are required on both sides of a development.

51 D Astle asked about the terrain not allowing a sidewalk on both sides. Shouldn't we have some flexibility with this?

52 S Bankhead said in a new area if they can design a street they can put in a sidewalk.

53 D Astle asked about 400 east and Canyon Road.

54 S Bankhead said that area has its own rules made by the Council.

55 J Russell suggested the Planning Commission look at the sidewalks again with the trees.

56 D Astle said he thinks sidewalks should be required not will be required.

57 S Bankhead said when this started 2 years ago everyone wanted sidewalks.

1 R Simmons said that the developments that are coming all have sidewalks on both sides. Maybe we are worrying about
2 something that isn't a problem.

3 D Astle asked about cul-de-sacs.

4 S Bankhead said cul-de-sacs are listed in another area in the code book.

5 D Astle asked about 11 – 4 – 7. Irrigation ditches should be addressed by the developers. They shouldn't be allowed to cover
6 them up.

7 S Bankhead said that irrigation ditches are talked about in another section of the code book.

8 **Motion to keep 11-4-7 in. R Liechty, D Astle second**

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

10 **Nay: None**

11 **Abstain: None**

12 **Excused: None**

13 D Low asked if we can request a secondary water system be required by the developer.

14 D Astle asked about City water lines. Is it covered somewhere that you can't attach to a 2" water line?

15 S Bankhead said it is in the Spec Book.

16 R Liechty asked if a water line goes out from his property and this enhances the City system does the City have to help pay
17 for it.

18 S Bankhead said that at the time that happens the developer can ask for reimbursement of the water line.

19 D Astle asked about Page 2 paragraph G – why did we strike the entire paragraph.

20 S Bankhead said this paragraph is redundant. We tried to get rid of redundancy.

21 **Motion to not remove barriers from 11-4-2 C: D Astle, K Baker second**

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

23 **Nay: D Low**

24 **Abstain: None**

25 **Excused: None**

26
27 **Motion to approve with corrections: R Liechty, D Low second**

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

29 **Nay: None**

30 **Abstain: None**

31 **Excused: None**

32
33 **STAFF REPORTS:**

34 S Bankhead asked if the Council was rethinking sidewalks everywhere.

35 D Low said anywhere a new development has sidewalks they should be on both sides.

36 D Astle said sidewalks are required about 97% of the time. He doesn't feel like we can always put sidewalks on both sides of
37 the street. He doesn't feel like there should be an ordinance that requires this.

38 D Low asked what would be 3%.

39 D Astle said topography. If developers know that sidewalks are required then they can make it happen.

40 S Bankhead said the Sauerkraut dinner and car show was this weekend. We had 61 cars at the car show. The Sauerkraut
41 dinner was not as well attended this year. Jeremy Jones with Iron Gate Grill did an excellent job with the dinner. There were
42 quite a few vendors in the bazaar portion. The numbers for the dinner were down about 30%. There was a live band at the car
43 show. We have talked about doing krautdogs on Saturday for the car show and moving the dinner back to Friday night. These
44 are things we will have to work out. One of the problems is the venue. We don't have enough seating available. This dinner
45 doesn't pay for itself. It does cost the City money. S Bankhead would like to get a volunteer citizen committee together for
46 the dinner next year. This is the way it used to be done. The sponsors have been great helping with this dinner.

47 Winter parking hours go into effect on November 1st. Deputy Robinson and Deputy Madsen have been coming in regularly to
48 report. Deputy Madsen has been trying to make a more visible presence in the City. Public Works has been busy getting
49 ready for winter.

50
51 **COUNCIL REPORTS:**

52 R Liechty said he has been attending DRC and it is a great meeting.

53 J Russell asked about illnesses. He wanted to know about contingencies. There needs to be something in place.

54 S Bankhead said there has been enough cross training that we can survive with fewer people.

55 J Russell talked about the report from the Sheriff's Office. He explained the hours of coverage that the City receives.

56 He talked about the number of incidents and citations. He meets with the Mayor and Skarlet once a month about the budget.

57 S Bankhead said the sales tax revenue is down from last year. Right now we are right where we projected. It is still doable to
58 meet our projections but sales tax is not something we can hang our hat on. We are putting together a contingency plan.

1 Building permits are up a little bit. We will look at this through the first half of the year. We need to look at the new budget
2 in January or February. J Russell will meet with the public on the 3rd Thursday of the month.

3 **Motion to go into executive session: D Low, J Russell second**

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

5 **Nay: None**

6 **Abstain: None**

7 **Excused: None**

8
9 **Motion to adjourn: R Liechty, K Baker second**

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

11 **Nay: None**

12 **Abstain: None**

13 **Excused: None**

14 Meeting adjourned at 8:15 p.m.

15 Minutes taken and prepared by Terri Lewis

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17
18 _____
19 Randy Simmons, Mayor

Skarlet Bankhead, City Recorder