

1 **PROVIDENCE CITY COUNCIL MINUTES**

2 **July 13, 2010**

3 **Providence City Office Building**

4 **15 South Main Providence, UT**

5

6 Call to Order:	Mayor Liechty
7 Roll Call of City Council Members:	Mayor Liechty
8 Attendance:	D Astle, D Low, B Bagley, D Calderwood
9 Excused:	J Russell
10 Pledge of Allegiance:	Mayor Liechty
11 Motivational Thought:	D Low

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13 **APPROVAL OF THE MINUTES:**

14 **Item No. 1.** The Providence City Council will approve the minutes from June 22, 2010.

15 **Motion to approve the minutes from June 22, 2010 with the following changes: D Astle, B Bagley second**

16 Page 1 – Line 45 – CMPO instead of MPO

17 Line 47 – Enterprise fund includes sanitation.

18 Line 46 – These funds are projections

19 Page 2 – Line 46 – with prejudice

20 **Vote: Yea: D Astle, D Low, B Bagley, D Calderwood**

21 **Nay: None**

22 **Abstain: None**

23 **Excused: J Russell**

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25 **PUBLIC COMMENTS:**

26 K Thompson let the Council know that he took the petition to the Forest Service for the trail and campground up Providence Canyon. The Forest Service let him know that they will be putting a campground there in the near future. Also, he informed the Council that there were two bucks on his property eating his corn. He was told that you could hunt in the City with a bow and arrow. He checked with the Fish & Game and you can't discharge a firearm within 600 feet without property owner's permission. He doesn't believe that a bow and arrow is considered a firearm. Can the City override the Fish & Game rules?  
31 B Bagley read the definition of a firearm.

32 D Calderwood said he would be bringing an ordinance to the Council on the wildlife issue in the City. He would like to make some exceptions to the rules.

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35 **BUSINESS ITEMS:**

36 **Item No. 1. Resolution 10-026:** The Providence City Council will consider for adoption a resolution authorizing a benefit

37 payment to the employees' Health Savings Account or Health Reimbursement Account.

38 S Bankhead explained the spreadsheet that she handed out to the Council. She told the Council that it wasn't a problem

39 finding the money to allow the employees a benefit. Each class has to be handled the same way. She suggested dividing it

40 between the Co-Pay account and the Health Savings account. She recommends paying out \$44.00 Co-Pay Account and

41 \$88.00 Health Savings Account.

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

43 D Calderwood said the City can get another \$2,000 from the Conference Room across the street if they drop that lease.

44 **Vote: Yea: D Astle, B Bagley, D Calderwood, D Low**

45 **Nay: None**

46 **Abstain: None**

47 **Excused: J Russell**

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49 **Item No. 2. Resolution 10-027:** The Providence City Council will consider for adoption a resolution approving the following in connection with SR-252; 1000 West, Logan: a UDOT offer to purchase right of way for property and/or purchase easement(s); a Perpetual Easement from Providence City to the Utah Department of Transportation for the purpose of relocating existing public utilities thereon and also constructing thereon cut and/or fill slopes and appurtenant parts thereof incident to the widening of the existing State Highway SR-252; a Temporary Construction Easement from Providence City to the Utah Department of Transportation, until the project construction on the property is complete or for three years, whichever first occurs.

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1 **Motion to approve: B Bagley, D Calderwood second**

2 S Bankhead explained to the Council that UDOT wants to widen the right of way on SR 252. They need an easement for  
3 utilities and a temporary easement for construction. This will be a total compensation of \$2,450.

4 R Eck feels very good about this.

5 **Vote: Yea: D Astle, B Bagley, D Calderwood, D Low**

6 **Nay: None**

7 **Abstain: None**

8 **Excused: J Russell**

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10 **Item No. 3. Resolution 10-028:** The Providence City Council will consider for adoption a resolution appointing Jackie  
11 Robinette as a member of the Providence City Historic Preservation Commission.

12 **Motion to approve: D Astle, B Bagley second**

13 R Liechty told the Council that he talked to J Robinette and she is very excited to be a part of this.

14 D Low asked if she was from Providence.

15 D Astle said she lives here in Providence but is not originally from here. She is retired. They have been back in Providence  
16 for about 2 years.

17 **Vote: Yea: D Astle, B Bagley, D Calderwood, D Low**

18 **Nay: None**

19 **Abstain: None**

20 **Excused: J Russell**

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22 **Item No. 4. Resolution No. 10-029:** The Providence City Council will consider for adoption a resolution awarding the bid  
23 for the 100 East Waterline Replacement Project.

24 **Motion to approve: D Astle, D Calderwood second**

25 D Astle asked how many bids there were.

26 R Eck said there were 4. Low bid was \$75,000. The project was bid in 2 – 1 block sections. This bid takes care of both  
27 sections. This is only a 5 inch line with lead joints. This line needs to be replaced. This goes from the well at 200 South, north  
28 along 100 East to Center Street. Also, new service lines will be installed. This will be completed before school starts.

29 **Vote: Yea: D Astle, B Bagley, D Calderwood, D Low**

30 **Nay: None**

31 **Abstain: None**

32 **Excused: J Russell**

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34 **Item No. 5. Discussion:** The Providence City Council will discuss the opening for the splash pad.

35 R Eck said the Council should be very proud of this. It is already being used widely by children and adults.

36 D Low told the newspaper that as soon as we have a grand opening we will let them know.

37 R Eck said there are a few things that will need to be added, such as bicycle racks and benches. There will be signs posted on  
38 the rules of conduct and liability.

39 B Bagley said when D Low came to the Council about the Splash Pad he didn't think it was a good idea. Now he feels like  
40 D Low has done an excellent job and it is a great thing.

41 D Low said he ran into Dave Smith who lives right by the splash pad and he has heard nothing but good comments.

42 D Low asked when the Council would like to officially open it. He suggested the 24<sup>th</sup> of July.

43 The Council agreed with the 24<sup>th</sup> of July at 9:45 a.m.

44 R Liechty said he would like to have a ribbon cutting.

45 D Low said he thinks for \$130 he can buy an I-Touch. This allows you to play music. It will play whatever music you want.  
46 It will also let you make announcements dealing with taking care of the park. You will still put up the signs. It won't be  
47 disruptive to the neighborhood.

48 S Bankhead said there is still money in the donation account that will probably cover this.

49 D Low will come up with a proposal for the extras.

50 R Eck told the Council that he would like to get a shop vac to clean up the splash pad area.

51 B Bagley asked if vandalism will be a concern.

52 R Eck said the Sheriff's Department has been really good doing a property watch.

53 D Low wants to put up signs not allowing smoking in any of the City Parks.

54 S Bankhead said the State Code prohibits the use of alcohol in Public Parks. Logan City ordinance talks about an alcohol and  
55 tobacco free zone. She will work on an ordinance based on Logan and Millville's ordinances for the next meeting.

56 D Low will take care of the advertisement for the grand opening.

1 **STAFF REPORTS:**

2 S Bankhead told the Council that she received a letter from Steve Roberts concerning the new road. He agreed with the  
3 concerns the Council has. He would still like to have his sign moved and his setbacks relaxed. S Roberts could ask for a  
4 variance. The Council could consider changing the ordinance for his sign. The sidewalk will remain where it is.

5 R Liechty said if we go against the ordinance and allow him to move his sign we will be opening the door for everybody.

6 D Astle said he should go through the variance process. If they turn him down he can come to the Council for an ordinance  
7 change.

8 S Bankhead said the setback is 35 feet in the front. He could move his parking to the back of the building then his setback  
9 would be 15 feet in the front. Those are his two options. Does the Council want her to let him know what his options are?

10 The Council told her to let him know his options.

11 S Bankhead told the Council that baseball season is winding down. Kickball and soccer registration is still going on.

12 The Planning Commission will be looking at the MXD Use Ordinance again. Kevin Hawkins from Amsource will be at the  
13 meeting tomorrow night. Gayle Knapp asked the City to host the Farmer's Market during the week. We will be looking at the  
14 different options.

15 D Astle said he would like to see about 80% produce and 20% handicrafts.

16 D Low asked if we would be competing with Maceys.

17 D Astle didn't feel like we would be.

18 B Bagley said the City should get a little revenue from this.

19 S Bankhead said there are by-laws that the vendors live by.

20 R Eck showed an example of the proposed street signs for the Historic District, the Council approved them.

21 He thanked the Council for the insurance compensation. They are moving ahead with the round-a-bout design on 400 East  
22 and Canyon Road.

23 The CMPO road is being bogged down by the utilities.

24 S Bankhead said if the Council is serious about putting in a round-a-bout at the intersection of approximately Spring Creek  
25 Parkway and 100 North, this could be a qualifying project to get the County ¼ cent sales tax.

26 B Bagley asked about chip and seal.

27 R Eck said we are ready to go. It will be done about the end of August.

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29 **COUNCIL REPORTS:**

30 B Bagley talked to the County Attorney's office about the County Justice Court.

31 C Carlston told the Council what he knew about the County Wide Court System.

32 B Bagley talked about opting out of the lease across the street. He also talked about framing the Constitution. He has talked  
33 to some of the businesses in the City. Linda Goetze talked to him about the sidewalk on her street.

34 D Astle thanked the Council for adding another member to the Historic Preservation Committee. He talked to R Eck and

35 S Bankhead about the sidewalk on 400 East.

36 D Low is going to talk to J Russell about closing the splash pad on Sunday. He will bring this to the Council at the next  
37 meeting.

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39 **Motion to go into executive session: B Bagley, D Calderwood second**

40 **Vote: Yea: B Bagley, D Low, D Astle, D Calderwood**

41 **Nay: None**

42 **Abstain: None**

43 **Excused: J Russell**

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45 **Motion to close executive session: D Astle, D Low second**

46 **Vote: Yea: B Bagley, D Low, D Astle, D Calderwood**

47 **Nay: None**

48 **Abstain: None**

49 **Excused: J Russell**

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**Motion to adjourn: D Low, D Astle second**  
**Vote: Yea: B Bagley, D Low, D Astle, D Calderwood**  
**Nay: None**  
**Abstain: None**  
**Excused: J Russell**

Meeting adjourned at 8:50 p.m.  
Minutes taken and prepared by Terri Lewis

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Ronald Liechty, Mayor

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Skarlet Bankhead, City Recorder