

1 **PROVIDENCE CITY COUNCIL MINUTES**

2 **May 11, 2010**

3 **Providence City Office Building**

4 **15 South Main Providence, UT**

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

12
13 **Approval of the minutes for April 27, 2010:**

14 **Motion to approve the minutes from April 27, 2010 with the following changes: D Astle, B Bagley second**

15 Page 5 – line 21 – Declaration of Independence not the Constitution.

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

17 **Nay: None**

18 **Abstain: None**

19 **Excused: J Russell**

20
21 **PUBLIC COMMENTS:**

22 D Barnes asked the Council to show what the cost savings are since we close the office on Fridays. He also wanted to know
23 who is in charge of the City Web page. He also asked who is in charge of Storm Water. Mayor Liechty told D Barnes that the
24 City is looking at bringing the City Web page in-house. This will be decided in the next week. The Mayor will get the other
25 answers for him shortly.

26
27 **PUBLIC HEARING:** The Providence City Council will hold a public hearing to receive public comment on adjusting the
28 2010 Budget for the following funds: General, Capital Project, Water, Sewer and Storm Water.

29 **Motion to open the public hearing: D Calderwood, B Bagley second**

30 **Vote: Yea: D Astle, B Bagley, D Calderwood, D Low, J Russell**

31 **Nay: None**

32 **Abstain: None**

33 **Excused: None**

34 S Bankhead went over the changes that have been made for the UDOT project funding. Cache County will reimburse the
35 City about \$100,000. Providence City will pay UDOT and then the County will reimburse the City. She is asking that the
36 Council adjust the budget for this around \$200,000. She is also requesting money for the splash pad. There is money given to
37 the City as a donation. It can be used as park improvements or beautification. The splash pad fits these criteria. The budget
38 needs to be adjusted about \$40,000 for this project. She is asking for them to move \$8,000 from prior impact fee revenue to
39 complete projects at Hampshire Park. The sewer fund has about \$16,000 from prior impact fees to complete 100 South sewer
40 project. There are street impact fees that have to be used. 1000 South, Canyon Road and 400 East from Canyon Road South
41 to Providence City border are three areas that need to be worked on. Staff would like Council to consider 400 East at Canyon
42 Road to use \$96,000 prior year impact fees to improve that intersection. She explained to the Council exactly where these
43 improvements would be done.

44 R Liechty suggested a sidewalk on the north side of Canyon Road. S Bankhead said using impact fees for sidewalk is a little
45 iffy. Staff felt like this project was a good move. The property owners connected to this project were on board. R Eck
46 explained why staff thought 400 East and Canyon Road was a good project. A round-a-bout would be a great way to improve
47 traffic flow east and west.

48 B Bagley feels like the City has neglected Canyon Road. He feels like this road needs to be looked at.

49 S Bankhead said there is about \$260,000 in the street impact fee account. There would still be about \$170,000 after this
50 project. We would have a couple of years before we had to use the \$170,000.

51 R Liechty said he talked to some of the citizens in that area and they would donate property for a sidewalk. He asked the
52 Council if he could look into this some more and bring back the information to the Council.

53 Laura Fisher asked if the aim of the Council is to slow traffic. She doesn't feel like a round-a-bout is a good idea for this area.
54 She also feels like the impact fees should be refunded if there is no project to be done.

1 R Liechty said this round-a-bout would slow traffic and make it safer. He would also like to put in a sidewalk on the north
2 side of the road. This is not to encourage more traffic.
3 L Fisher doesn't think that there needs to be any improvement on Canyon Road. She doesn't want sidewalk up Canyon Road.
4 K Thompson said he believes round-a-bouts definitely slow traffic down. He doesn't believe this will decrease traffic but it
5 will make it easier.
6 D Low said if it's not safe we shouldn't do it but if it is we should.
7 D Strong asked who gets the refund if the money isn't spent.
8 S Bankhead said the people who paid it. If this money is refunded it leaves the City. If the City doesn't use the impact fees
9 the City loses it.
10 B Bagley feels like it is counter productive to give the money back. He wants to use the money for projects.
11 S Bankhead said Hillcrest has brought in plans for their second phase. This will create more traffic eventually.
12 D Calderwood talked about the round-a-bout in North Logan. He feels like it works.
13 D Low said a round-a-bout drops accidents around 40% according to the web.
14 R Eck said there confusing at first but as soon as people understand them he believes they work.
15 L Fisher said the alternative is to get a Deputy to sit up there and make the City some money.
16 Bob Bissland suggested going down Church Street in Logan. If the road is widened people will go faster. Canyon Road needs
17 something done sometime but not widening.
18 R Liechty said there has been no mention of widening the road.
19 S Eames said she loves round-a-bouts.
20 Ned Miller asked if the City knows where accidents are happening.
21 S Bankhead said we can get the information from the Sheriff's Department. Impact fees cannot be used for public safety.
22 B Bissland said he thought the round-a-bout would go in and then they would widen Canyon Road east.
23 R Liechty said he would like to see a sidewalk put in. He hopes it can be done without widening the road.
24 L Fisher suggested looking at speed bumps to slow traffic down. She also suggested a speed table. She believes they would
25 be economical.
26 D Strong agrees that a speed bump would be great.
27 S Bankhead said impact fees cannot be used for this type of project.
28 D Astle asked about the \$200,000 increase.
29 S Bankhead explained again how the City will pay the overage on the UDOT project and the County will reimburse the City.
30 She also explained where the UDOT project is in Providence City.
31 D Low asked about looking at monies for a web site in this budget discussion. He would like to see a crisper, fresher web
32 page.
33 S Bankhead said the City has looked at West Host. There is no money allocated for putting together a website.
34 **Motion to close the public hearing: J Russell, D Astle second**
35 **Vote: Yea: D Astle, B Bagley, C Calderwood, D Low, J Russell**
36 **Nay: None**
37 **Abstain: None**
38 **Excused: None**
39

BUSINESS ITEMS:

41 **Item No. 1. Resolution 10-017:** The Providence City Council will consider for adoption a resolution adjusting the 2010
42 Budget for the following funds: General, Capital Project, Water, Sewer and Storm Water.
43 S Bankhead also asked them to include the impact fees for Canyon Road.
44 B Bagley asked what the General funds where for.
45 S Bankhead said it is a legal way for the City to save money for projects that they want to accomplish over the years.
46 D Astle said he wants to know what the City is getting with the \$96,000.
47 R Eck said this is the farthest we can go to see what we can get. The project has to be identified by the end of June.
48 J Russell thinks the round-a-bout is a great idea. He would like more information before he approves this.
49 M Pierce said he understands there is \$260,000 for the project. All of the improvements were not included here. The
50 \$260,000 is enough to do the round-a-bout.
51 D Astle agrees that he wants more information.
52 R Eck asked if he got the cost of the round-a-bout from North Logan would that appease the Council.
53 The Council said yes.
54 **Motion to approve as written: J Russell, D Low second**
55 **Vote: Yea: D Astle, B Bagley, D Calderwood, D Low, J Russell**
56 **Nay: None**
57 **Abstain: None**
58 **Excused: None**

1 **Item No. 2. Resolution 10-016:** The Providence City Council will consider for adoption a resolution approving an
2 agreement between GBS Compliance Services (GBS) and Providence City for COBRA Services.
3 This has been removed from the agenda. Sue Luman from GBS will be here to answer questions concerning this item at the
4 next meeting.

5
6 **Item No. 3. Resolution 10-015:** The Providence City Council will consider for adoption a resolution approving the bid for a
7 splash pad.

8 D Low handed out to the Council the information on the splash pad. He talked about putting it in the Alma Leonhardt Park.
9 He asked the Council if they wanted one in Providence, how much do they want to spend and how much water they want to
10 use. What does the Council feel comfortable with?

11 D Calderwood said he went and looked at this area and if a switch was put in for the water to come on and it be on for a
12 number of seconds or minutes this would control the water flow.

13 S Bankhead said the entire project can't go over \$40,000.

14 J Russell asked R Eck what his thoughts are on this project.

15 R Eck said this is one more thing to take care of. The people that install them say there is not much maintenance. This is
16 100% ground level. If you can take care of a sprinkler system you can take care of a splash pad.

17 R Eck said if you operate it from 10:00 a.m. to 8:00 p.m. figure it will be used 60 to 70% of this time. The average
18 homeowner uses 60 to 80,000 gallons. The splash pad would use about 90,000 gallons per day. You are looking at 2,700,000
19 gallons per month. This would cost \$3,105 per month. This water is not recirculated. Collection cost would be \$30 per day at
20 maximum capacity. There are ways to change this cost.

21 J Russell asked about liability insurance.

22 S Bankhead said it would not change our insurance.

23 D Barnes asked how much it cost to produce 1,000 gallons of water.

24 R Eck said he doesn't know.

25 D Barnes said the citizens would pay \$2 to \$3 a month to support this.

26 D Low asked how many gallons per minute the Council is comfortable with.

27 D Astle suggested 150,000 gallons.

28 R Eck said all the nozzles don't go at once. Cut 150,000 gallons down 60 to 70%.

29 D Low said there is a lot we can do to change the numbers.

30 D Astle asked how much the Council is willing to spend per year for a splash pad. Is this the best use for the \$40,000?

31 D Low said this isn't free. Nothing is. Hopefully there is a benefit.

32 D Calderwood believes the number is highly exaggerated.

33 D Low said we need a number to start with.

34 S Bankhead said we are already doing upkeep on the park.

35 R Eck said he was trying to give them the worst case scenario. He doesn't want to stop the project.

36 B Bagley said the water will be metered.

37 B Bagley said he believes this needs to be done.

38 R Liechty suggested giving him an amount for building and maintenance.

39 R Eck said you need to be comfortable with a certain amount of water.

40 S Bankhead said this resolution is for a bid. Now you need to go back to your sources and find out what their bids will be.

41 D Low said not every product is the same.

42 R Liechty said you need to get the options and come back to the Council.

43 Ned Miller said splash pads are very slick. Some splash pads don't use more than 20 to 30 gallons per minute.

44 S Roberts suggested giving them more than gallons per minute. Come up with a list of things that you want.

45 J Russell said 75 gallons maximum flow, 20x20 pad including borders, ground level nozzles and sequencing computer.

46 D Astle said controls activated on site.

47 B Bissland suggested getting videos from the different companies.

48 M Pierce asked about preventing vandalism.

49 R Eck said according to the developer vandalism is non-existence.

50 **Motion to table until next meeting: J Russell, D Astle second**

51 **Vote: Yea: D Astle, B Bagley, D Calderwood, D Low, J Russell**

52 **Nay: None**

53 **Abstain: None**

54 **Excused: None**

55
56 **Item No. 4. Discussion:** The Providence City Council will discuss the effects of the Spring Creek Parkway realignment on
57 property located generally at 220 North Spring Creek Parkway, requested by Stephen and Susan Roberts.

1 S Roberts said this is a follow-up of the meeting last month. There was a meeting at the site where he sent a letter back to the
2 Council. He would like to have a new right-of-way. The project extends it to 30 feet and they will match it.
3 S Bankhead said this would be a change order and that would be on the City. UDOT doesn't feel like the property is
4 necessary to the project. The City may want to relocate the sign but anything above and beyond that they will not do.
5 R Eck said the project has been awarded.
6 R Liechty said if anything is added to the project the difference would be paid by the City.
7 M Pierce said there have been other citizens who wanted their drive-ways upgraded and they were told no.
8 S Roberts said the last verbal agreement was not to extend their drive-way. They would use a different drive-way. At the last
9 minute this was changed.
10 R Liechty asked why the City would widen their drive-way when no one else's drive-way is being upgraded.
11 M Pierce said the project wasn't doing this to fix people's drive-ways.
12 S Roberts said that he would go with 25 feet.
13 S Roberts said temporary access to their property is needed.
14 R Eck said that is part of the bid documents. That is standard practice. You can't be denied access to your property.
15 S Roberts said they would like their sign moved closer to the road.
16 S Bankhead said the Council has to make sure the sign is not put on public property. There needs to be an ordinance made
17 specifically for this sign to allow it to be on City property.
18 S Roberts said the setback is now 90 foot. They would like a reduction in setback. They would like a zero setback from their
19 property line.
20 S Bankhead said the Council would have to make an ordinance for this.
21 S Roberts is requesting an agreement that would spell out limitations on this remnant piece. He wants assurance that this
22 piece will remain a park-strip.
23 R Liechty said he doesn't see the City giving him a letter that would tell him what they want to do with this property.
24 S Roberts said this project creates a new piece of property. There is enough room that the City could put something on there.
25 He wants assurance that his lot will not be blocked.
26 R Liechty said a Council cannot commit another Council.
27 S Bankhead said in the City's mind this is still a right-of-way. It will be treated as a park-strip.
28 D Astle said the property isn't big enough to put a building on it.
29 S Bankhead said the City doesn't want anything built on their utilities.
30 R Eck said the landscaping shows it with grass and a sprinkler system.
31 D Astle said there is usually a clause in these things that the City can cancel it at anytime.
32 D Astle understands S Roberts concerns. He believes UDOT has looked at this very carefully. Anything that is changed the
33 City will have to pay for. He is opposed to an agreement. He believes that S Roberts will receive a huge benefit with this new
34 road being built.
35 S Roberts said he built the road and put in the utilities. 100 East is a great opportunity for them. They believed that Spring
36 Creek Parkway was going to go through. It is not.
37 D Astle said changing the road was up to the engineers. UDOT said no to the changes S Roberts is asking for.
38 B Bagley said he is in agreement with the Mayor on the park-strip issue. The City doesn't know what will happen down the
39 road. No setback makes him a little nervous.
40 D Low said he would do the same thing if he was in S Robert place. He doesn't want the City to hurt his business in anyway.
41 He thinks the City and S Roberts made some good points.
42 J Russell thinks the City should consider the setback and the sign. He doesn't think the City should issue a letter for the park-
43 strip.
44 S Roberts feels like there will come a time when the City will look at putting something on that property in front of his
45 business.
46 M Pierce said the City has to follow its own set-backs. There really isn't enough property to construct anything that would
47 block the view of the property behind it.
48 R Liechty asked if S Roberts would like to present something to the Council on the sign.
49 S Roberts asked for a written response from the Council on the meeting tonight.
50 M Pierce asked about temporary access to his property across the street.
51 S Roberts doesn't know the answer to that. He hasn't seen any of the plans.
52

53 **Item No. 5. Discussion:** The Providence City Council will discuss hunting and trapping in Providence City.
54 Ron Hodson the Regional Supervisor and Darren DeBloois the local biologist from DWR.
55 R Liechty asked what the City can do about the deer problems.
56 D Astle asked who controls hunting and trapping within the City limits.
57 R Hodson said DWR is the only entity that can establish laws on these issues. They control the animals no matter where they
58 are found. They recognize there will be situations where municipalities want to control hunting for safety reasons. Rule 657

1 sets up a process that lets cities petition the board to not allow hunting within their city limits. There is no process for
2 trapping. State Law trumps any City ordinance. Theoretically the Board can close hunting anywhere. The State has the
3 authority to close hunting anywhere they want.

4 D Low said you can't shoot the deer on your own property unless you have a license.

5 D Astle asked if deer can be eliminated without a license if they are a nuisance.

6 R Hodson said DWR manages the population of the deer through hunting. When deer are a nuisance in a City it is dealt with
7 case by case. There is one depredation agent for the whole region.

8 D Calderwood asked if using a snare trap creates a safety problem. Is the State concerned about pets and children? There is a
9 concern in town using snare traps. The City needs an exception to use live trapping. DWR does it in more of a controlled
10 fashion. What can the City do to keep the State happy with them? We need to do something for the safety of the City and the
11 domestic animals. Should the City hold a public hearing and put together information to come before DWR?

12 R Hodson said there is a regional advisory council that deals with trapping. It would go to the board from there.

13 S Bankhead asked for the time frame for this.

14 D Astle asked if live trapping would be a problem.

15 S Hodson said he believes it would be a real up hill battle.

16 D Astle said the City could control hunting by not allowing the discharge of fire-arms within City limits.

17 S Hodson said the Attorney General said a City can control that for safety concerns.

18 B Bissland asked if hunting in the City limits and poaching is the same thing. How does DWR deal with that?

19 S Hodson said nothing gives an individual the right to take a deer in their back yard. There are provisions for agricultural
20 props.

21 B Bissland asked if you can discharge a firearm in the City limits.

22 N Miller asked about archery.

23 S Bankhead said that is State code not City.

24 L Fisher talked about a letter that was sent to the Council on the hunting of a deer in the City. Does DWR have any
25 suggestions on dealing with these issues? Some of Providence boundary goes past the deer fence. If someone is concerned
26 about snare traps they need to keep their kids and animals at home.

27 S Hodson said on private land it is the private land owner that controls that. On public land hunting and trapping does go on.

28 L Fisher doesn't feel like everyone's needs are being met with this issue.

29 S Hodson said wild animals and people will come into conflict sometimes. If property is posted then there might be a
30 problem if the animal ends up on their property. This could be a trespassing problem.

31 L Fisher doesn't agree with trapping in the City limits.

32 S Hodson asked what the remedy was for a City passing an illegal ordinance. If the State decides that its power is being
33 encroached upon the State will take action.

34 D Low said that the Council takes an oath that they will uphold State law. We can't knowingly break the law.

35 K Thompson said there should be a way to trap animals in the City.

36 S Eames spoke to Mr. Greal and he said it is against the law to move deer. She doesn't like to see deer hit by cars. Are there
37 any communities that deal with the deer legally?

38 S Hodson said no. Bountiful City has about 600 deer that are year round residents. DWR can't get to first base with this
39 problem. DWR believes that an archery hunt within the City boundaries would work. They could set up some special
40 regulations.

41 K Thompson said you can't shoot a bow and arrow within the City limits.

42 R Liechty thanked DWR for attending this meeting.

44 **Item No. 6. Discussion:** The Providence City Council will discuss the proposed tentative budget for 2011 for all funds.

45 S Bankhead said this is the first draft for the proposal for next years request for funding. State Code requires that this be
46 presented by the first meeting in May. The Insurance Company gave their rating at 15%. This budget is based on a 12%
47 increase by the Insurance Company. There is no increase in this budget for salaries so when the insurance benefits go up the
48 employees will get a salary decrease. She is asking for a property tax increase. For the last two years the City has not received
49 the property tax that was expected. This year there will be a \$12,000 shortfall. She is asking for a \$12,000 property tax
50 increase. This is about a 3% increase. If you schedule for a property tax increase you don't have to pass the budget until
51 August. A small increase is something that should be looked at.

52 D Astle asked for a year to date actual.

53 D Calderwood asked if the benefit package is the same as last year.

54 S Bankhead said if the City swallows a 15% increase. That is a lot for the City and the employees. We are asking for
55 alternative plans.

56 D Astle said no salary wage increase for employees, the City picks up 6% of the benefits and the employee picks up 9%. This
57 will be a decrease in salaries. In lieu of wage increases we want to keep the benefits package reasonable.

58 B Bagley asked if they could have a copy of the cost of benefits for 2009.

1 S Bankhead said we haven't replaced employees who have left. We are doing our best to control cost. DRC talked about the
2 cost of the conference room across the street and cutting back on some professional fees. There has been no extra summer
3 help in the parks for the past two years. We are about as lean as we can get.

4 B Bagley asked why Public Works is getting hit so hard.

5 S Bankhead said partly because we aren't paying for the CMPO road.

6 R Eck said there is nothing budgeted for road maintenance again this year.

7 S Bankhead talked about the Class C Road Funds that can be used for maintenance.

8 B Bagley hates to neglect the roads. Look at the maintenance that needs to be done.

9 D Barnes said you need to spend about \$160,000 a year to stay even with the maintenance of the roads.

10 S Bankhead said there isn't enough in the Class C Road Funds to keep up the maintenance on the roads. This is a bad time to
11 ask the citizens for a property tax increase but in order to survive we need this.

12 D Astle suggested moving money from road painting. He asked about using less chemicals on the winter roads.

13 S Bankhead talked about the RAPZ tax money. We were given \$55,000 instead of \$110,000.

14 R Eck said that DWR is probably not going to approve the rest of the trail up Providence Canyon. We need to see if we can
15 use the RAPZ money somewhere else.

16 S Bankhead talked about the Capital Project Fund. Nothing is being planned on spending or adding to.

17 R Eck suggested using the Capital Project Fund money on 100 North maybe doing a round-a-bout.

18 D Low asked how much money is needed to chip and seal the roads.

19 R Eck said 70 cents a square yard to chip a road and \$70 a square yard to seal a road. To say lets wait is irresponsible. Any
20 money you can give for maintenance will be accepted.

21 K Thompson said he was told you are wasting money by sealing some of these roads. They are to far gone.

22 S Bankhead said a property tax increase is needed. Maybe a small yearly increase needs to be looked at.

23 K Thompson said maybe a 12 or 14% increase would work.

24 S Bankhead said we don't want to ask for more than we need.

25 **Motion to continue this meeting past 10:00 p.m.: D Low, B Bagley second**

26 **Vote: Yea: D Astle, B Bagley, D Calderwood, D Low, J Russell**

27 **Nay: None**

28 **Abstain: None**

29 **Excused: None**

30 S Bankhead talked about the Water Fund. \$750,000 needs to be generated. There needs to be an increase of \$1.00 per
31 household for the water base rate. She talked about the Sewer Fund. Logan City is increasing our sewer rates. An increase of
32 \$1.50 per household for the sewer rate will be needed. She talked about the Storm Water fund. There is no increase for this
33 year. The State is redoing the permit so an increase will probably be necessary next year. The preliminary budget needs to be
34 approved by August 17th if you ask for a property tax increase. If no property tax increase it needs to be done by June 22nd.

35
36 **STAFF REPORTS:**

37 R Eck reported that the City wide clean-up has been concluded. He needs to get it across to the citizens that this is a one time
38 pass for the employees to pick up. Rocky Mountain Power was given the parking lot at Von's Park to park their vehicles
39 while they worked here in the City. They will be removing their equipment shortly. Hampshire Park secondary water project
40 is underway. Blacksmith Fork irrigation is underway. Mayor, S Bankhead and R Eck met with Rocky Mountain Power on the
41 tree issue. This will be underway shortly. There will be all new trees on Main Street from Center Street to 100 North. The
42 boy scouts cleaned up Von's Park. The City did the Storm Water fair.

43 D Astle suggested publicizing that the clean-up is a one time thing. Maybe charge anyone past the clean up time for a load.
44 He asked about the overflow with the green waste dumpsters. R Eck told the Council that we get 2 pickups a week. Logan
45 City can't pick up anymore than that.

46
47 **COUNCIL REPORTS:**

48 D Astle asked if there have been any recommendations for the Historical Preservation Committee.

49 R Liechty said none at this time.

50 B Bagley asked if there have been any recommendations for the Planning Commission.

51 R Liechty said none yet.

52 B Bagley told the Council about the DRC meeting last week. He talked about the sign ordinance. He was very impressed
53 with DRC and the way they handle things.

54 D Calderwood talked about Planning Commission meeting.

55 R Liechty told the Council about the meeting with some citizens on collecting their utility bills.

56 D Low thanked the staff for the plant for Erica Low. He believes there is incredible talent with our staff.

57 R Liechty told the Council to watch the Valley Channel for information on the City Celebration.

1 **Motion to go into Executive Session: J Russell, D Astle second**
2 **Vote: Yea: D Astle, B Bagley, D Calderwood, D Low, J Russell**
3 **Nay: None**
4 **Abstain: None**
5 **Excused: None**
6

7 **Motion to adjourn: John Russell, Bill Bagley second**
8 **Vote: Yea: B Bagley, D Low, D Astle, D Calderwood, J Russell**
9 **Nay: None**
10 **Abstain: None**
11 **Excused: None**
12

13 Meeting adjourned at 11:00 p.m.
14 Minutes taken and prepared by Terri Lewis
15

16
17 _____
18 Ronald Liechty, Mayor

Skarlet Bankhead, City Recorder