

1 **PROVIDENCE CITY COUNCIL MINUTES**

2 **June 12, 2012**

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 Calderwood, R Call, J Russell, B Bagley

9 Excused:

D Astle

10 Pledge of Allegiance:

Mayor Liechty

11

12 **APPROVAL OF THE MINUTES:**

13 The Providence City Council will approve the minutes from May 8, 2012.

14 **Motion to approve the minutes with the following changes: J Russell, B Bagley second**

15 Page 2 – Line 26 & 27 – refrigerated truck units

16 Line 10 – and there are others who do

17 **Vote: Yea: D Calderwood, R Call, J Russell, B Bagley**

18 **Nay: None**

19 **Abstain: None**

20 **Excused: D Astle**

21

22 **PUBLIC COMMENTS:**

23 Sharell Eames told the Council that the Planning Commission has put great effort into the changes made concerning the light
24 manufacturing and the lot consolidation. She has been very impressed with the Planning Commission.

25

26 **RECOGNITION:** The Providence City Council will recognize members of the 2012 Youth Council.

27 S Bankhead read the names of the members of the 2012 Youth Council. Mayor Liechty thanked them for all the hard work
28 that they do during the year.

29 Julie Payne thanked the Council for the Youth Council.

30

31 **DISCUSSION:** Capt. Earl Simmon, Utah Army National Guard will discuss the Community Covenant Program.

32 E Simmon told the Council that the covenant program is to help keep communications open with the veterans in the City. He
33 would like to have a volunteer available in the City to be a liaison between the City and the Community Covenant Program.

34 He would like a Council Member to volunteer for this position.

35 R Liechty suggested using a staff member for this position.

36 E Simmon said this has been received well especially in the smaller communities.

37

38 **PUBLIC HEARING:**

39 **Item No. 1:** The Providence City Council will hold a public hearing to receive public comment on the proposed 2013
40 Budget for all funds.

41 **Motion to open the public hearing: R Call, D Calderwood second**

42 **Vote: Yea: D Calderwood, R Call, J Russell, B Bagley**

43 **Nay: None**

44 **Abstain: None**

45 **Excused: D Astle**

46 S Bankhead reminded the Council that they saw this budget awhile ago. There is no property tax increase and we are
47 projecting a bit of a sales tax increase. The City receives money from licenses and permits, some revenue from grants and
48 restaurant tax. We are being optimistic that the County will give us \$40,000 of the RAPZ tax. We receive fines and
49 forfeitures from the Courts and money from the sale of cemetery lots. We earn some interest on different accounts.

50 The proposed budget for the General Fund Revenue is \$2,810,700 and the total Expenses is 2,810,700. The proposed Capital
51 Project Fund Revenue is \$1,055,000 and the total Expenses is \$825,000. The proposed Water Fund Budget Revenue is
2 \$1,024,300 and total Expenses are \$968,400. The proposed Sewer Fund Budget Revenue is \$807,500 and total Expenses are
3 \$795,800. The proposed Storm Water Fund Revenue is \$121,000 and total Expenses are \$95,100.

4 B Bagley asked about attorney fees and auditing fees.

55 S Bankhead suggested leaving them as is and looking at it down the road.

56 B Bagley asked how the employee breakdown worked now that duties have changed.

1 S Bankhead said the employee breakdowns will be looked at later in the year. It is too early to tell yet.

2 D Calderwood said D Astle asked by e-mail if the voting could be held off until the next meeting.

3 S Bankhead said they have to pass this budget by June 22nd.

4 D Barnes asked about the \$700,000 sewer budget.

5 S Bankhead said the sewer will get about \$805,000 in service fees and \$2,500 in interest. The sewer usage has gone down for
6 sewer treatment. She explained where the \$700,000 goes.

7 **Motion to close the public hearing: D Calderwood, R Call second**

8 **Vote: Yea: D Calderwood, R Call, J Russell, B Bagley**

9 **Nay: None**

10 **Abstain: None**

11 **Excused: D Astle**

12
13 **Item No. 2:** The Providence City Council will hold a public hearing to receive public comment on the final adjustments for
14 the 2012 Budget for all funds.

15 **Motion to open the public hearing: J Russell, R Call second**

16 **Vote: Yea: D Calderwood, R Call, J Russell, B Bagley**

17 **Nay: None**

18 **Abstain: None**

19 **Excused: D Astle**

20 S Bankhead said this has to be passed before the end of June. Some prior year money has not been brought forward yet.
21 Not much money is spent in June. The General fund Revenue will be \$3,290,800 and the Total Expenses is \$3,290,800.
22 Capital Project Fund ending balance is \$265,119. Water Fund ending balance is \$295,900. Sewer fund ending balance is
23 \$3,800 and the Storm Water Fund ending balance is \$25,000.

24 **Motion to close the public hearing: R Call, J Russell second**

25 **Vote: Yea: D Calderwood, R Call, J Russell, B Bagley**

26 **Nay: None**

27 **Abstain: None**

28 **Excused: D Astle**

29
30 **BUSINESS ITEMS:**

31 **Item No. 1. Resolution 12-009:** The Providence City Council will consider for adoption a resolution approving the 2013
32 Budget for all funds.

33 **Motion to approve: R Call, D Calderwood second**

34 J Russell said this has to be done by June 22nd. There can be no extension. He would like to schedule an extra meeting for
35 next week.

36 R Call said he doesn't see a problem with passing this tonight. He doesn't think it will get any better if we wait.

37 B Bagley asked what the major concern would be. There is no tax increase or public comment.

38 J Russell said this just gives us a little more time to look it over.

39 R Call said just because we pass the budget doesn't mean we have to spend the money.

40 **Motion to approve the 2013 budget with the changes of Administration, Community Development and Finance: R**
41 **Call, B Bagley second**

42 **Vote: Yea: B Bagley, R Call**

43 **Nay: J Russell, D Calderwood, R Liechty**

44 **Abstain: None**

45 **Excused: D Astle**

46 The Council would like to hold a meeting on June 19th at 5:00 p.m. to pass this Resolution.

47
48 **Item No. 2. Resolution 12-010:** The Providence City Council will consider for adoption a resolution adjusting the 2012
49 Budget for all funds.

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

51 **Vote: Yea: B Bagley, D Calderwood, R Call, J Russell**

52 **Nay: None**

53 **Abstain: None**

54 **Excused: D Astle**

1 **Item No. 3. Request:** The Providence City Council will consider a request from Steve Baugh to waive the sidewalk, curb
2 and gutter requirements for a subdivision he is considering in the general area of 300 East and 300 South.
3 S Baugh explained to the Council what was given to them as a handout. He explained that he would like to develop his
4 property but he doesn't feel like he should have to put in sidewalk or curb and gutter because it is already across the street.
5 He believes historically in Providence there needs to be some consideration made where curb and gutter need to go. He
6 believes it makes sense not to have to do this.
7 R Liechty said on 300 South there is curb and gutter and on 300 East there is natural drainage so no curb, gutter and
8 sidewalk.
9 B Bagley said on 300 South isn't there just a raised curb. He also asked about the trees on the west side.
10 S Baugh said no sidewalk just raised curb. The trees would have to be removed to put in sidewalk.
11 D Calderwood said this didn't go through Planning for recommendation. He reminded the Council that there have been 2
12 requests from other citizens that the Council turned down. If the Council agrees with S Baugh the ordinance needs to be
13 changed.
14 The Council read the recommendation from Staff.
15 R Call thinks that requiring sidewalk on the south side would be ridiculous. On the west side he would like to see wider
16 pavement but no curb or gutter.
17 S Bankhead said the way the property is situated it isn't exceptional. The City should rethink the sidewalk, curb and gutter.
18 Gary Stauffer reminded the Council that other people have been required to put in sidewalk, curb and gutter and their
19 situations were no different. Unless the ordinance is changed you need to abide by the ordinance.
20 B Bagley is concerned about the precedence that will be made.
21 D Calderwood cautioned the Council about changing the ordinance concerning sidewalk, curb and gutter.
22 S Bankhead explained what the previous Council went through before they made this ordinance.
23 R Call said we need to quite taking so much space for streets.
24 J Russell suggested sending this to Planning & Zoning for their recommendation.
25 S Baugh said it doesn't seem to make much sense to put in sidewalk, curb and gutter. He would like the Council to make a
26 recommendation.
27 R Call said we need to be aware of the environment we're in and stop looking back. Appropriate adjustments need to be
28 made.
29 Dee Barnes said this ordinance was passed by professionals. This needs to be looked at by professionals again.
30 D Calderwood said the road profile on Canyon Road was not done by engineering or planning. That design was done by R
31 Call.
32 R Liechty said that was looked at by Skyline an Engineering Firm.
33 R Call said if we went slower and asked for more opinions the impact fees would have been lost.
34
35 **Item No. 4. Ordinance No. 009-2012:** The Providence City Council will consider for adoption an ordinance amending
36 Providence City Code Title 10 Zoning Regulations, Chapter 6 Use Regulations by removing "light manufacturing" from
37 residential zones; adding "light manufacturing," "Research Facilities" and "Cell Towers" to the Commercial General District
38 (CGD).
39 **Motion to approve: J Russell, D Calderwood second**
40 S Bankhead changed line 26 to say or manmade mitigating measures.
41 R Call objects to taking light manufacturing out of the residential zones. It is wrong to try to restrict the residents of
42 Providence from making a living.
43 D Calderwood read the definition of light manufacturing in the ordinance. The Planning Commission has worked on this
44 ordinance for along time. He believes allowing light manufacturing in residential is opening Pandora's Box.
45 S Bankhead said light manufacturing was added because staff thought businesses should be more transparent.
46 D Calderwood read the definition that is being proposed by the Planning Commission.
47 R Call feels like these rules are way too restrictive in his opinion.
48 D Calderwood said IMDS agreed to these rules at Planning and Zoning.
49 J Russell said he understands the intent but this is not just conforming to one business.
50 R Sneddon said quality of the construction cannot be fly-by-night.
51 R Call said saying no noise is not reasonable.
52 Sandra Checketts asked if the noise ordinance becomes obsolete.
53 B Bagley said he feels like the nuisance ordinance would control the noise.
54 R Sneddon said if it's built correctly there won't be noise.
55 D Calderwood said as long as it meets the noise ordinance that should be fine.
56 Bob Bissland said Providence needs an industrial park.
57 R Call said he has wanted an industrial zone. We need a line of demarcation.
58 S Checketts said a lot of this discussion is already in the business ordinance.

1 R Liechty asked why semi-trucks can't be allowed in the CGD. He doesn't feel like you can stop semis in CGD.
2 S Bankhead said there are 18 wheelers that deliver in CGD right now. There are no restrictions in our ordinances now
3 concerning 18 wheelers.
4 D Barnes asked the Mayor to read the restrictions concerning semi-trucks. He suggested defining it better if you want to
5 eliminate them.
6 B Bissland said a lot of cities have a 28 foot box limit.
7 R Call said he objects to the entire definition.
8 R Liechty said any light manufacturing business in CGD would be conditional.
9 S Checketts asked what happens when Custom Counter Tops comes back for a business license.
10 J Russell said the issues that need to be addressed are light manufacturing in CGD as a conditional use and cell towers in the
11 CGD as conditional use.
12 R Call doesn't want to send the definition back to the Planning Commission to be tweaked.
13 R Liechty said add to the use chart light manufacturing, research facilities and cell towers as conditional use without the
14 definition.

15 **Motion to add light manufacturing, research facilities and cell towers**
16 **to the use chart as conditional use in the CGD without the definition: R Call, no second**

17 R Liechty asked if they wanted light manufacturing in the CGD.
18 D Calderwood said yes.
19 R Liechty asked if they wanted Research and Development and Cell Towers in CGD.
20 The Council said yes.
21 R Liechty said he doesn't understand why they don't pass this without the definition.

22 **Vote: Yea: D Calderwood**
23 **Nay: J Russell, B Bagley, R Call**
24 **Abstain: None**
25 **Excused: D Astle**

26 **Motion to pass the ordinance as written striking the definition of light manufacturing: J Russell, D Calderwood**
27 **second.**

28 **Vote: Yea: J Russell, B Bagley, D Calderwood**
29 **Nay: R Call**
30 **Abstain: None**
31 **Excused: D Astle**

32
33 **Item No. 5. Ordinance No. 008-2012:** The Providence City Council will consider for adoption an ordinance amending
34 Providence City Code Title 11 Subdivision Regulations, Chapter 3 Plat Procedures and Requirements by adding Section 8
35 Lot Consolidation in a recorded subdivision.

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

37 S Bankhead read the additions that were suggested by Attorney Craig Call.
38 R Sneddon explained what the thinking of the Planning Commission was for this ordinance recommendation.
39 **Vote: Yea: D Calderwood, J Russell, B Bagley**

40 **Nay: R Call**
41 **Abstain: None**
42 **Excused: D Astle**

43
44 **Item No. 6. Ordinance No. 010-2012:** The Providence City Council will consider for adoption an ordinance amending
45 Providence City Code Title 3 Business and License Regulations, Chapter 3 Telephonic and Cable Television Services Tax by
46 adding Telecommunications Systems.

47 **Motion to approve: B Bagley, R Call second**

48 S Bankhead explained that Attorney Craig Call put this ordinance together using State Code and franchise fee agreements.

49 **Vote: Yea: R Call, D Calderwood, B Bagley, J Russell**
50 **Nay: None**
51 **Abstain: None**
52 **Excused: D Astle**

53
54 **Item No. 7. Ordinance No. 011-2012:** The Providence City Council will consider for adoption an ordinance creating a
55 Franchise Agreement with Syringa Networks, LLC.

56 **Motion to approve: B Bagley, R Call second**

57 Dave Buehler explained what this company does. They are primarily broad band. They have agreements with Salt Lake City,
58 Bluffdale, West Valley, Draper. They are exploring options to provide services to different cities.

1 D Calderwood asked if there was anything that was in conflict with the ordinance and the franchise agreement.
2 S Bankhead said that is what Craig Call made sure of. The City will collect franchise taxes from this company.
3 R Eck asked who performs your locating for blue staking, etc.
4 D Buehler said there are technicians that take care of that.

5 **Vote: Yea: B Bagley, J Russell, D Calderwood, R Call**
6 **Nay: None**
7 **Abstain: None**
8 **Excused: D Astle**
9

10 **STAFF REPORTS:**

11 S Bankhead talked about the property owned by Morris Poole. Because staff is asking for a road width of 80 feet the Council
12 will be asked to reimburse the property owner 14 feet of the road. Planning Commission felt like the road should be wider
13 just for traffic flow.

14 D Calderwood asked the status on the SCADA system.

15 S Bankhead said we are waiting for the release of the monies.

16 R Eck said we have a letter of intent from the company that the City needs to sign to get them started.

17 The Council agreed the Mayor sign the letter.

18 J Russell recommends that the City purchase another speed sign.

19 R Eck said the new traffic signal on 300 South should be operating tomorrow.

20 Kathleen Alder reported that things are slow at the Maceys Shopping Center. Amsource is talking with possible tenants but
21 so far nothing is happening.
22

23 **COUNCIL REPORTS:**

24 B Bagley reviewed the State Tax Commission report.

25 D Calderwood reported on the Planning Commission meeting.

26 R Call talked about the engineering on Canyon Road. Planning & Zoning need a couple of alternates.

27 J Russell said the splash pad is open and packed. He talked about the City Celebration.

28 R Liechty thanked the staff for all the work they do.
29

30 **Motion to adjourn: D Calderwood, R Call second**

31 **Vote: Yea: D Calderwood, R Call, J Russell, B Bagley**

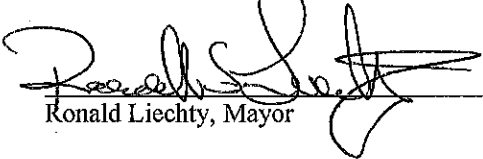
32 **Nay: None**

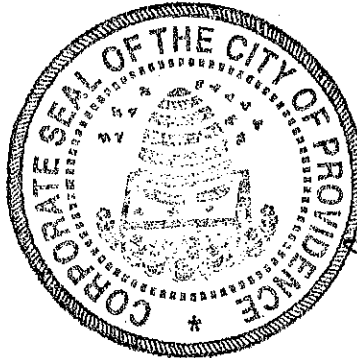
33 **Abstain: None**

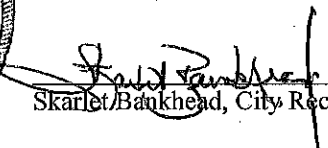
34 **Excused: D Astle**
35

36 Meeting adjourned at 9:00 pm

37 Minutes taken and prepared by Terri Lewis
38

39 
40 Ronald Liechty, Mayor
41



40 
41 Skarlet Bankhead, City Recorder

