

1 **PROVIDENCE CITY COUNCIL MINUTES**

2 **July 17, 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:

11
12 **APPROVAL OF THE MINUTES:**

13 The Providence City Council will approve the minutes from March 28, June 1, June 26 and July 11, 2012.

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

15 June 1st

16 No formal decision was made at this time. A formal decision will be made at a later date.

17 Page 3 – Line 20 – revoke permission

18 June 26th

19 Page 2 – Line 13, 14 – If the Commission wants to restrict the height of the towers they can address it.

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

21 **Nay: None**

22 **Abstain: None**

23 **Excused: D Astle**

24
25 **PUBLIC COMMENTS:**

26 Tyson Watson is concerned about the ban on fireworks. He believes there has been a lot of rain lately and he would like to
27 have the ban lifted.

28 Jeppa Jeppson also believes the ban on fireworks should be lifted.

29 Nisha Parry told the Council that she owns one of the fireworks stands close to Providence. The ban on fireworks has cut
30 their sales by 60%. She understands why they banned them over the 4th of July but she believes the ban should be lifted for
31 the 24th of July.

32 Louise Tobey loves fireworks. She would also like the ban lifted.

33
34 **BUSINESS ITEMS:**

35 **Item No. 1. Resolution 12-014:** The Providence City Council will consider for adoption a resolution opposing emissions
36 testing in Cache County.

37 **Motion to approve: R Call, J Russell second**

38 R Call is not aware that there has been any data that says emissions testing works. It cost a lot of money and he doesn't think
39 this is a reasonable response to the air quality issues. The EPA does an over reach. Every year they cut the emissions
40 allowance in half. He believes that as a community we should push back instead of complying. You can't get rid of these
41 mandates once there put into place. He believes this is an economy killer.

42 B Bagley asked if there is solid data.

43 R Call said this is a new tax and there's nothing to do but pay it.

44 Lynn Lemon said he hates the idea of emissions testing. Most people would prefer we don't do this. The County has decided
45 that they impose the regulations instead of letting the EPA. He went over the regulations that the County is looking at. The
46 County told the State that they would look at it in 5 years and decide if it's still needed. Because of technology Cache
47 County's air will be in compliance in 2019. If we don't do it the EPA will take away our highway dollars which is about 2
48 million. That is their way of forcing you to comply. Do we give up highway dollars?

49 R Call said he believes that the EPA will be less aggressive under a different administration. Why not wait another year and
50 see what happens.

51 L Lemon said emissions testing will make a difference. We have less and less red air days.

2 R Call asked what it will cost.

3 L Lemon said about a million and a half dollars. He understands the frustration but their doing the best they can with the
4 situation.

55 B Bagley asked why they are looking at this again in 5 years.

56 L Lemon said we have to comply for 3 years. He does believe an emissions program will clean up the air.

1 R Eck asked if resistance from the County would affect the Class C monies of Providence.
2 L Lemon said he doesn't know.
3 R Call asked where common sense and sanity come into the equation.
4 B Bagley said if the air is going to be decent in 2014 why can't we wait.
5 R Call said if you want to control emissions you need to take cars off the road. If we required a sticker on red air days you
6 wouldn't operate so many vehicles. The number of cars on the streets needs to be reduced. Testing won't help with this.
7 D Calderwood said he can't believe that we can't test diesel engines.
8 R Call said we spend millions of dollars looking beyond the problems.
9 John Drew asked what happens if testing doesn't solve the problem.
10 L Lemon said based on the model we will come into compliance by 2019. If it doesn't happen we'll have to keep doing it.
11 J Drew said he isn't sure this will solve the problem. It will only keep the feds off our backs.
12 D Calderwood said if the testing proves effective that will be the variable
13 J Russell wants the lines 20 thru 22 struck. He thanked the County Council for all the work they do. He would hope that if
14 this is passed the County Council will know that there are cities out there that oppose the emissions testing.
15 **Vote: Yea: R Call, J Russell, R Liechty**
16 **Nay: D Calderwood, B Bagley**
17 **Abstain: None**
18 **Excused: D Astle**
19

20 **Item No. 2. Resolution 12-015:** The Providence City Council will consider for adoption a resolution approving the
21 Development Agreement for Providence Highlands Subdivision Phase 2 a six-lot residential subdivision located generally at
22 800 East 1000 South, Providence, UT.

23 **Motion to approve: D Calderwood, J Russell second**

24 S Bankhead explained the changes that were made during DRC. She reminded the Council that the Planning Commission
25 approves the Final Plat, the Council approves the Development Agreement and the City Engineer approves the construction
26 drawings.

27 B Bagley asked if this is under the power lines.

28 J Jensen said the easement under the power lines is left open.

29 R Call asked if the lots are sold.

30 J Jensen said we have a lot of interest in the lots. We can't sell them until the plat is approved.

31 S Bankhead mentioned that the developer will be responsible for controlling the weeds, etc. on this platted property.

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

33 **Nay: None**

34 **Abstain: None**

35 **Excused: D Astle**
36

37 **Item No. 3. Ordinance No. 013-2012:** The Providence City Council will consider for adoption an ordinance rezoning a 0.57
38 acre parcel located at 1075 Grandview Drive from Agricultural (AGR) to Single-Family Traditional (SFT), requested by W.
39 Steven and Kristen Price.

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

41 R Liechty explained that the Price's would like to build a house on this property. For some reason this was never rezoned.

42 R Call said Planning Commission has recommended this be approved.

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

44 **Nay: None**

45 **Abstain: None**

46 **Excused: D Astle**
47

48 **STAFF REPORTS:**

49 S Bankhead said on 300 East when the survey was done for Steve and Grace Baugh it shows a 99 foot right-of-way. S Baugh
50 would like to draw his plat with a 66 foot right-of-way. The Council will need to consider if they want to vacate the right-of-
51 way. Staff would probably recommend that the sidewalk be put in the right place but they have an extremely wide park strip.

52 R Call said the 99 foot right-of-way would push to the east.

53 S Bankhead said the sidewalk is in the right place. S Baugh would like for the City to vacate down to a 66 foot right-of-way
54 and not require curb, gutter or sidewalk.

55 B Bagley said he thought we were going to move some of the monies from Bank of Utah to Zions.

56 S Bankhead said they would just like to move a clear amount. If some of our Bonds are refinanced we can save 3 or 4
57 thousand dollars a year.

58 R Call said the other option is to pay the bonds out.

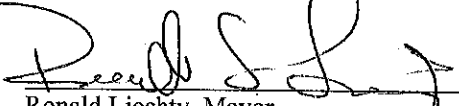
1 R Eck asked for some direction on the neighborhood watch signs. It will cost about \$38 a sign.
2 J Russell said unless there are citizens that will back this, it's just a sign.
3 R Call said in the LDS Church there are very active emergency programs. He likes the idea of a neighborhood watch.
4 J Russell said no new signs.
5 J Jeppson suggested doing it as an Eagle Project.
6 S Bankhead said she will talk to the youth council and see if there is any interest from the citizens.
7 The Council said take the bad signs down.
8 D Calderwood asked about the Sheriff's report for the City.
9 R Liechty said it's pretty consistent.
10 R Liechty asked about the retention pond on the Liz Maughan property.
11 R Eck said that is a private pond. He will inspect it next week.
12 B Bagley likes the Center Street project.
13 R Liechty thanked staff for all they do.
14

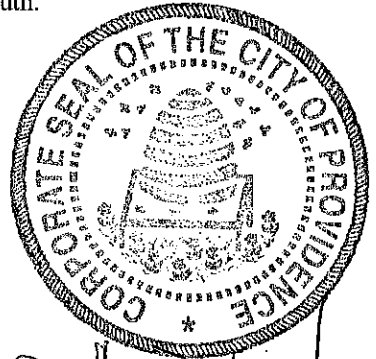
15 **COUNCIL REPORTS:**

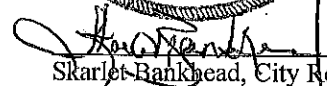
16 B Bagley talked about trying to get action from the Church on the round-a-bout/Morris Poole property. He told the Council
17 about the tax receipts and where the money goes.
18 R Call reported on the pre-construction meeting for Canyon Road. He told the Council that the round-a-bout is being moved
19 ahead on the City's side.
20 D Calderwood reported on the Planning Commission. He told the Council what DRC is looking at. He asked about the work
21 on the library.
22 R Liechty said he doesn't think we need the space in the library after letting 2 people go.
23 R Liechty said James Cook has asked to buy the property next to Von's Park. R Eck feels like the City needs to hold on to
24 that property. He asked the Council to take a look at this and come back with suggestions. He asked the Council where they
25 stood on the Michael Beno property. They don't want to let him have a variance.
26 R Eck said the Fire Marshall still stands behind their ban on fireworks.
27 S Bankhead said there are many cities that have banned fireworks in certain areas.
28 The Council decided to ban fireworks east of 400 East and Canyon Road south.
29

30 **Motion to adjourn: R Call, B Bagley 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 7:51 p.m.
37 Minutes taken and prepared by Terri Lewis
38

39 
40 _____
41 Ronald Liechty, Mayor





Scarlet Bankhead, City Recorder

