

1 **PROVIDENCE CITY COUNCIL MEETING**
2 **February 12, 2013**
3 **15 South Main, Providence UT**
4

5 The Providence City Council will begin discussing the following agenda items at 6:00 p.m. Anyone
6 interested is invited to attend.
7

8 Call to Order: Mayor Liechty
9 Roll Call of City Council Members: Mayor Liechty
10 Pledge of Allegiance: Edgehill Ward Cub Scout Troop
11

12 **Approval of the minutes**

13 **Item No. 1.** The Providence City Council will consider approval of the minutes from the January 22, 2013
14 City Council meeting.

15 Motion to Approve Minutes including the following changes: C. Russell, second D Astle
16

17 Page 1, Line 33 - D Calderwood did not vote, citing conflict of interest.

18 Page 2 of 4, Line 49 - check spelling of Polaris to Pelorus

19 Page 4, time of adjournment – take time off, just Meeting Adjournment
20

21 **Vote:**

22 Yea: D Astle, D Calderwood, R Call, B Bagley, J Russell

23 Nay: None

24 Abstained: None

25 Excused: None
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27 **Public Comments:** Citizens may appear before the City Council to express their views on issues within the
28 City's jurisdiction. Comments will be addressed to the Council. Remarks are limited to 3 minutes per
29 person. The total time allotted to public comment is 15 minutes The City Council may act on an item, if it
30 arose subsequent to the posting of this agenda and the City Council determines that an emergency exists.
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32 Lance Campbell – read about School Board proposal and was taken back on council's hasty decision to
33 completely deny any possibility the City could be given the old school if the proposal is approved. He has
34 kids who are going to that school and feels the building is unsafe. He supports the school board proposal
35 and feels like many citizens have same feelings he is expressing.

36 R Liechty – The City Council encouraged School Board to keep the building for the students. The School
37 Board is willing to work with the City.

38 D Calderwood – the resolution simply states that the City Council wants the School Board to reconsider its
39 proposed use for the elementary school.
40

41 **Business Items:**

42 **Item No. 1. Report:** Deon Johnson will report on the Cache Mosquito Abatement District.
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- 44 • D Johnson – reports it is a good, successful program. Feels like it wouldn't have been started
45 without Bear River Mental Health Department's help. The first five years Bear River Mental
46 Health Department has run the program. Last year Bear River said they would no longer run the
47 Mosquito Abatement Program. Financially the program is doing well. Currently renting a building
48 in Hyde Park, but they are looking at options to own a building as revenues continue to build.
49 CMAD hired Richard Rigby from Newton to run the program and he has done very well. River
50 Heights, Young Ward, College Ward and Paradise areas currently have their own systems, but
51 eventually will have the funds to come into the Abatement program. As the summer moves on
52 he encourages citizens to call to address particular mosquito problems, as the problems will

worsen. Half way through summer they will use a new product that is odorless and will be less harmful to bees and other beneficial insects. Feels like the CMAD is moving in the right direction.

Item No. 2. Resolution 13-004: The Providence City Council will consider for adoption a resolution increasing the cost of cemetery spaces and burial fees.

Motion to Approve: D Calderwood, Second – B Bagley

- S Bankhead – Resolution as proposed increases burial fee from \$350/weekday and \$500/Saturday to \$450/weekday and \$600/Saturday. Spaces – Proposed \$300/resident and \$800/non-resident. Burial fees for infants and cremations will remain the same at \$75/weekday and \$100/Saturday.
- S Hansen reports that if we move to a \$350/resident we will be third or fourth most expensive in the valley. Feels like our cemetery is a better cemetery than some of the other cemeteries in the valley, therefore he feels it is reasonable.
- R Call – feels like a minimum of \$400/resident is still a bargain. Feels like the code defining resident/non-resident cost should be cleaned up. The cost should be the same for residents and non-residents. This is partially to prevent non-residents from buying a space just because it is the cheapest space in the valley.
- D Astle – feels like \$350 is reasonable and if it needs to be adjusted in the future it can be.
- B Bagley – feels like if residents have paid taxes they should be able to get a deal.
- D Calderwood - feels there needs to be a distinction between resident and non-resident.
- R Call put forth a motion to raise the cost to \$400, but it died for lack of a second.

Vote:

<u>Yea:</u>	<u>B Bagley, D Astle, J Russell, D Calderwood</u>
<u>Nay:</u>	<u>R Call</u>
<u>Excused:</u>	<u>None</u>
<u>Absent:</u>	<u>None</u>

Item No. 3. Discussion: The Providence City Council will discuss improving 100 South, west of 200 West.

- R Liechty – this should say “opening” not “improving”.
- R Call –there was supposed to be a study done on what the right-of-way is and past agreements and he hasn’t seen it yet.
- S Bankhead – the Resolution that was passed has a statement in it that reads “current residents along 100 South have offered to dedicate, at no charge to the City, adequate property for a 50’ right-of-way and a 120’ cul-de-sac. If the cul-de-sac becomes a thru street, property owners will be compensated for their dedication.” That was passed by the City Council dated 21 August, 2006. We have this dedication east of 400 West. There was some dedication west of 400 West when the Stake Center was built. Explained current dedications of citizens and what is expected in future developments.
- R Call – what right-of-way did the City already have? He has not been able to define what is really going on in that area. Would like a map to clarify.
- S Bankhead - will verify that 100 South is on map 1911 at the County Recorder’s office, and this map is what the right-of-way acquisitions for the county is based on. Skarlet is working on getting that map. That map shows county and city right-of-ways.
- D Calderwood feels there need to be more research.

Motion to continue discussion in order to obtain map 1911: D Astle, second – R Call

Vote:

<u>Yea:</u>	<u>D Astle, D Calderwood, R Call, B Bagley, J Russell</u>
<u>Nay:</u>	<u>None</u>
<u>Abstained:</u>	<u>None</u>
<u>Excused:</u>	<u>None</u>

- 1 • R Liechty asked for citizens from that area to comment.
- 2 • Mark Thompson – Lives on cul-de-sac at the end of that road. There is a long history of legal
- 3 activity on that road. When the sewer situation came up on that street, the citizens united and
- 4 agreed to give up 50' right-of-way so the City could run a sewer down there in exchange for a cul-
- 5 de-sac under Mayor Simmons in 2006. Referred to Quit Claim Deed from 2008 with the deed
- 6 restriction at the bottom.
- 7 • Kent Dunkley – unclear as to why we are even having this discussion. He feels it has been
- 8 resolved a few times over the past 20 years.
- 9 • R Call – complaints come continually from citizens that the street is always closed. He feels it is a
- 10 City street and should be opened.
- 11 • K Dunkley – asked the Mayor what his personal position is on whether or not the City's
- 12 commitment should stand. The City agreed to improve the cul-de-sac when the residents gave up
- 13 the right-of-way and those improvements never happened. What does "improvement" mean?
- 14 Are we improving 100 South or removing the cul-de-sac? City and citizens need to have better
- 15 communication.
- 16 • R Liechty – Voted against the cul-de-sac in the first place back when he was on the City Council.
- 17 He does not like the cul-de-sac there, but feels like the City should honor the commitment.
- 18 However, he feels that language was put in place that if the City wanted to go through there,
- 19 they had the right to do it.
- 20 • R Call - feels like everyone cannot be bound by mistakes someone made in the past.
- 21 • K Dunkley – asked again, what does "improve" mean? What is the purpose of this meeting? Are
- 22 we improving 100 South or removing a cul-de-sac?
- 23 • R Liechty – that is why there is a clarification of the language "open" versus "improvement"
- 24 when we opened this discussion. I assume there will be improvements when the cul-de-sac is
- 25 opened.
- 26 • J Russell – opening versus improving is a whole separate issue, his biggest concern is public
- 27 safety. He cannot at this time answer the question of when those improvements will be done.
- 28 Council has to decide what is highest priority.

29
30 **Item No. 4. Discussion:** The Providence City Council will discuss the proposed council retreat.

- 31 • R Liechty – Council needs to set a date to discuss future plans for the city council and what it
- 32 needs to accomplish in the current year.
- 33 • B Bagley – in lieu of City Council meeting on February 26, can we combine the meeting and the
- 34 retreat on March 2 since this is a public meeting anyway?
- 35 • R Liechty prefers to have the retreat separate from the City Council meeting. Retreat will cover
- 36 roads, where the City wants to focus monies and other projects for the year. Priorities need to be
- 37 established. Retreat will start at 8:00 am on March 2 in the City Council Room.

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39 **Staff Reports:** Items presented by Providence City Staff will be presented as information only.

- 40 • R Eck – still dealing with frozen pipes, about 10 homes affected currently. These problems are
- 41 city wide, but 5 homes on 5th South are affected. Feels like the current standard for putting mains
- 42 in the ground are sufficient. Public service announcement was received well and followed by
- 43 citizens, which somewhat improved the problem.
- 44 • S Eames – complimented city crew on their dedicated service to the citizens in resolving issues
- 45 with frozen pipes.
- 46 • D Astle – would the city-wide public service announcement, which costs about \$1/citizen, be
- 47 beneficial in emergency situations?
- 48 • J Russell – what has been the action of other local municipalities in regards to emergency
- 49 measures such as the public service announcement?
- 50 • Questions were raised about whether or not the city-wide public service announcement service
- 51 is a worthwhile investment for the City. Will possibly be discussed at the retreat.
- 52 • D Astle – reviewed sewer usage flow for the past few years and asked why we were so low in

- 1 2012?
- 2 • R Eck – 2011 was a flood year so ground water was up. Sump pumps weren't running. Flow
- 3 meters are now in place to keep people from pumping water into sewer systems.
- 4 • R Call – 2010 and 2012 are more the norm for ground water levels. Logan City records were just
- 5 averages.
- 6 • 2012 going forward would hopefully be the norm. Randy feels we are on top of our services.
- 7 • D Calderwood – Logan has raised their rates 50% on their treatment and we should keep an eye
- 8 on what is happening.
- 9 • R Eck – reviewed shop fleet. We are doing everything possible to extend life of the trucks.
- 10 However it is getting to the point that it is no longer efficient to keep maintaining certain
- 11 equipment. We have lots of hills and tight turns and the truck that services these areas is no
- 12 longer able to do the job. We need a four-wheel drive truck. Discussed available options.
- 13 • R Liechty – reviewed the equipment with R Eck as far as trucks, snowplows, sanders, etc., go. We
- 14 have very old and rusted equipment.
- 15 • Council recommends buying the new truck, but is divided on what to do with the old truck.
- 16 • S Bankhead – Will there be a City council on March 12th? Budget will be presented at this
- 17 meeting. Will provide written report tomorrow.
- 18 • S Bankhead reviewed Sauerkraut Dinner revenues and expenditures for 2011 and 2012. We
- 19 spent more than we brought in.
- 20 • J Drew - 760-8989 - traditional sauerkraut can be made, but is this something the City wants to
- 21 pursue? Do we want to continue the tradition?
- 22 • R Liechty - when the City quit selling the kraut, the attendance numbers went down. He feels
- 23 selling the kraut might bring the numbers up.
- 24 • D Astle – suggested that maybe the younger generation just isn't that interested in the kraut
- 25 dinner.
- 26 • S Bankhead – many City activities focus on the younger kids in our rec program, but the kraut
- 27 dinner services more the older citizens.
- 28 • R Call – feels like we focus enough on younger citizens and it is nice to have older citizens
- 29 involved. We need a diverse set of community events.
- 30 • S Bankhead requested changes to some City Ordinances:
- 31 ○ Sidewalk ordinance – currently motorized vehicles are not allowed on sidewalks,
- 32 however some rec vehicles can have a blade attached for snow removal. Can we amend
- 33 the ordinance with some regulations?
- 34 ○ Grace Baugh subdivision – question on how much right-of-way the city truly has. City
- 35 Engineer and Surveyor feel, after reviewing old records for 300 East, that the City only
- 36 has 66' right-of-way from the historic record. Mr. Baugh's surveyor thought they had
- 37 more than that. Our surveyor talked to Mr. Baugh's surveyor and the City does not have
- 38 a 99' right-of-way so that subdivision can move forward. There really is not a need or
- 39 request for the City to vacate the right-of-way.
- 40 ○ Harli, Skarlet and other city office workers have been dealing with a lot of disgruntled
- 41 business owners over business licenses. This year we sent invoices out mid-November,
- 42 however, it appears there was a glitch and we cannot verify that invoices were sent to a
- 43 certain block of businesses. This has been a big issue for business owners who are very
- 44 unhappy about late fees and feel like they don't need to pay. Would like to request the
- 45 City Council take out of the Ordinances the mandate that the City send out notices to
- 46 businesses for annual fees. She isn't suggesting we won't send the notice, just asking to
- 47 not be mandated to do so in the Ordinance.
- 48

49 **Council Reports:** Items presented by the City Council members will be presented as informational only;

50 no formal action will be taken. The City Council may act on an item, if it arose subsequent to the posting

51 of this agenda and the City Council determines that an emergency exists.

- 52 • D Calderwood – Utah Tax Commission report – December was \$62,000 and January was \$67,000.

- 1 • R Call – we’re down about \$5,000 from last year.
- 2 • D Calderwood - Historical meeting next Tuesday. Attended School Board meeting and feels like
- 3 School Board is receptive to ideas, suggestions, etc. He feels they do not have the operating costs
- 4 for what they are proposing, but will do further research on that.
- 5 • J Drew – attended the public hearing at Mountain Crest and feels like the School Board’s number
- 6 is understated.
- 7 • J Russell– Library meeting tomorrow he will attend and report next meeting.
- 8 • R Call – nothing to report at this meeting.
- 9 • D Astle – Attended two meetings by School Board, one in Millville and one in Providence. Many
- 10 parents of school aged kids are concerned with proposal. His impression is that the School
- 11 District is open to suggestions and other alternatives. He reviewed proposed changes by the
- 12 School Board and concerns of parents and citizens.
- 13 • D Calderwood – does current budget of school district allow for putting new schools into effect?
- 14 • D Astle – that money would only come from property taxes.
- 15 • S Bankhead – are kids currently in Providence who are being bussed to River Heights going to
- 16 come back to Providence or will they continue to be bussed to River Heights?
- 17 • D Astle – Kids will still need to be bussed to River Heights because Providence has too many kids,
- 18 over 900, to fit into Spring Creek.
- 19 • J Drew – also attended the School Board meetings and brought up questions and concerns about
- 20 seismic retrofit at the meetings, and where the funds will come from to pay for it. There were
- 21 also a lot of concerns about bussing kids.
- 22 • D Calderwood – seismic questions will appear on the survey, but there is some question as to
- 23 how it will be worded so as not to be a slanted survey.
- 24 • B Bagley – met with Skarlet, Dennis and Gabi to review rec events coming up. Founder’s Day
- 25 event. Sauerkraut dinner. Celebrate Providence. Soccer registration, use of the fields and
- 26 concessions, etc.
- 27 • K Alder – Founder’s Day event. Spring Creek Festival, Providence, Utah is the new name of the
- 28 celebration. A logo has been selected and will be branded. Providence heroes featured by school
- 29 children. Light history and square dancing in the gym Friday, April 19. Saturday – cabbage head
- 30 fun run, a 10K, vendors, baseball games, opening day for Rocky Mt. Super League. We want to
- 31 encourage people to go back and forth. Possibly close Center Street, art by district kids, games –
- 32 arm wrestling, grand prize drawing, must be present to win, tickets for drawing will be by
- 33 purchasing products at booths. Funding will be provided by sponsors. Any extra money will go to
- 34 Historic Preservation. Anticipates enough funding from sponsors to do this. Point is to celebrate
- 35 Providence, but it would be great to make money for Historic Preservation.
- 36 • B Bagley – reports to council on office upgrade equipment. Called many smaller cities in the state
- 37 and spoke to those who are currently using Pelorus. Ivins loves Pelorus, hated Caselle. Many
- 38 cities felt the same way. Auditors love it. Autopay/auto deposit works well with Pelorus. Real
- 39 time updates. Drawback –Pelorus doesn’t provide a manual, but they do provide great personnel
- 40 support. Recommends Pelorus.

41
42 Motion to move to Executive Session, R Call, second – J Russell

43 Vote:

44 <u>Yea:</u>	<u>D Astle, D Calderwood, R Call, B Bagley, J Russell</u>
45 <u>Nay:</u>	<u>None</u>
46 <u>Abstained:</u>	<u>None</u>
47 <u>Excused:</u>	<u>None</u>

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50 Return to open meeting 8:55 p.m.

51 Mayor Liechty discussed the DRC meeting.

52 Motion to close the City Council meeting – D Calderwood, second – B Bagley

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Vote:

Yea: D Astle, D Calderwood, R Call, B Bagley, J Russell
Nay: None
Abstained: None
Excused: None

Executive Session:

Item No. 1. The Providence City Council may enter into a closed session as allowed by Utah Code 52-4-205(1) (a)

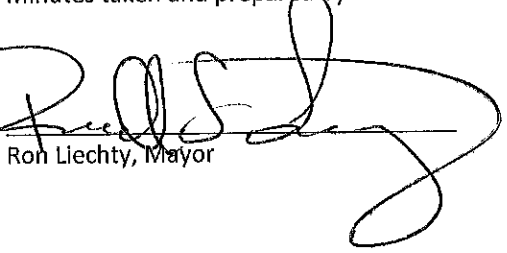
Item No. 2. The Providence City Council may enter into a closed session to discuss land acquisition or the sale of real property Utah Code 52-4-205(1) (d) and (e).

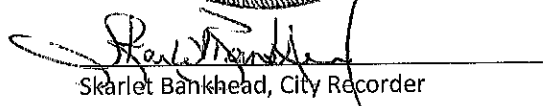
Item No. 3. The Providence City Council may enter into a closed session discuss pending litigation Utah Code 52-4-205(1) (c).

Meeting Adjourned.

Minutes taken and prepared by Caroline Craven




Ron Liechty, Mayor


Skarlet Bankhead, City Recorder