

1 **PROVIDENCE CITY COUNCIL MEETING MINUTES**

2 Providence City Office Building, 164 North Gateway Drive, Providence UT 84332  
3 May 23, 2017 6:00 p.m.

6 **Call to Order:** Kirk Allen

7 **Attendance:** Kirk Allen, Dennis Giles, John Drew, Roy Sneddon, Jeff Baldwin

8 **Absent:**

9 **Excused:** Mayor Calderwood

11 Meeting began at 6:00 pm

13 Kirk Allen led in the pledge of allegiance. Rocky Taylor offered an opening prayer.

15 **Approval of the Minutes:**

16 Item No. 1. The Providence City Council will consider for approval the minutes of May 9, 2017

18 **Motion to approve minutes of May 9, 2017 City Council Meeting – J Baldwin, seconded by R Sneddon**

19 Vote:

20 Yea: K Allen, J Baldwin, J Drew, D Giles, R Sneddon

21 Nay: None

22 Excused: Mayor Calderwood

24 **Revisions**

25 Page 1 Line 34 – Change “commission” to “the Council”

26 Page 3 Line 1 – Add “N or North” after 164

27 Page 3 Line 51 – Strike “the” after property

28 Page 4 Line 32 – Add “are” after “they...older”

29 Page 4 Line 55 – Change quotes to quoted

30 Page 5 Line 5 – Add “the” in between not and right

31 Page 5 Line 14 – Change agriculture to agricultural

32 Page 5 Line 17 – Change “goes over” to “reviewed”

33 Page 5 Line 18 – Change “asks” to “asked”

34 Page 5 Line 55 – Change unlikely hood to unlikelihood

35 Page 6 Line 12 – Change word changing to change

36 Page 7 Line 6 – Change firm to find

37 Page 7 Line 3 – Change does to practices and add primarily after practices

38 Page 7 Line 4- Change Salt Lake to Utah Bar Association

39 Page 7 Line 52 – Add “d” to purchase

40 Page 7 Line 2 –Take out apostrophe in attorneys

41 Page 7 Line 31 – Change and to in

42 Page 7 Line 31 – Capitalize August

43 Page 7 Line 38 –Change ? to . after applicants

44 Page 8 Line 12 - Insert . after fund, capitalize The

45 Page 8 Line 7 –Add another 0 to \$800,000

46 Page 8 Line 30 & 31 – Capitalize Main and North

47 Page 8 Line 16 – Strike “and” capitalize “In”

48 Page 8 Line 17 – Strike “if”

50 **Public Comments:** Citizens may appear before the Council to express their views on issues within the City’s  
51 jurisdiction. Comments will be addressed to the City Council. Remarks are limited to 3 minutes per person. The  
52 total time allotted to public comment is 15 minutes. The City Council may act on an item, if it arose subsequent to  
53 the posting of this agenda and the City Council determines that an emergency exists.

54

1 **Seth Thompson** - Seth is a student at Utah State University. He presented to the Council the opportunity to have a  
2 group called LTAP survey Providence City's roads, which would provide a mapping of the condition of each road in  
3 Providence. They look for specific types of damage and cracking, and rate which roads need replacing and/or  
4 repairing first. Providence has more than 40 miles of road. These roads are worth approximately \$120 million.  
5 Protecting the roads and making the right repairs could save the city a lot of money, if they keep the good roads  
6 good instead of just repairing the bad roads. He recommended crack sealing as a great way to extend the life of a  
7 road. He also recommended chip sealing because it extends the life of the road for 5 to 7 years and costs a fraction  
8 of replacing a road. J Baldwin asked if the group would be using any instruments to measure damage on the roads.  
9 Seth responded that they would only be driving around and looking at the roads. J Baldwin asked if the group  
10 would be using a device to look at soil construction and density. Seth responded that they would not.  
11 J Drew provided a brief background of LTAP, Nick Jones is the department head and a resident of Providence. He  
12 stated this group has done surveys for over 70 cities in Utah and have helped those cities create a maintenance  
13 program for their roads. The cost of the survey is \$3880, the university uses graduate students to do the surveys  
14 and the cost of the surveys helps pay for some of the tuition costs for these students.  
15 R Stapley asked if there is a way to input the information provided from the survey directly into IWORQ (because  
16 IWORQ was created by two individuals in LTAP) Seth responded that he wasn't aware of a way to directly input the  
17 new information into IWORQ from the software that the university uses. Seth also noted that if the survey goes  
18 forward, LTAP members would want to meet with Rob and others to find out what has been done recently and  
19 what products they use, so they can provide a reasonable plan for Providence City to work with.  
20 R Sneddon explained that he was an engineering professor and would like to see some graphic outputs to explain  
21 to citizens of Providence when they question why certain roads are getting more attention than others. Seth  
22 explained that he did have a presentation ready for the Council but the council room doesn't have a projector to  
23 display his presentation. J Drew asked S Bankhead what the dollar threshold is that the council would need to  
24 weigh in on approving this expense. S Bankhead responded that this expense is less than what would need to be  
25 approved by the Council, Rob or the Mayor could approve this expense. S Bankhead responded that what is more  
26 important is to look at if the software will communicate with the software Providence City already has. J Drew  
27 responded that the real issue is agreeing that this survey would benefit Providence City. He hears a lot of  
28 complaints about the roads in Providence and would like to have a plan to show citizens that progress is being  
29 made to better the roads in Providence. Discussion about the project ensued. Council members were very  
30 interested in seeing this survey done as soon as possible. There was discussion about whether or not there is  
31 money in the budget for the survey. S Bankhead responded that there is money in the budget. The council would  
32 like to hear a report concerning the survey's progress in two weeks.

33  
34 **Public Comments are closed.**

35  
36 **Business Items:**

37 **Item No. 1. Resolution 019-2017 Planning Commission Appointment:** The Providence City Council will consider  
38 for adoption a resolution appointing a member of the Planning Commission.

39  
40 J Drew asked if Ruthanne Holloway was the proposed member. S Bankhead said she was not. Jessica Jacobs was  
41 recommended as a member of the Planning Commission. Jessica was not at the council meeting  
42 K Allen recommended tabling the discussion for Planning Commissioners.

43  
44 **Motion to continue resolution 019-2017 Planning Commission Appointment made by J Baldwin, seconded by J  
45 Drew.**

46  
47 Vote

48 Yea: K Allen, J Baldwin, J Drew, D Giles, R Sneddon

49 Nay: None

50 Excused: Mayor Calderwood

51  
52 **Item No. 2. Resolution 016-2017 Development Agreement.** The Providence City Council will consider for adoption  
53 a resolution approving the Development and Public Improvement Installation Agreement for the Canyon Creek  
54 Subdivision, a three-lot residential subdivision located at approximately 815 East Canyon Road.

55

1 **Motion to approve Resolution 016-2017 Development Agreement made by J Drew, seconded by R Sneddon.**

2  
3 R Sneddon noticed an error on page 1, it says Booth Subdivision instead of Canyon Creek Subdivision.

4 S Bankhead provided an overview of the proposed development. Lot 3 will share a private driveway with Stan  
5 Checketts, Lot 2 will share a driveway with another independent lot, located east of lot 2. They are doing that  
6 because it will minimize the impact on Spring Creek, because there will only be one bridge crossing the creek.

7 S Bankhead received some new information concerned fire protection. Depending on the size of the homes, each  
8 lot may require individual fire suppression sprinklers. Concerning the sewer line, this development will be using an  
9 existing private sewer line, and will be maintained by the owners.

10 S Bankhead reviewed the water requirement in section 1.5. Danny MacFarlane is asking for the Council to consider  
11 lowering the stock amount recommended to turn over to Providence City, because the majority of water used, will  
12 be for outdoor use.

13 S Bankhead discussed Exhibit A. Each lot will have a two foot berm at 3:1 slope.

14 J Baldwin asked if the bridge that will go to these properties has been built. Danny MacFarlane replied that it has  
15 not, but a permit from the state has been obtained.

16 Danny MacFarlane expressed his concerns of devaluing the water shares from Spring Creek Irrigation Company. He  
17 would like Providence City to value the water share at 2.73 acre feet instead of the 1.37 acre feet, Providence City  
18 is currently valuing it at. S Bankhead stated that this is the first time the state has valued water shares in acre feet,  
19 before they valued the water at cubic feet per second. Usually when Providence has asked the value of water  
20 share the state and irrigation companies respond that the value is based on the flow that particular year. This is  
21 the first time the state has responded with acre feet in response to the value of water shares.

22 Danny felt like if the City wasn't going to value the water shares at a higher rate than 50% that he wouldn't sell the  
23 water shares to the city. J Baldwin asked S Bankhead if the city needed to purchase those water shares. She replied  
24 that the city does not need to purchase those water shares. The city has enough water between the irrigation and  
25 municipal water shares. Fee in lieu money will be used to purchase more water rights. The City Council over the  
26 past few years has decided not to purchase water shares, but they are emphasizing having the water rights. Danny  
27 proposed having one of the lots retain water.

28 K Allen was concerned about the precedent that has already been set with other developments. J Baldwin agreed  
29 with Danny that the water should be valued at a higher rate because the water is so good there and if that water  
30 share can be converted to culinary water then that increases the value of those water shares even further. J  
31 Baldwin proposed going with the 8.54 acre feet as the remaining amount based on the 2.73 acre feet and value the  
32 water shares at \$2500, with the fee in lieu being \$21,350. K Allen asked what the water attorney for Providence  
33 City thought about this issue and is the \$3000 for a share reasonable? S Bankhead responded that he is talking  
34 about two different types of water: culinary and irrigation. The council has not set a price difference between  
35 those two types of water. She is worried that if the council purchases the water shares from Danny that a  
36 precedent will be set and that the Providence Heights subdivision will come back to Providence City because  
37 Providence didn't want to purchase their water shares. The Council at the time wanted to purchase water rights  
38 instead of water shares. The fee in lieu was based on acquiring water rights not water shares. Danny asked that the  
39 city be consistent, if the city has purchased shares at face value, his water shares should be treated no different.

40 J Drew asked to be excused because of a flood in his home.

41 S Bankhead provided a history on why Providence City doesn't want the water shares from the Providence Heights  
42 subdivision. J Baldwin asked if the discussion could be tabled until the next Council Meeting where the council  
43 could talk with the attorney to get a better understanding. Could the Council pass the development agreement  
44 with the exception of 1.5? So that the Council can come back and take a more in-depth look at when they will and  
45 won't purchase water shares/rights.

46 R Sneddon discussed combining flow paths so that it is fair to everyone.

47 Danny commented that he agrees with the council members, but the development has two pending sales on  
48 property. He would rather leave the water shares out of the agreement, so the development agreement can be  
49 approved. He doesn't want to fight the price that Providence City wants because that puts the project further  
50 behind. He proposed keeping the water share where it's at so the development agreement can be approved  
51 tonight. K Allen stated that he doesn't believe the city is trying to gouge anyone by their prices, the city is trying to  
52 be fair and equitable with all people. J Baldwin feels like the city has been inconsistent with the purchase of water  
53 shares and would like the city and the city code to be more consistent. R Stapley stated that every property and  
54 developer is going to be different because of the different water shares that might come with certain properties. R

1 Stapley felt like the city needs to stay with the fee in lieu system because that is what he city has decided to do  
2 before, and to keep things consistent, he feels like the fee in lieu system will do that.

3  
4 **A motion to amend Resolution 016-2017 Development Agreement in Section 1.5 Water Requirement. Changes  
5 include: 11.27 acre feet at \$3000 a share for a total of \$33,810 as fee in lieu and not to dedicate one water share  
6 to the city, motion made by J Baldwin, seconded by D Giles.**

7  
8 Vote:

9 Yea: K Allen, J Baldwin, D Giles, R Sneddon

10 Nay: None

11 Excused: J Drew, Mayor Calderwood

12  
13 **Motion to approve Resolution 016-2017 Development Agreement, with the above changes. Motion made by K  
14 Allen**

15  
16 Vote:

17 Yea: K Allen, J Baldwin, D Giles, R Sneddon

18 Nay: None

19 Excused: J Drew, Mayor Calderwood

20  
21 **Item No. 3. Resolution 018-2017 Development Agreement.** The Providence City Council will consider for adoption  
22 a resolution approving the Development and Public Improvement Installation Agreement for the Providence  
23 Meadows Subdivision, a 16-lot residential subdivision located at approximately 500 West 500 South.

24  
25 **Motion to approve Resolution 018-2017 Development Agreement made by J Baldwin, seconded by R Sneddon.**

26  
27 S Bankhead asked representatives from the Providence Meadows Subdivision if they would like to wait to have  
28 their development agreement approved until after the Council looked at water shares prices etc. A representative  
29 asked to speak to the Council.

30 He asked the Council if they had ever considered putting in a secondary water system. He discussed times when he  
31 has developed in other cities where if the developer put in a secondary water system for the development they  
32 received a prize or minimal water fees because they are providing a service to the city and to the development by  
33 adding a secondary water system. The Council and the representative discussed pros and cons to having a  
34 secondary water system. R Sneddon confirmed that yes the city has considered a secondary water system. S  
35 Bankhead responded that the city has asked developers to put in a secondary water system, but they have always  
36 said no, so the city stopped asking. R Sneddon stated that what developers do, is somewhat based off of what the  
37 city does and how the city responds to the developers.

38 S Bankhead pointed out a mistake that needs correcting when the development passes. The correction is that  
39 Providence City is not paying for the pro-rated lid for a manhole, Providence City is paying for the man-hole.

40  
41 **Motion to approve Resolution 018-2017 Development Agreement, made by K Allen.**

42  
43 Vote:

44 Yea: K Allen, J Baldwin, D Giles, R Sneddon

45 Nay:

46 Excused: Mayor Calderwood, J Drew

47  
48 **Item No. 4. Resolution 020-2017 Bid Award.** The Providence City Council will consider for adoption a resolution  
49 awarding the bid for the Providence City 100 N & Main Street ADA Improvements

50  
51 **Motion to approve Resolution 020-2017 Bid Award, made by R Sneddon, seconded by J Baldwin.**

52  
53 R Stapley provided a brief overview of the project. There will be a complete revamp of the storm system at that  
54 corner. They will be putting 4 of the boxes underground so that the corner can be an ADA accessible cross walk.  
55 Approximately one third to one half of the asphalt at that intersection will have to be replaced. J Baldwin asked

1 approximately how far back on the curb and gutter will need to be replaced. R Stapley responded that it is  
2 approximately 15-20 feet in each direction on those corners. There were two bids, LeGrand Johnson and Parsons.  
3 Parsons came in lower by \$14,000. R Stapley is recommending that the bid be awarded to Parsons.  
4 K Allen asked when the gateway drive project would begin. R Stapley responded that construction should begin in  
5 about a week. K Allen asked when the gateway drive project would be completed. R Stapley responded that by  
6 contract they have to be done by September 1, unless problems arise.  
7 J Baldwin asked when the 100 N & Main Street project would be completed. R Stapley responded that they will  
8 start after school gets out and they have 60 days to have the project completed. R Sneddon asked about the  
9 relationship between CRS Engineering and Parsons. R Stapley responded that Providence City did all the design  
10 work for the intersection through CRS Engineering, so if Parsons is awarded the bid, the Providence City will give  
11 Parsons the design work from CRS Engineering.

12  
13 Vote

14 Yea: K Allen, J Baldwin, D Giles, R Sneddon

15 Nay: None

16 Excused: Mayor Calderwood, J Drew

17

18 **Item No. 5. 2018 Budget Discussion.** The Providence City Council will discuss the proposed tentative budgets for  
19 all funds for Fiscal Year 2018.

20

21 S Bankhead discussed some of the changes to the 2018 budget. She added a 5% increase for City Council Members  
22 and Mayor. Road projects are more than \$100,000 that the city has committed to. She would like to schedule a  
23 public hearing for the next city council meeting to get the public's input on budget changes, and to schedule the  
24 truth in taxation hearings. R Sneddon asked why the council and mayor are getting a 5% increase. S Bankhead  
25 stated that when she discussed this at the previous city council meeting, there were no objections to it so she  
26 added it in. R Sneddon stated the he feels like the Mayor and Council don't need a pay increase, he felt like because  
27 the pay is not the reason why these men serve, they don't need a pay increase. Multiple councilman disagreed  
28 with R Sneddon. K Allen pointed out that the Council is providing a pay increase for the city employees to show  
29 that they are respected and appreciated, and argued that the Council and Mayor should be treated the same way  
30 to say thank you for all their hard work. J Baldwin discussed the time spent by the Mayor and asked if S Bankhead  
31 has seen an increase of time spent by the Mayor, as compared to the last 4 or 5 Mayors. S Bankhead responded  
32 that every Mayor is different and have different management styles. There was a time when being the Mayor was a  
33 full time job, however the City Council got rid of that and put in a city administrator. Mayor Calderwood spends a  
34 lot of time in the office, whereas other Mayors spent time at home working, emailing and contacting citizens by  
35 phone. K Allen and S Bankhead explained the need for the sophistication of the Mayor to change as time goes on  
36 and as the needs of the citizens change. J Baldwin felt like the Mayor should be paid more, for all the work he is  
37 expected to do, he thought it would be acceptable to raise the salary for the Mayor quite a bit more. S Bankhead  
38 stated that she could call around to different cities to find out how much other Mayors and City Council Members  
39 make a year. J Baldwin stated again his feelings about raising the salary for the Mayor based on the work he has to  
40 do and is expected to do.

41

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

43

44 R Stapley – Clarified the reasons why the city doesn't need/want water shares and rights at the present time, and  
45 why the city decided to accept fee in lieu instead. The city has more than enough water rights and shares for the  
46 city's current needs. The extra water shares could potentially be problematic for the city. They knew when they  
47 made the decision to accept fee in lieu that some developers would have issues with that, but the city needed to  
48 do what was best for the city at that point in time. He has 9 tons of crack seal ready to go and will have more next  
49 year. Some small infiltrations were found in the sewer system, they will be filled. There were some large  
50 infiltrations that were found at manholes, they will also be fixed. D Giles asked about purchasing a crack sealer so  
51 the city wouldn't have to contract that out. R Stapley responded that he hasn't ruled out purchasing one of those  
52 machines, but he has found that one of those machines does take a lot of man power hours, which is something R  
53 Stapley is struggling with right now, so he is hesitant to purchase one of those machines. K Allen asked if any trucks  
54 have been sold. R Stapley responded that 4 out of the 8 trucks have sold, and recently there have been a lot of  
55 interest in trucks by employees and their family members.

1  
2 S Bankhead – Reminded everyone about the City Building Open House on Thursday from 4-7. She received a phone  
3 call from Dayton Crites and Tara received a phone call from a citizen asking if Providence City would provide a big  
4 black garbage can at the mouth of Providence Canyon. S Bankhead was concerned that if a black 90 gallon can was  
5 provided that it might get shot at, Dayton responded that if Providence put a dumpster up there that couches  
6 might get put in it. S Bankhead asked the Council if they would be interested in paying for a dumpster or large  
7 garbage can for the mouth of the canyon. Some members of the Council expressed worry about the black garbage  
8 cans getting shot at or knocked over easily and spilling garbage everywhere. J Baldwin asked about a heavy duty  
9 garbage can like the forest service uses. Someone from the audience recommended a large dumpster with a small  
10 opening. Dayton also asked about putting up signs to direct people to the trails, Providence City won't have to pay  
11 for them. S Bankhead had a meeting with some property owners on the east bench next to the deer fence, it was a  
12 positive meeting. There is a property owner that would welcome having a culinary water reservoir on their  
13 property. S Bankhead thinks that it could be a great place for a reservoir instead of property that has been  
14 dedicated by Stan Checketts. The pickleball courts won't be open until sometime in June because the weather is  
15 too unstable in Utah in April and May.

16  
17 **Council Reports:** Items presented by the City Council members will be presented as informational only; no formal  
18 action will be taken. The City Council may act on an item, if it arose subsequent to the posting of this agenda and  
19 the City Council determines that an emergency exists.

20  
21 J Drew reported on the flooding his yard.

22 R Sneddon remarked about the agreeability between the four men that were at the morning meeting.

23  
24 **Motion to close the City Council Meeting, made by K Allen, seconded by D Giles.**

25  
26 Vote:

27 Yea: K Allen, J Baldwin, J Drew, D Giles, R Sneddon

28 Nay: None

29 Excused: Mayor Calderwood

30  
31 Minutes prepared by K Soelberg.

32  
33 **Approved 06/08/2017**

34 Kirk Allen, Mayor Pro-Tem

Skarlet Bankhead, City Recorder