

1 **PROVIDENCE CITY COUNCIL MEETING AGENDA**
2 **August 14, 2018 6:00 PM**
3 **Providence City Office Building, 164 North Gateway Drive, Providence UT**

4
5 Opening Ceremony:

6 Call to Order: Mayor Drew
7 Roll Call of City Council Members: Mayor Drew
8 Kirk Allen, Kristina Eck, Brent Fresz, Dennis Giles, Roy Sneddon
9 Pledge of Allegiance: Mayor Drew
10 Opening Remarks – Prayer: Ralph Daniels

11
12 **Approval of the minutes**

13 **Item No. 1.** The Providence City Council will consider approval of the minutes of July 10, 2018.

14 The Providence City Council will consider approval of the minutes of July 10, 2018.

15 **Motion to approve the minutes for July 10, 2018 – K Allen, second – R Sneddon**

16 **Vote:**

17 **Yea: K Allen, K Eck, B Fresz, D Giles, R Sneddon**

18 **Nay: None**

19 **Corrections:**

- 20 • Page 1 line 32 enforcing
21 • Page 1 line 41 public funds will not be used for this project or they can choose to participate
22 • Page 3 line 2 estimated costs at
23 • Page 3 line 6 averages overages
24 • Page 3 line 50 timing trimming
25 • Page 4 line 22 that than
26 • Page 4 line 25 chart spreadsheet
27 • Page 4 line 27 table

28
29 **Item No. 2.** The Providence City Council will consider approval of the minutes of August 4, 2018.

30 The Providence City Council will consider approval of the minutes of August 4, 2018.

31 Mayor Drew commented on what a great conversation occurred during the meeting.

32 **Motion to approve the minutes for August 4, 2018 – B Fresz, second – D Giles**

33 **Vote:**

34 **Yea: K Allen, K Eck, B Fresz, D Giles, R Sneddon**

35 **Nay: None**

36 **Corrections:**

37 Page 1 line 19 renew renewal, emergency services
38 Page 2 line 40 tripping tipping point

39
40 **Public Comments:** Citizens may appear before the City Council to express their views on issues within the City's jurisdiction. Comments will be addressed to the Council. Remarks are limited to 3 minutes per person. The total time allotted to public comment is 15 minutes. The City Council may act on an item, if it arose subsequent to the posting of this agenda and the City Council determines that an emergency exists.

- 44 • No public comment received

45
46 **Public Hearing(s):**

47
48 **Item No. 1. Annexation (6:15) PM:** Prior to making a decision on granting the annexation petition filed by Greg Gittins, on behalf of Shirley A. Henderson Trust, the City Council is holding a public hearing. The purpose of the public hearing is to provide an opportunity for anyone interested to comment on the annexation of Parcel No. 02-004-0012 located in the general area of 400 East 500 North before action is taken. The City Council invites you to attend the hearing in order to offer your comments.

52 **Motion to open the public hearing – B Fresz, second – R Sneddon**

- No public comments received.

Item No. 2. Truth in Taxation Hearing (6:30 PM):

Motion to open the Truth in Taxation Hearing – B Fresz, second – K Allen

Providence City is proposing to increase its property tax revenue.

The Providence City tax on a \$288,666 residence would increase from \$191.00 to \$214.49, which is \$23.49 per year. The Providence City tax on a \$288,666 business would increase from \$347.27 to \$389.99, which is \$42.72 per year. If the proposed budget is approved, Providence City would increase its property tax budgeted revenue by 12.26% above last year's property tax budgeted revenue excluding new growth.

- Mayor Drew reviewed the rates being proposed by other communities in the County.
- Mayor Drew explained the City is proposing to hold the certified tax rate. As property values are reassessed, the taxes change.
- John Hubbard asked if this would go toward the increased fire contract. Mayor Drew explained the contract increase would occur during Fiscal Year 2020.
- Mayor Drew explained the components of the property tax bill and the percentage each entity received.
- S Bankhead explained the importance of not letting the sales and property tax get too off balanced. Keeping the margins consistent allows revenue for basic needs of the city.
- George Hill asked for an explanation of prior year funds. Mayor Drew explained this is money that was received in excess of expenses during previous fiscal years.
- Mayor Drew reviewed anticipated expenses. He explained much of the street budget is for contracted work.
- Craig Frank questioned sweeping the excess chips into the gutter. R Stapley explained the brooms are on the outside, pulling the chips from the gutter to the center and vacuums the excess.
- Cindy Montoya asked if the City paid money for the library.
- Mayor Drew explained the library on 15 North Main Street is a County library; but Providence City owns the building. Providence City pays the utilities. The County pays all operating expenses.

Motion to close the public hearing – B Fresz

Item No. 3. Budget Adjustments (6:45 PM):

Prior to approving adjustments to the Fiscal Year 2019 Budgets for all Funds (General, Capital Project, Water, Sewer, and Storm Water) the City Council is holding a public hearing. The purpose of the public hearing is to provide an opportunity for anyone interested to comment on the proposed budget adjustments before the City Council takes action. The City Council invites you to attend the hearing in order to offer your comments. All concerned citizens are invited to a public hearing on the tax increase.

Motion to open the public hearing for the budget adjustments – B Fresz, second – K Allen

- Mayor Drew explained the Baur Avenue Project is moving into this fiscal year budget.
- Correction – near the total expenses at the bottom of the page **\$41,065.44**

Motion to close the public hearing – B Fresz, second – K Eck

Business Items:

Item No. 1. Discussion: Rod Hammer, Cache County Fire Chief, will discuss fire services.

- Mayor Drew introduced Chief Hammer. He explained Chief Hammer has been working on all emergency call numbers and a proposal for a new fire station. Mayor Drew also explained Hyrum Fire has asked for full-time fire fighters from the County.
- Chief Hammer explained with the increase for this year, Providence is about \$10 per capita, the contract cities are averaging \$11.75 per capita for fire protection.
- If the City joined with the County, Nibley, and Millville, the City's portion of the O&M is approximately \$375,000. Chief Hammer estimated a station would be \$1.5 million, without the land. He felt the station would need 1 to 1.5 acres.
- Chief Hammer explained, at 7,000 population, the City is almost past the effectiveness of a volunteer department.

- 1 • K Allen felt it was harder to retain fire fighters in general.
- 2 • R Sneddon asked starting from zero, with the current population distribution, what would be the best
- 3 scenario. Chief Hammer felt call volume would also come into play. He felt a career countywide system
- 4 would work the best. He does not see a combination with Logan. The current fire district includes all
- 5 areas outside of Logan City.
- 6 • R Sneddon asked for the first step toward a countywide system, excluding Logan. Chief Hammer felt
- 7 supporting the daytime with career employees and continuing to cover the nights with volunteers would
- 8 probably work for the next 10 years.
- 9 • Mayor Drew explained, looking at call volume, the City has about 1/3 fire calls and 2/3 medical calls. Chief
- 10 Hammer agreed.
- 11 • Mayor Drew also expressed concern with the increasing number of mental health calls.
- 12 • Mayor Drew spoke to First Responders. He also explained the paramedics only come out of Logan. Chief
- 13 Hammer explained some businesses try, but cannot always support employees volunteering to respond to
- 14 emergency calls.
- 15 • Mayor Drew explained Nibley and Millville do not have the urgency to change that Providence does. If
- 16 there is a medical call, the ambulance comes from Hyrum, the first responders come from Nibley, and the
- 17 paramedics come from Logan.
- 18 • Chief Hammer explained CCEMS directs which entity sends the ambulance. In a joint effort with Nibley
- 19 and Millville, the County Fire District would provide fire and some first responders.
- 20 • B Fresz asked for a location for the fire station. Chief Hammer felt near the high school. The County is
- 21 willing to cover the cost of the fire station; Millville, Nibley, and Providence would cover the annual O&M.
- 22 • Chief Hammer explained if a contract were signed today, it would be a minimum of a year before we
- 23 could be operational; and require hiring three captains and six fire fighters.
- 24 • Chief Hammer reviewed the process to become a career fire fighter. The training for a volunteer
- 25 firefighter takes about 7 months/3 nights per week. It then takes another 4 months/3 nights per week to
- 26 train for the EMS/EMT Basic.
- 27 • Craig Frank asked if the County approached Hyrum about a station further to the north. Mayor Drew
- 28 explained the Hyrum City Council wanted to expand the existing station rather than establish an
- 29 additional station.
- 30 • Chief Hammer explained the next step is a countywide master plan.
- 31 • B Fresz asked how long Chief Hammer thought the master plan would take. Chief Hammer explained he
- 32 felt 6 months was optimistic.
- 33 • Mayor Drew reported during the August 28, city council meeting, former Logan City Fire Chief Mark
- 34 Meaker will address the council.

35
 36 **Item No.1. Appeal Authority Alternate – Resolution 024-2018:** The Providence City Council will consider for
 37 adoption a resolution appointing Fred Berthrong as an alternate to the Providence Appeal Authority.

- 38 • Mayor Drew reviewed F Berthrong’s bio. F Berthrong is a US Naval Academy graduate. He has a master’s
- 39 degree in nuclear engineering. He also served as the District Governor Rotary for the State of Utah.

40 **Motion to approve 024-2018 – K Eck, second – D Giles**

41 **Vote:**

42 **Yea: K Allen, K Eck, D Giles, R Sneddon, B Fresz**

43 **Nay: None**

44 **Abstained: None**

45 **Excused: None**

46

47 **Item No. 2. Certified Tax Rate – Resolution 025-2018:** The Providence City Council will consider for adoption a
 48 resolution approving the Certified Tax Rate.

49 **Motion to approve 025-2018 – K Eck, second – R Sneddon**

50 **Vote:**

51 **Yea: K Allen, K Eck, D Giles, R Sneddon, B Fresz**

52 **Nay: None**

53 **Abstained: None**

1 **Excused: None**
2 **Item No. 3. Fiscal Year 2019 Budget – Resolution 026-2018:** The Providence City Council will consider for adoption
3 a resolution adjusting the budgets for Fiscal Year 2019.

4 **Motion to approve 026-2018 – K Eck, second – B Frenz**

5 **Vote:**

6 **Yea: K Allen, K Eck, D Giles, R Sneddon, B Frenz**

7 **Nay: None**

8 **Abstained: None**

9 **Excused: None**

10

11 **Item No. 4. Development Agreement The Corner Subdivision – Resolution 027-2018:** The Providence City Council
12 will consider for adoption a resolution approving the Development and Public Improvement Installation
13 Agreement for The Corner Subdivision, a 2-lot commercial and multi-family subdivision located at approximately
14 485 West 100 South.

15 **Motion to approve 027-2018 – R Sneddon, second – D Giles**

16 **Vote:**

17 **Yea: K Allen, K Eck, D Giles, R Sneddon, B Frenz**

18 **Nay: None**

19 **Abstained: None**

20 **Excused: None**

21 Discussion prior to vote:

22 None

23

24 **Item No. 5. Development Agreement Providence Heights Phase 2 Subdivision – Resolution 028-2018:** The
25 Providence City Council will consider for adoption a resolution approving the Development and Public
26 Improvement Installation Agreement for Providence Heights Phase 2 Subdivision, a 17-lot single-family residential
27 subdivision located at approximately 400 East 1000 South.

28 **Motion to approve 028-2018 –R Sneddon, second – D Giles**

29 **Vote:**

30 **Yea: K Allen, K Eck, D Giles, R Sneddon, B Frenz**

31 **Nay: None**

32 **Abstained: None**

33 **Excused: None**

34 Discussion prior to vote.

35 M Nielsen explained the City did not have an ordinance in place for a secondary system.

36 K Eck asked about the flooding potential for Lots 24 and 25. M Nielsen explained the lots would be evaluated at
37 the time of the building permit.

38 K Allen asked if Lot 13 was restricted from accessing the alley. M Nielsen did not know.

39 M Nielsen did not know how many lots were reserved.

40

41 **Item No. 6. Annexation – Ordinance No. 2018-008:** The Providence City Council will consider for adoption an
42 ordinance granting a Petition for Annexation filed by Greg Gittins on behalf of Shirley A. Henderson Trust, annexing
43 Parcel No. 02-004-0012 located in the general area of 400 East 500 North containing 6.645 acres (+/-) and zoning
44 the property Single-Family Traditional (SFT).

45 **Motion to approve 2018-008 – K Eck, second – B Frenz**

46 **Vote:**

47 **Yea: K Allen, K Eck, D Giles, R Sneddon, B Frenz**

48 **Nay: None**

49 **Abstained: None**

50 **Excused: None**

51

- S Bankhead explained the proposed Single-Family Traditional (SFT) zoning. She explained the petitioner is
52 requesting SFT.

53

- K Allen asked about the Logan Pioneer Irrigation line.

54

1
2
3 **Item No. 7. Code Amendment – Ordinance No. 2018-007:** The Providence City Council will consider for adoption
4 an ordinance amending Providence City Code Title 8 Water & Sewer by adding Chapter 5 Secondary Irrigation
5 Water.

6 **Motion to continue - 2018-007 – B Frez, second – D Giles**

7 **Vote:**

8 **Yea: K Allen, K Eck, D Giles, R Sneddon, B Frez**

9 **Nay: None**

10 **Abstained: None**

11 **Excused: None**

12 Discussion prior to vote.

- 13 • Mayor Drew explained over the past several years discussions of a secondary water system have come up.
14 Much of this ordinance is patterned after Hyrum City’s ordinance. He also explained Hampshire Park has
15 pressurized pipelines in the ground, waiting for service. The City needs to have a utility in place. We have
16 also approached by developers to install systems, but the City did not have a code in place. This is a first
17 step. At some point in the near future, the City will need to have a feasibility study for a secondary
18 irrigation system.
- 19 • Tony Baer asked where the City would get the water and the money for a pressurized system. He felt this
20 should have been done 50 years ago.
- 21 • Mayor Drew explained the County now has the Cache Valley Water Conservancy District. He introduced
22 Jeannie Simmonds, Chairman of the Board of Directors, and Nathan Daug, Water District Manager.
- 23 • N Daus explained it is his goal to work with all residents of the county to make sure their water rights are
24 protected for their primary interest. He felt every city should adopt a similar ordinance. If a developer
25 wants to put a system in the City needs a mechanism to allow it. He explained many cities hold shares in
26 irrigation companies that can be used in a secondary irrigation system.
- 27 • Sharell Eames felt the big problem is where the City will get the water. She stated, “I will fight till my
28 dying day before I let you take over my water company.”
- 29 • Mayor Drew explained there is nothing in the ordinance stating the city will “take over” the water
30 company.
- 31 • S Bankhead explained the need for the mechanism to allow the Hampshire Park area to use the secondary
32 system that was installed about 10 years ago.
- 33 • K Allen explained this ordinance is a plan for the future not land or water grabbing.
- 34 • Mayor Drew explained there have been developers who have wanted to put in secondary systems but
35 cannot because there is no ordinance to govern it. If this ordinance passes, the city will be able to say yes
36 to the developers who want to put in secondary systems.
- 37 • Harvey Mohr asked why the City is passing an ordinance until we have the study.
- 38 • Mayor Drew explained this ordinance does not obligate anyone to be on the city system. However, the
39 law does require an ordinance to govern the utilities that are offered.
- 40 • John Hubbard explained the exchanges. He also explained the open ditches also accept the storm water.
- 41 • R Daniels explained he supported a secondary system, but did not think the ordinance was correct.
- 42 • K Eck suggested adding the following wording to page 8 line 35: **connection to the system where the**
43 **system is available.**
- 44 • Jeannie Simmonds asked if indeed the ordinance is to create the potential for a secondary system in new
45 subdivisions, she feels it is a bit premature to have a citywide ordinance for 12 homes.
- 46 • R Sneddon explained you build a quilt one patch at time. We need a systematic description of the patch.
- 47 • Laura Fisher felt the proposal was poorly worded. She felt it is a threat to the shareholders in the Spring
48 Creek Water Company that the City has so many shares. She felt the City’s best interest could be in
49 conflict with the Water Company’s interest. She felt the irrigation flow had diminished. She thought the
50 City had obligated funds to help improve water capture in the Canyon. She felt the proposed ordinance
51 confuses the private property rights.
- 52 • Mayor Drew explained he and Mayor Calderwood took a trip up the canyon. Mayor Calderwood said he
53 had extended the offer to assist the irrigation company with funding to improve flow rates. The same

1 offer is on the table.

- 2 • Mary Hubbard agreed the ordinance should be rewritten. She asked where water for developments in
- 3 areas where there are no shares would come from.
- 4 • C Frank felt we should be requiring new development to install the piping.
- 5 • T Baer felt many developers would be glad to put it in because the cost would be more later on.
- 6 • K Eck asked what the feasibility study would cost. S Bankhead explained she thought it would cost
- 7 roughly about \$75,000.
- 8 • Mayor Drew explained there is federal grant money for studies and for piping of new secondary systems.
- 9 • R Stapley explained the intent. He felt the ordinance does need different wording so everyone can
- 10 understand and be on board with it.
- 11 • B Fresz explained the intent is to be flexible enough to allow additional systems in the future. He feels this
- 12 is the beginning step to get a system in place that makes sense and is effective.
- 13 • C Woolley felt that those that are vehemently opposed also recognize the need for secondary water. He
- 14 explained on page 9 it states twice it is not required to connect.
- 15 • K Eck appreciated R Stapley's comments. She explained we are trying to do it correct. She felt many things
- 16 were being blown out of proportion.
- 17 • K Allen explained he marked his copy up. B Fresz felt there needed to be a balance between common
- 18 sense and legalese.
- 19 • K Eck felt this ordinance got bigger since April.
- 20 • Mayor Drew requested the Council Members' suggestions to the proposed ordinance be returned to staff
- 21 by August 23.

22
23 **Staff Reports:** Items presented by Providence City Staff will be presented as information only.

- 24 • R Stapley reported it was a very unfortunate situation with Jay's Well. Some warranty issues will be
- 25 discussed. Mayor Drew explained a point R Stapley made about using a motor that had set on a shelf. R
- 26 Stapley reported there were no Rocky Mountain Power issues whatsoever. R Stapley has asked Rocky
- 27 Mountain Power to monitor the voltage for potential problems.
- 28 • B Fresz asked about the fluctuation in the weir during the City's additional use. R Stapley explained R
- 29 Daniels reported the weir went from 4.5 to 3 during the early Sunday morning use. R Stapley adjusted the
- 30 water to deliver 3.5 to the weir.
- 31 • Mayor Drew explained we would also be replacing the pump. The new pump is here, waiting on the
- 32 motor.
- 33 • Baur Avenue is moving along very well. Mayor Drew explained one of the problems is irrigation users
- 34 allowing their water to run into the trenches. R Stapley explained we need support from the irrigation
- 35 companies to enforcing the water wasting code.
- 36 • George Hill explained the contractor put water in a ditch that was no longer in service.
- 37 • R Stapley explained the pipes are cleaned with chlorine, then flushed with water. Samples are taken to
- 38 Bear River Health Department to ensure the water is drinkable.
- 39 • K Eck asked if anyone had heard from Eric Dursteller on the Hillcrest Park. The City has not heard from
- 40 him. K Eck will contact E Dursteller.
- 41 • The fog sealing will start this weekend in the Gateway Drive/100 North area. The southeast bench area
- 42 will be fog sealed the first week of September. The striping will also come in two different ways because
- 43 of the busy time of year.
- 44 • K Eck asked about the road in Little Baldy. R Stapley reported the contractor has made repairs.
- 45 • R Stapley reported there are 25 bottles delivered to the same homes every three years to sample the
- 46 water within the home. All 25 homes have to take the samples at specific times.
- 47 • R Stapley felt 1000 South should be swept next week. B Fresz requested sweeping before school starts.
- 48 • S Bankhead explained city staff are working on the city cemetery expansion.
- 49 • S Bankhead explained S Phippen is revising the fee schedule for services provided by the city.

50
51 **Council Reports:** Items presented by the City Council members will be presented as informational only; no formal

52 action will be taken. The City Council may act on an item, if it arose subsequent to the posting of this agenda and

53 the City Council determines that an emergency exists.

- Mayor Drew reported he is working on the job description for fire/code inspector. He would like to fill the position by the end of the year.
- Mayor Drew reported he is finishing the budget report.
- Sharell Eames explained the shareholders feel the City would like to take over the Water Company. She felt the City shares on the Bullock lateral could have been used for a secondary system. She reported the Water Board made the Bullock and Edgewood the same lateral.

Executive Session Notice:

The Providence City Council may enter into a closed session to discuss pending or reasonably imminent litigation as allowed by Utah Code 52-4-205(1)(c).

The Providence City Council may enter into a closed session to discuss professional competence or other factors allowed by Utah Code 52-4-205(1)(a).

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).

Motion to enter executive session – K Eck, second – B Fresz

- The Council entered the closed meeting at approximately 9:45 p.m and returned to open meeting approximately 10:30.

Motion to adjourn – K Eck, second – B Fresz

Vote:

Yea: K Allen, K Eck, D Giles, R Sneddon, B Fresz

Nay: None

Abstained: None

Excused: None

Meeting adjourned approximately 10:30 PM

Minutes prepared by Mindi Petersen

Minutes Approved 08/28/2018

John Drew, Mayor

Skarlet Bankhead, City Recorder