

1 **PROVIDENCE CITY COUNCIL MEETING**
2 **October 9, 2018 6:00 PM**
3 **Providence City Office Building, 164 North Gateway Drive, Providence UT**

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5 Opening Ceremony:
6 Call to Order: Mayor Drew
7 Roll Call of City Council Members: Mayor Drew
8 Pledge of Allegiance: Mayor Drew
9 Opening Remarks – Prayer: K Eck

10
11 **Approval of the minutes**

12 **Item No. 1.** The Providence City Council will consider approval of the minutes of September 25, 2018.

13 **Motion to approve the minutes for September 25, 2018 – B Fresz, second – R Sneddon**

14 **Vote:**

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

16 **Nay: None**

17 **Excused: K Allen**

18 **Corrections:**

- 19
 - Page 3 line 22 Some of the benefits are
 - Page 3 line 23 ADU can be
 - Page 3 line 48 watching video flows in the sewer connections at the location in question
 - Page 4 line 8 30%
 - Page 4 line 9 new bullet point He suggested

24 K Allen arrived after the minutes were approved.

25
26 **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.

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 - Cindi Montoya, Providence, explained she has lived in areas where the value of homes going up is viewed as a good thing. She thought it strange people are concerned about the increase in housing costs. She stated she is opposed to townhomes. She has collected 150 signatures from residents who are against townhomes. She stated she knew that Council Member Eck's husband works for Ridgeview Park LLC. She asked K Eck to recuse herself from voting.
 - David Stott, Providence people living around him are very against townhomes on the Chugg property. Homeowners in the area did not anticipate that multifamily homes could happen. Multi-family will increase traffic, bring in transients, and lessen home values. He felt townhomes should be on a highway that is set up to handle traffic. He felt traffic patterns change, noise, and nuisances.
 - Mimi Recker, Providence felt the zoning was not consistent with the established area. She felt the high-density zoning would put a traffic burden that the City does not have the infrastructure to handle.

41
42 **Business Items:**

43 **Item No. 1. Discussion – Utah Housing Gap Coalition:** Brynn Mortensen from the Salt Lake Chamber will discuss the Housing GAP Coalition.

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 - Mayor Drew introduced the discussion. He explained the concern the state legislature has on housing. He also discussed the State Legislature is requiring all cities to have a Moderate Income Housing Plan. It obligates every city to have affordable housing.
 - Brynn Mortensen reviewed the power point presentation. An average first year teacher can only afford 1% of the housing market, after 10 years teaching only 16%. Seventy percent of Utah's growing population is internal and the housing stock is not keeping up; there are four new households to every three units built.
 - The Housing Gap Coalition is made up of local government elected officials. Steve Starts and Clint Bets chair the Coalition.

- 1 • The Coalition works with the Ken Garff Foundation’s Build to Success program. They are working with the
2 Utah League of Cities and Towns for a general public awareness campaign. The focus is planning
3 communities for future generations while maintaining the current quality of life.
- 4 • By the year 2044 at the current rate of price increases, Utah housing prices could be equivalent to today’s
5 San Francisco Prices.
- 6 • B Mortensen explained they are asking communities to do a general plan overview, including the
7 Moderate Income Housing Plan. They are also asking communities to review zoning and fees. This is not a
8 one size fits all. Providence needs to develop its own plan.
- 9 • Mayor Drew read from the Moderate Income Housing requirements. He explained this is not optional. B
10 Mortensen explained it is required that the city report its progress every two years.
- 11 • Mayor Drew read from Utah Code 10-9a-102 *“The purposes of this chapter are to provide for the health,
12 safety, and welfare, and promote the prosperity, improve the morals, peace and good order, comfort,
13 convenience, and aesthetics of each municipality and its present and future inhabitants and businesses.”*
- 14 • Mayor Drew introduced Val Potter, State Representative District 3. Representative Potter is a former
15 member of the Cache County Council and former North Logan City Mayor and City Council member.
- 16 • Rep Potter spoke to the Commission on Housing Affordability. Law through the state legislature created
17 this Commission. He explained he realizes the toughest decisions happen at the local government level.
18 This is not the commission on affordable housing. This is a commission on housing affordability. Housing
19 affordability is a problem throughout the United States. The Commission has opened a bill file at the state
20 legislature with the intent to put forth opportunities and incentives for counties and communities to allow
21 for affordable housing in the community.
- 22 • Steve Simmons did not feel the Commission had considered local regulation of building permit fees. He
23 explained it is estimated these fees may be as high as 25% of the cost of the home. He asked if the figures
24 were adjusted for inflation. B Mortensen explained the figures have been adjusted for inflation.
- 25 • S Simmons explained he has an apartment in his home. He felt he was doing his part to help with housing.
- 26 • S Simmons also expressed concern with the City’s plans for 700 South. He did not feel a 20-foot asphalt
27 path on a road was adequate. He felt the full road should be built to the full width. Mayor Drew
28 responded by explaining there are many roads in the city that are 24-ft of asphalt. He felt land and
29 construction costs are contribute to the cost increases.
- 30 • Rep Potter explained the fees are being addressed by the Commission. This is not a one and done
31 commission; their intention is to go on for years. Most of the 104 legislators have never served at the
32 local government level. He explained there are cities, like Providence, that are working toward solutions;
33 others seem to be building walls against the legislature’s actions.
- 34 • Sharell Eames asked about the Habitat for Humanity and Neighborhood Housing programs. The
35 homeowners jointly build these homes. Rep Potter knows the people and the programs. He felt it was a
36 great program. Most of the funding is federal with some state funding.
- 37 • K Eck explained that in speaking with Neighborhood Nonprofit, the land in Providence is too expensive for
38 their projects to work.
- 39 • Mary Hubbard did not feel property owners should have to sell property for less than its worth. K Eck and
40 Rep Potter explained that is not what is being said. Mayor Drew explained the math says in order to build
41 affordable homes, based on the land value, it is a townhome rather than a traditional single-family home.
42 Rep Potter agreed and explained there are many that want small houses.
- 43 • Karina Brown expressed appreciation to the Mayor for inviting Rep Potter and B Mortensen to speak, and
44 the Council for addressing options for housing.
- 45 • Rep Potter felt the traditional “do it my way (one-acre lots with large homes)” attitude is changing. Not
46 everyone wants a home with a yard.
- 47 • S Simmons asked about specific data for Cache County. Rep Potter reported they have the numbers, just
48 not with him tonight.
- 49 • Mayor Drew explained the Space Dynamics Lab could not hire engineers because the applicants cannot
50 afford to live here. K Eck explained the availability of homes is not here.
- 51 • B Cox felt some cities were exploring unattractive solutions.
- 52 • C Montoya announced her son, that recently graduated, was able to afford a home in Logan; sold it a
53 purchased a home in Smithfield. K Eck explained the housing change has happened in the last two years;

1 home prices have skyrocketed.

- 2 • Mayor Drew explained the neighborhood that C Montoya lives in was, at one time, starter homes. Their
- 3 value is no longer affordable.
- 4 • R Cecil reported he has 30 children, grandchildren that are looking for homes. He did not feel townhomes
- 5 negatively affected the value of single-family homes. He explained townhomes have been built in many
- 6 areas and the single-family homes are still increasing significantly.
- 7 • Rep Potter explained another factor in the rising home costs; the construction workforce is diminishing. It
- 8 is difficult for contractors to recruit and keep employees.
- 9 • D Giles reported in Hyrum there were 23 foundations, 10 in Smithfield, Richmond 10 and no one working
- 10 on them.
- 11 • V Holmgren asked how the City could ensure that the townhomes will be done “right”. She has seen nice
- 12 townhomes. She expressed concern that if there is a construction workers shortage, the homes would be
- 13 built correctly.
- 14 • Mayor Drew explained the City has worked on design standard ordinances and the life cycle ordinances to
- 15 help ensure quality.
- 16 • B Mortensen explained density, townhomes, smaller lots are all needed. There is no “silver bullet”. The
- 17 Coalition and Commission are working on many issues.
- 18 • Mayor Drew explained the City would keep people informed.
- 19 • Rep Potter thanked the Mayor and Council for being open minded.
- 20

21 **Item No. 2. Resolution 012-2018:** The Providence City Council will consider for adoption a resolution approving an

22 annexation agreement (Agreement) by and between Providence City (City) and Ridgeview Park LLC (Owner) for

23 Parcel No. 002-004-0003, an 18.79 acre (+/-) parcel (Property), located in the general area of 517 North 300 East.

24 The Owner and the City are sometimes referred to herein collectively as the “Parties.”

- 25 • K Eck reported her husband does work for Mt. Sterling Management Services. She explained she has
- 26 been asked many times to recuse her vote and feels it would be the easy thing to do, but not the
- 27 responsible thing to do. Her husband will not earn any more or less in regards to a vote on this issue.

28 **Motion to approve 012-2018 – B Fresz, second – K Allen**

29 **Vote:**

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

31 **Nay: None**

32 **Abstained: None**

33 **Excused: None**

34 Discussion prior to vote:

- 35 • R Sneddon felt the council voted with the present and the future in mind.
- 36 • K Allen did not feel any of the council members take their decisions lightly. They study and try to make
- 37 decisions that will benefit the City today and in the future. He explained the best way to help the
- 38 development is to hold the developers to the codes. He felt the City had done its work.
- 39 • B Fresz asked when the development to the west of this property went in. S Bankhead thought the
- 40 Brookside Development started around 2001. She also explained the people who lived in that area while it
- 41 was being developed had very similar reactions and opinions as you hear today.
- 42 • K Eck asked what the Planning Commission’s advice is towards the ordinance. S Bankhead explained the
- 43 Planning Commission approved the Life Cycle Zone ordinance. They are still working on the future-zoning
- 44 map; their recommendation at this point is the Life Cycle Residential zone be considered wherever there
- 45 are single-family zones.
- 46 • B Fresz asked what percentage of the city is single family traditional. S Bankhead stated definitely more
- 47 than 80%.
- 48 • S Bankhead briefly discussed the agreement stipulation on page 3 item 8. Its puts certain stipulations on
- 49 the city and the developer. The developer agrees to pay 75% of the cost for labor and materials for the
- 50 construction of that part of Spring Creek Parkway Crossing to the end of the property.
- 51 • D Giles explained townhomes are always an issue. He is watching Smithfield consider the same issues.
- 52 • R Sneddon felt the extension of Spring Creek Parkway was essential for the development to the east.

- Mayor Drew announced as we sit here tonight the County Council has just awarded \$200,000 [from COG Grant] to complete the west Spring Creek Crossing.
- Rebecca Winstead lives next door to the crossing and is very excited it is going through. They built their fence to accommodate the crossing.
- M Hubbard expressed concern with the portion in the agreement that has strike-through. A “clean” copy of the approved agreement will be presented for signature.
- S Eames asked about the feasibility study. B Fresz read Item 6 on the agreement that discusses basements on the property. R Sneddon explained given enough money, the developer could make it work.

Item No. 3. Ordinance No. 2018-003: The Providence City Council will consider for adoption an ordinance granting a petition for annexation and annexing the property described in the ~~petition~~-parcel located adjacent to the north boundary of Providence City in the general area of 517 North 300 East; Parcel No. 02-004-0003 and a portion of 300 East (1000 East – Cache County); containing 18.79 acres (+/-); and assigning the property the Life Cycle Residential (LCR) land use zone.

Motion to approve 2018-003 – R Sneddon, second – B Fresz

Vote:

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

Nay: D Giles

Abstained: None

Excused: None

Discussion prior to vote:

None

Item No. 4. Discussion: The Providence City Council will discuss accessory dwelling units.

- Mayor Drew suggested the council discuss the items they do not agree on. He will draft an ordinance based on the decisions.
- S Bankhead explained conditional use. The conditional use permit mitigates the negative affects the use may bring. She explained if the ordinance is written where the negative impacts are considered there would be no need for a conditional use permit.
- S Bankhead explained conditional use permits run with the land even if the lands business changes ownerships. Conditional uses are not dependent upon who owns the property and can continue with the new owner as long as the conditions continue to be met. She feels a strong ordinance with what the city will permit is much better than a conditional use permit. A daycare center or a salon would be the exception because of varying factors within the neighborhoods.
- M Hubbard felt off-street parking was needed; lawns cannot be paved over for parking. She did not feel ADUs were necessarily bad things, but must be planned for. She did not feel home businesses should be allowed in an ADU. She views ADU as a rental whether it is providing an income or not. She felt the total building size should be a percentage as discussed. The City should only allow one per lot and not allow the units to be sold separately. No new second story ADUs. She felt serious consideration should be given to the neighbor’s privacy.
- K Allen explained the City does not want “watchtowers”. R Sneddon explained there were already neighborhoods where homes look into the neighbors’ homes.
- M Hubbard felt the illegal ADUs should be brought up to code. She felt ADUs could be problematic. K Eck felt the new subdivisions would utilize casitas. M Hubbard felt it important to have good design standards.
- V Holmgren asked if the ADU occupants needed to be related to the owner. She felt parking was critical when the ADU occupant was not a family member.

Item No. 5. The Providence City Council will discuss amendments to the impact fee enactment for roadway facilities, adopting a Transportation Impact Fee Facilities Plan, and adjusting the impact fee for roadway facilities.

- Mayor Drew explained because the City received \$200,000 in grant money toward one of the impact fee facility roads, the proposed impact fees have to be adjusted.
- R Stapley suggested improvements to 100 East south of Center Street and the dug way roads.

- B Fresz asked what the current transportation impact fee was. S Bankhead stated the current fee was \$500.00.
- S Bankhead explained the importance of choosing projects that can be completed within the allotted time of 6 years once the fees are received.
- B Fresz suggested reviewing the Impact Fee Facility Plan. S Bankhead explained the plan has to focus on the priorities. The General Transportation Plan can be a bit broader that can focus on roads throughout the city. B Fresz felt these overlap each other. One highlights areas of concern and the other highlights projects that are coming up.

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

R Stapley, Public Works Director:

- The Street Department is getting ready for winter road maintenance. They will also be working on ride ability areas.
- The Baur Avenue project is moving along and should be completed soon.
- The contractor completed the fence around Broad Hollow Spring.
- The staff is working on the ice problem that occurs at the public works facility.
- The Parks Department is winterizing the parks and will be starting on leaf pick-up in the near future.
- K Allen suggested turning off the outdoor sprinkling system the City Office Building. He also complimented the sign west of the building.
- K Eck asked for an update on the Hillcrest grading bids. R Stapley explained the mandatory pre-bid meeting was today. Seven contractors attended. The City extended the bid deadline to next Thursday. The bid opening will be Thursday, October 18, 2018 @ 5:00 pm.
- K Eck explained two trash trees are growing in the park strip on the south side of Cove Street.
- K Allen reported the delineator post by the irrigation box in the area of 545 East Canyon Road is down.

S Bankhead, Administrative Services Director:

- S Bankhead reported on the expenditures for the month of September 2018.
- Development is still very busy. Two new concepts have come in. One has six homes and the other has 14.
- The County received protests against the Josh Barnett annexation. It is going through the Boundary Commission.
- The Planning Commission will review the Providence Hollow Subdivision Phase 3 final plat at their next meeting.
- Stricter ordinances are going through the public hearing process with the Planning Commission.
- The City Celebration was successful. There were about 94 cars in the car show. Thanks were given to all that participated.
- Business licenses expire in December. Renewal will start November 1.
- Dog licenses expire in December. Renewal will start December 1.
- Roy Hansen addressed pouring concrete during the cold temperatures. He felt there should be laws governing the cold pours. Cold weakens the strength of the concrete. D Giles explained it is very difficult to enforce. D Giles explained concrete would stay warm for about a day and a half. Contractors can use thermal blankets to keep the concrete warm.

Council Reports: Items presented by the City Council members will be presented as informational only; no formal action will be taken. 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.

- No additional council reports
- Mayor Drew reviewed the justice court financial data for the past 6 years. He explained there are a least three communities considering de-certifying the justice court.
- Mayor Drew reported he is still talking with Chief Hannig. Providence is about 6% of the total call volume, but Chief Hannig wants to base the rate on population. The County Council was considering hiring four firefighters, two for Hyrum and two for North Logan.
- Mayor Drew discussed the contract with the Sheriff's Office. He would like to consider increasing the

1 contract an additional 500 hours. This would add an additional \$25,000. K Eck felt the money would be
2 better spent on the electronic speed signs. Mayor Drew explained there is money in the budget for an
3 additional two signs. The signs are most effective when we have a deputy focus on the area. B Fresz
4 would rather get additional signs. Mayor Drew explained the signs work in two modes, active and stealth.
5 B Fresz felt an additional four signs would assist in traffic analysis. R Stapley does not have a line item in
6 the budget to accommodate additional signs. R Stapley explained the person-hours to move the signs
7 need to be considered. K Allen suggested having engineering students from USU work on a study.

- 8 • Mayor Drew reported the Duct Hunter recently cleaned the vents in the City Office Building. The next
9 project will be an air-balance review. The air-balance review can then be given to a HVAC contractor.
- 10 • Mayor Drew reported the executive staff has started discussion on the secondary water ordinance. He has
11 also reached out to Brent Speth to work on converting the City's Spring Creek Water Company water
12 shares to municipal use during the summer months.
- 13 • Mayor Drew reported he spoke with Curt Webb about the history of Zollinger Park. Mayor Drew
14 suggested a workshop on park development. C Webb was also instrumental in creating Ryan's Place Park
15 in River Height's City. Mayor Drew felt this meeting should be separate from the regular council meeting.

16
17 **Executive Session Notice:**

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

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

22 The Providence City Council may enter into a closed session to discuss land acquisition or the sale of real property
23 Utah Code 52-4-205(1) (d) and (e).

- 24 • No executive session held.

25 **Motion to adjourn – B Fresz, second – D Giles**

26 **Vote:**

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

28 **Nay: None**

29 **Abstained: None**

30 **Excused: None**

31 Meeting adjourned approximately 9:14 PM

32 Minutes prepared by Mindi Petersen
33
34

35 **APPROVED 10/23/18**

36
37 _____
38 John Drew, Mayor

37 _____
38 Skarlet Bankhead, City Recorder