

1 **PROVIDENCE CITY COUNCIL MEETING MINUTES**  
2 **June 25, 2019 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: Kirk Allen, Kristina Eck, Brent Fresz, Dennis Giles, Roy Sneddon
- 8 Pledge of Allegiance: Mayor Drew
- 9 Opening Remarks – Prayer: None

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11 **Note:** Due to the potential length of the meeting, the council changed the order of agenda items as they felt  
12 prudent.

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

18  
19 Jamie Andrus, President and CEO of Cache Chamber of Commerce, spoke about RDAs.

- 20 • J Andrus said that as well as being the president of the Chamber of Commerce, she is also in charge of  
21 economic development for Cache County. The chamber has formed an economic development alliance. It  
22 is open to any interested party that would like to take part, both public and private. It was started in  
23 September 2017. The alliance meets monthly on the fourth Thursday of the month at Bridgerland  
24 Technical College. One thing that the alliance did was raise funds to promote Cache Valley. It was called  
25 Logan on the Edge. The alliance also worked with a consulting group to formalize an Economic  
26 Development Strategic Plan. The alliance will soon formalize an economic development entity under the  
27 auspices of the Chamber of Commerce. It is important for this to be a public/private partnership. This was  
28 prompted by the governor's visit in which he asked about Cache County's strategic plan.
- 29 • The chamber has applied for funding from the Business Expansion and Retention program. The chamber is  
30 currently focusing on expanding and retaining the businesses that are already here rather than attracting  
31 new business. J Andrus has spoken with Mayor Drew about creating a Redevelopment Agency in  
32 Providence City so that there can be tax increment financing for development. She feels that this is a win  
33 for everyone. She said that she is here to help.
- 34 • B Fresz asked if the county has a Redevelopment Agency. J Andrus said that the county does not, but  
35 there are some local cities that do.

36 **Staff Reports:** Items presented by Providence City Staff (including but not limited to: City Engineer, City Attorney,  
37 Public Works Director, and Administrative Services Director) will be presented as information only.

- 38 • Mayor Drew explained that the council decided to try having staff reports at the beginning of the meeting  
39 so that staff members can go home earlier.

40 Max Pierce, City Engineer:

- 41 • M Pierce reported on projects they have been working on in the past few weeks. They have made  
42 changes to the sewer and water maps. The Class C road map has been updated. The zoning map is  
43 complete. The updates to the standard drawings are not done yet. M Pierce needs to meet with R Stapley  
44 about them. There will be quite a bit of homework still to do on that. The 40 year water plan is on the  
45 agenda tonight. We are ready to start the Transportation Master Plan. Scott Shea, the transportation  
46 engineer with CRS, needs traffic counts from R Stapley for the plan. He also needs input from the CMPO.
- 47 • For the spring creek west crossing, we are waiting on the title company and the appraiser so that we can  
48 secure the slope easements. Once we get the easements, we can put it out to bid.
- 49 • For the zone 2 tank, we are waiting on the easements. We need to make a restoration agreement about  
50 how we would restore the Stevenson's property after we put in the water line.
- 51 • For the zone 1 tank, we need to draft the record of survey. Then we will make the purchase agreement to  
52 purchase the property.

- 53 • For the 500 south water line, the pre-bid meeting is this Thursday, and July 9<sup>th</sup> will be the bid opening.
- 54 • For the 300 East storm drain pipe, we are waiting to hear back from Rocky Mountain Power.
- 55 • For the Providence Cemetery Expansion, we did a bid opening today. It is on the agenda tonight.
- 56 • For the Southwest sewer master plan, we are waiting on the development agency for funding.
- 57 • For the storm water master plan, M Pierce said that we are waiting for council approval.
- 58 • B Fresz asked if the traffic counts for the transportation master plan will come from the radar signs. M
- 59 Pierce said that they will, but we will need to use video on some intersections as well.

60 R Stapley, Public Works Director

- 61 • R Stapley has been working with the county and Holbrook asphalt to get scheduling done for crack
- 62 sealing, joint sealing, HA5, and chip and seal projects. The weather has caused some scheduling
- 63 difficulties. There is some maintenance that we need to do before the county or Holbrook does their part,
- 64 and if we can't get to those areas before they mobilize, we may have to push those streets back another
- 65 year. We may have to downsize our to do list a bit. R Stapley said that the best time to put HA5 on new
- 66 asphalt is within a week after the roads are laid. We have some new subdivisions that are ready for it.
- 67 Holbrook has agreed to try to get there as soon as possible after the asphalt is laid.
- 68 • R Stapley said that there are many roads that are candidates for crack seal and joint seal. We will do as
- 69 much as we have budget for.
- 70 • The streets job has been posted. We had one interview, and there are a few more coming up. We are
- 71 hoping for more applicants.
- 72 • R Stapely said that the Vactor truck is nearly ready. It still needs to be tested.
- 73 • Twin D has been doing sewer cleaning all over town. They have found quite a few minor infiltrations, and
- 74 a few significant ones. We will hire another company to do the repairs. We haven't found any sump
- 75 pumps yet.
- 76 • Hillcrest Park: The irrigation plan from Circle B irrigation needs to be tweaked to accommodate the future
- 77 amenities. Legrand Johnson construction came in and fine-tuned the grading. Cadillac Concrete started
- 78 the sidewalk today. We need to get the plans fine-tuned so we can get the park out to bid for the
- 79 landscaping. We will probably see grass in a few months.
- 80 • Mayor Drew asked if we will do sod or hydroseed. R Stapley said that because of the steep slopes and
- 81 time of year, we will probably do sod.
- 82 • Meadow Ridge Park is finished. The park strip looks great.

83 S Bankhead, Administrative Services Director

- 84 • We are getting ready to put the contract out for the installation of the softball lights. We are hoping for a
- 85 better bid than we got last year. We didn't get as much RAPZ money as we wanted to for this project, but
- 86 we are hoping that we have enough when we include previous years' money. We have about \$75,000
- 87 budgeted for this project.
- 88 • We are also looking into prices for upgrading the Zollinger Park playground. It may cost around \$45,000.
- 89 • We received \$70,000 in RAPZ money for new pickleball courts. S Bankhead said that she will look into
- 90 whether we can do the project in phases in the hope of getting the balance of the funding next year.
- 91 • Registration has begun for kickball which will start in August. Flag football registration will be opening in
- 92 late August. Baseball and softball seasons are winding down. Our all-star teams are getting ready to play
- 93 in their tournaments.
- 94 • We are doing a program called TAP with the Utah Local Governments Trust. Jason Watterson will come
- 95 speak to us on July 9<sup>th</sup>. We qualified for the TAP award during 2019. It gives us credit towards our
- 96 workman's comp and gives us a small refund.
- 97 • We have started a safety incentive program in conjunction with TAP. We are divided into teams, and we
- 98 keep track of accidents, near misses, etc. We are doing well as far as insurance claims. We want to make
- 99 sure that accidents are reported, however. If accidents are not reported, it is a disciplinary action. We had
- 100 our first luncheon as a part of the program and invited the crossing guards.
- 101 • Staff changes: Diane Campbell is in charge of land use, and is also taking over HR duties. This will free up
- 102 Tara Bankhead's time for public works issues.

- 103 • Executive staff is scrutinizing setback ordinances. It is an ongoing challenge. We are trying to make the
- 104 ordinance as user friendly as possible, while still protecting the setbacks.
- 105 • We are also going to start working on the accessory apartment ordinance.
- 106 • The Vineyard subdivision is ongoing. Their final plat will go to Planning Commission tomorrow night. We
- 107 are working on the timing of the bridge and the construction plans.
- 108 • Danny McFarlane has petitioned to divide his commercial subdivision that is on the southwest corner of
- 109 the roundabout on 100 South.
- 110 • Champlain Annexation: Notice has been published, and we are waiting for the protest period to expire. If
- 111 we don't receive any protests, it will come before the council in July. The planning commission is holding a
- 112 public hearing tomorrow in regards to the request of the applicants to zone that parcel Single Family High.
- 113 • Sunrise Acres 3 amended plat was approved by the planning commission in the last meeting.
- 114 • We have a few job openings. We are looking for another office staff.
- 115

116 **Approval of the minutes**

117 **Item No. 1.** The Providence City Council will consider approval of the minutes of June 11, 2019

118 **Motion to approve the minutes of June 11, 2019: — B Fresz, second — R Sneddon**

119 **Vote:**

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

121 **Nay:**

122 **Excused:**

123 **Corrections:**

124 Line 468: West end

125 Line 70: Shares ~~shareholders~~

126 Line 156: quit claim

127 Line 395: considering

128 Line 434, 435: building and land (not just land)

129 Line 489: Reinvestment Agency

130 Line 597: Jim Wood has not found any studies in other states

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132 **Business Items(s):**

133 **Item No. 1. Cache Valley Transit District (CVTD) Report.** Jeff Turley, Providence City's representative on the CVTD

134 Board, will give a report.

135 J Turley gave a PowerPoint presentation on new developments and future plans for Cache Valley Transit District.

- 136 • Property values increase when public transit is available.
- 137 • The majority of Cache Valley registered voters want expanded bus service.
- 138 • The county is growing, and the service will need to increase.
- 139 • CVTD provides access to employment and education for some in the community who would otherwise be
- 140 unable to access it. It also helps many who would otherwise be unable to afford the cost of housing
- 141 [because they can take the bus instead of paying for a vehicle].
- 142 • CVTD is an especially important lifeline for seniors and the disabled. 27% of disabled riders are dependent
- 143 on CVTD as their sole source of transportation.
- 144 • Cache Valley was the first county in Utah to meet the EPA Clean Air Determination in 12 years. CVTD plays
- 145 a part in keeping the air clean.
- 146 • CVTD is safe for children to ride. Some children ride it to school.
- 147 • CVTD is doing a media campaign with the theme of connecting people and communities. They are
- 148 promoting their website and a ride planning mobile app.
- 149 • Tomorrow there will be a board meeting where the general manager will present some improvements.
- 150 One of them is the Call-A-Ride service. It is now accessible for any eligible person with a disability within
- 151 the entire city boundaries.
- 152 • The general manager will also propose to increase the service hours for the buses. This includes the route
- 153 that goes from Providence to Hyrum.

- 154 • CVTD is also considering getting involved with the BRAG (Bear River Association of Governments) Lifeline  
155 Voucher program. This program helps give rides to people who need to get to doctors, grocery stores, etc.
- 156 • CVTD would also like to help with events by shuttling people from parking areas.
- 157 • CVTD will institute a “boomerang route.” This route will circle Logan. It will also have buses going the  
158 other direction so that riders do not have to ride the longer part of the circle on their return trip.
- 159 • CVTD is using GPS systems on buses to change traffic signals up by the university. When a bus comes, the  
160 light can be turned to green. This may expand to other areas later.
- 161 • There is a study going on in the valley to evaluate possible public transit options, include public Call-A-  
162 Ride, Van Pool, and a connection to the Wasatch Front.
- 163 • CVTD would like to invest in some software such as an app that can predict when the next bus will be  
164 arrive. They are also planning to introduce some software for paratransit users so that it is easier for them  
165 to schedule bus rides.
- 166 • Mayor Drew asked how long J Turley’s term representing Providence is. He believes it is until the end of  
167 2020.

168  
169 **Item No. 9. Redevelopment Presentation.** J. Craig Smith of Smith Hartvigsen will discuss the process of creating a  
170 Redevelopment Agency.

171 Note: Adam Long of Smith Hartvigsen spoke instead of J. Craig Smith.

- 172 • A Long spoke about creating a Community Reinvestment Agency (Redevelopment Agency). The creation  
173 requires a simple ordinance that the city adopts. It is created as a separate legal entity. It is given specific  
174 statutory powers to promote development. It can do some things that the city can’t do.
- 175 • S Bankhead asked A Long to explain why we would want to create a Redevelopment Agency. What can it  
176 do that a city council can’t do?
- 177 • A Long explained that the boundaries of a redevelopment agency are coterminous with the city. The  
178 agency works within project areas. A project area is some specific area where development needs to be  
179 done or there is an opportunity to do something. The agency has the ability to capture tax increment from  
180 future development within that area.
- 181 • A Long explained that tax increment financing works because a parcel that is currently not producing  
182 much taxes, such as an empty field, will produce more taxes when it is developed. The difference  
183 between the original tax revenue and the expected tax revenue after development is the money that the  
184 agency seeks to capture. The agency will use the tax increment in order to do things that make the  
185 development possible, such as improving infrastructure. The agency can also capture sales tax. It is usually  
186 used to address specific impediments, infrastructure being the most common one.
- 187 • Mayor Drew explained that tax increment financing can bring a dramatic increase in tax revenue. We can  
188 use that money to improve services to land so that potential development will choose Providence when  
189 they might otherwise have chosen another city to build in. The agency will be reimbursed by the other  
190 taxing entities that we will make agreements with. We have some areas in Providence that could benefit  
191 from it. Mayor Drew said that the board of the agency would be the city council.
- 192 • A Long said that typically, councils will meet as a redevelopment agency on the same night as they meet  
193 for city council.
- 194 • A Long said that the agency negotiates with the other tax entities. The agency needs to pitch a project so  
195 that the other tax entities will see the benefits of the project.
- 196 • R Sneddon asked what happens if nothing gets developed. Who pays the bill?
- 197 • A Long said that it depends on how the agreement is structured. If the agency loans money from the city,  
198 then agencies could be out that money. However, most often the agencies push the risk onto the  
199 developers. The agencies ask the developer to pay the money for the improvements up front, and then  
200 agree to repay them later.
- 201 • A Long said that if Providence wants to compete, these incentives for development are necessary. The  
202 counterpoint is that they could be a race to the bottom if the money is poorly spent.
- 203 • Mayor Drew said that some residents have spoken to the city [about putting in a sewer in the southwest  
204 of the city] after being approached by developers. In the future, we will also ask property owners and  
205 developers to take a share of the risk.

- A Long said that developers generally know how to handle risk better than cities do.
- Mayor Drew said that this process will be done step by step. No money will be spent until all the proper steps are taken.
- A Long said that the first step is to create the agency. The next step is to create a project area. Each project area has a plan and a budget. Those both require public hearings. The agency doesn't get money until the other taxing entities agree to the interlocal agreements.

**Public Hearing(s):**

**Item No. 1. 2019 Final Budgets 6:45 PM:** Prior to approving the final adjustments for 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 budgets before the City Council takes action. The City Council invites you to attend the hearing in order to offer your comments.

- S Bankhead said that our budget has been fairly steady. However, our employee benefits have become difficult to budget. We are adjusting our benefit amount more than usual. We are also making one major adjustment in order to comply with state law. We have had an audit finding that we had too much money in our general fund. The state does not want us to have a lot of money in unallocated areas. However, we can put money in capital project funds when we need to save for large projects. This year, we will be moving a significant amount of money from the General Fund to the capital projects funds. Because of this, it will appear that we are spending more money than we received this year. This is because the accumulated General Fund money that we are moving is partially from past years. For this budget, we are proposing to move \$1.3 million from the general fund to the capital project fund.
- Mayor Drew spoke about enterprise funds. These funds are for ultimate replacement of infrastructure, such as water and sewer pipelines. We don't have such a fund for streets. We charge a fee for water and sewer usage, but not for streets. Streets money all comes from the general fund. Because of this, we decided to put money into the capital projects fund. This is primarily for roads projects. We will have about 2.3 million in the fund after this transfer.
- S Bankhead explained that this mechanism is useful when projects get delayed, such as due to weather. We can keep the money in capital projects funds instead of having it unallocated in the general fund when the budget year ends. This year, we are not as far along on the spring creek crossings and the parks as we expected. That money will be moved to next year's budget. We can also use the capital projects funds for capital purchases such as vehicles, etc.
- B Fresz asked what percent we will have unallocated in the general fund after these capital adjustments. S Bankhead said that we will be at about 18%.
- K Allen said that the budget spreadsheets are very detailed and organized this year.

**Item No. 10. Ordinance 2019-011 Creation of the Providence City Community Development and Renewal**

**Agency.** The Providence City Council will consider and may take action on an ordinance creating the Providence City Community Development and Renewal Agency to be known as the "Providence City Redevelopment Agency."

**Motion to approve Ordinance 2019-11 regarding the creation of the Providence City Community Development and Renewal Agency: — K Allen, second — R Sneddon**

**Vote:**

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

**Nay:**

**Abstained:**

**Excused:**

**Discussion:**

- K Allen asked about the term "Redevelopment Agency."
- A Long said that his firm usually includes that terminology because that is how people most often refer to the agency.
- Mayor Drew asked if the name matters. A Long said that it is not important legally. He recommends going with Redevelopment Agency or Community Reinvestment Agency.

- 258 • K Allen wanted to change the name to the Providence City Reinvestment Agency.  
259

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

- 264 • Mayor Drew explained that several agenda items will be moved to a special council meeting on Thursday  
265 or some other day.
- 266 • B Speth asked about the agenda item on Spring Creek Water Company that will be pushed to the special  
267 meeting. B Speth asked if the council will make a decision on that day. If they will, he wants to make sure  
268 the Spring Creek Water Company board is there. Mayor Drew said that they will not make a decision. B  
269 Speth said that this is a problem because they are on a deadline.
- 270 • Mark Thompson of Providence asked about the redevelopment agency. He asked if it is best for  
271 developers to pay for the infrastructure. A Long said that it is a way to shift the risk away from the agency.
- 272 • R Daniels asked if there will be a secondary water system in the Ridgeveiw Estates subdivision.
- 273 • S Bankhead said that there will not be. The pressurized line through there is a private line from a different  
274 developer. The developer of Ridgeview Estates chose not to do a secondary water system. His  
275 development was approved before we passed the ordinance that regulates secondary water systems.
- 276 • R Daniels said that this would have been an ideal place.
- 277 • Mayor Drew said that we passed an ordinance making a secondary water entity. We didn’t pass an  
278 ordinance that requires a developer to put in secondary water lines.
- 279 • R Stapley said that Ryan Powell, the developer, foresees problems with that pressurized line. However, he  
280 is currently reconsidering forming an HOA so that a secondary water system can be created.  
281

282 **Item No. 2. 100 South from 200 W to approximately 400 W.** The Providence City Council will consider for approval  
283 options to improve 100 South from 200 West to approximately 400 W.

284 **Motion to consider approving a design for 100 South from 200 West to approximately 400 W:** — B Fresz, second  
285 — K Eck

286 **Amended to the motion below.**

287  
288 **Motion to choose option 4:** — B Fresz, second — K Eck

289 **Vote:**

290 **Yea:** K Eck, B Fresz

291 **Nay:** K Allen, D Giles, R Sneddon

292 **Abstained:**

293 **Excused:**

294

295 **Motion to reject option 2:** — B Fresz, second — K Eck

296 **Vote:**

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

298 **Nay:**

299 **Abstained:**

300 **Excused:**

301

302 **Motion to reject option 3:** — R Sneddon, second — B Fresz

303 **Vote:**

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

305 **Nay:**

306 **Abstained:**

307 **Excused:**

308

309 **Motion to accept option 1:** — B Fresz, second — K Eck

310 **Vote:**  
311 **Yea:**  
312 **Nay: K Allen, K Eck, B Fresz, D Giles, R Sneddon**  
313 **Abstained:**  
314 **Excused:**

315  
316 **Motion to table the discussion for two weeks: — K Allen, second — K Eck**

317 **Vote:**  
318 **Yea: K Allen, K Eck, B Fresz, D Giles, R Sneddon**  
319 **Nay:**  
320 **Abstained**  
321 **Excused:**

322 Discussion prior to vote:

- 323 • M Pierce explained that only part of 100 South between 200 W and 400 West is affected differently by  
324 these different options. There is a point (see map in agenda packet) at which all four options are the same  
325 going west. The differences in the options are from that point going east. There are four options. Option  
326 one would involve taking equal amounts of right of way from each side of the road (north and south). This  
327 option aligns the right of way fairly well with the right of way on the east side of 200 West. Option two  
328 involves going as far north as we can, and would involve taking approximately 26 ft from the property  
329 owners on the north side, and giving back property to owners on the south. The center of the 66 ft right  
330 of way would line up with the center of the 99 ft right of way on the east of 200 west. Option 3 would  
331 involve taking none on the south and 16 ft on the north. Option four involves taking none on the north  
332 side and taking 16 ft on the south side. This option does not line up with the right of way on the east of  
333 200 West. This option is intended to have minimal impact on existing structures.
- 334 • Mayor Drew said that none of the options involve obtaining any more property from the Thompsons,  
335 Kohlers, or Dunkleys. They have already dedicated land for their half of the 66 ft right of way.
- 336 • B Fresz asked if the irrigation ditch is within the existing right of way. M Pierce said that he believes that it  
337 is. B Fresz asked if all the options involve piping the ditch. M Pierce said that it would need to be piped or  
338 moved.
- 339 • B Fresz asked if the power lines would need to be moved or buried. M Pierce said that in option 4, they  
340 would clearly need to be moved. In the other options, we would need to wait until the road is designed to  
341 see what will happen. M Pierce said that we could possibly shift the park strip to where the power poles  
342 are.
- 343 • Dave Smith said that the power poles are about 2 ft from the current road. Unless the road is shifted into  
344 the homes on the north, the city will not be able to accommodate the power poles.
- 345 • K Allen asked about the options and how they affect the alignment of the road across 200 west. He asked  
346 about option 2 and how the asphalt aligns. M Pierce said that he didn't measure the asphalt placement  
347 east of 200 West. B Fresz said that the asphalt east of 200 West is closer to the north side of the right of  
348 way.
- 349 • M Pierce said that the right of way east of 200 West is quite wide at 99 ft. We could adjust the road within  
350 that right of way to match up better with the west side of 200 West. K Allen asked if we could put a bend  
351 in the roadway. M Pierce said that we could.
- 352 • Blair Martin of Providence asked if all the options call for a roundabout or through traffic, or if some  
353 require a stop sign. M Pierce said that we haven't designed the intersection, but if it is misaligned, a  
354 roundabout might make sense. All the options will allow for traffic to flow East-West across 200 West.
- 355 • R Cecil said that 300 South has the same misalignment, and he doesn't think that it makes a difference.
- 356 • K Dunkley passed out a photo to the council of children playing on 100 South. K Dunkley read from the  
357 previous council meeting minutes in which Mayor Drew, K Eck, and K Allen spoke about making progress  
358 on 100 South before the next council comes in, and in which R Sneddon said that he didn't see the need to  
359 hurry. K Dunkley said that if putting 100 South through is important, the next council will pick it up.
- 360 • K Allen explained his comments from the previous council meeting. He felt that making a decision about  
361 100 South is the right thing to do, and that it is the right time to do it.

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- K Dunkley said that if it is the right thing to do, the next council will pick it up.
  - Mayor Drew said that two citizens approached him and said that if the council decides to leave 100 South closed, they want to close their road as well.
  - Sharell Eames said that the citizens that come in and talk to the mayor should give the other citizens the courtesy of sharing their comments in the council meeting. She commented on the increase in legal fees in the budget. She feels that there will be litigation with the 100 South issue.
  - Mayor Drew said that some of the increase in legal fees is due to an increase in development.
  - J Paulsen said that he appreciates the council taking these sensitive issues seriously. However, he is concerned that the city council may be purposefully taking up controversial issues in an attempt to get them done quickly before the next council comes in. He thinks that K Dunkley has put together a reasonable approach on the 100 South issue, and he believes that if this issue were decided by the next council, the residents on 100 South would accept the outcome. He said that there are other issues as well, such as the water issue and the city manager issue. He asked the council to consider if they are trying to get these things done now because they fear that they will be undone by the next council. If they are, they do not have the right motives.
  - Mayor Drew said that the council often discusses what they want to accomplish in the next year. That is a normal part of council discussion.
  - J Paulsen agreed, but said that on the very controversial issues where there is a high level of public interest, it might be wiser to leave them to the next council. This may be a lame duck year. J Paulsen brought up the tax increase that is coming up. He said that if we could use some of the money that is earmarked for this unpopular project to offset that tax increase for a few years, that would be better than spending it on something that doesn't need to be done right now.
  - R Sneddon said that he voted nay on this proposition because he felt that development would take care of it. Also, he was not sure how the city would build something that nobody wants in a way that would be acceptable to the people living there and would also meet the city's requirements. R Sneddon said that there are other options besides the ones that have been discussed. He reported that M Pierce said that there are many more options if we are willing to consider a right of way less than 66 ft. R Sneddon said that if he were living there, he would get together with neighbors and make suggestions to preserve the ambiance. The council does not want a speedway through that area. However, the road will go through at some point. What preserves as much as can be preserved?
  - Mayor Drew spoke about the budget and grant money. Acquiring land for a right of way is one of the approved uses for money from COG (County Organization of Governments). Mayor Drew is on the committee. He feels that the odds this year for getting grant money for right of way acquisition is very high because there are fewer cities submitting applications. There is also more money available this year than usual. In order to submit an application for those funds, we need a plan. The deadline for submission is August 13<sup>th</sup>.
  - John Mock of Providence said that there may be other roads that could use that money better, such as 300 South or 100 North.
  - K Dunkley asked if what is decided tonight will be the final plan. Mayor Drew said that it will be the plan. K Allen said that it will be the plan, but there will still be more discussion. It is the preliminary plan. K Dunkley asked whether if a plan is chosen, and the city submits for funds from COG based on that right of way, the city will be obligated to continue with that plan. Mayor Drew said that yes, a decision needs to be made.
  - Don Calderwood, former mayor of Providence, said that he was on the COG Committee for four years. He said that COG will be very unlikely to fund this project. It is for things that benefit the entire county, such as Gateway Drive.
  - Bryce Berry asked if we could make the road smaller. He felt that the 66 ft right of way destroys the neighborhood. He also felt that if the road goes through, parking will be a mess. It will be cluttered with cars.
  - Brent Speth of Providence said that he remembers when the Canyon Road right of way issue happened. There was a lot of opposition to acquiring right of way for road improvement. The city ultimately didn't widen it. They improved the road, and the people were satisfied. There are options out there.



- 414
- Camille Pedersen said that one of the options greatly impacts her property, especially the garage.
- 415
- Mayor Drew said that the fourth option would likely not impact C Pedersen’s garage. The other options
- 416
- would likely impact the garage. Mayor Drew said that with a narrower right of way, there will be more
- 417
- issues with parking on the road. However, he said that townhomes are required to provide more than
- 418
- adequate parking for the residents.
- 419
- Mark Thompson of Providence read a text from former Mayor Simmons. Mayor Simmons said that the
- 420
- soccer fields would not have happened if M Thompson had not donated the fields. He also said that the
- 421
- property owners on 100 South worked in good faith with the city regarding their street. Former Mayor
- 422
- Simmons hopes the current council will work together in the same spirit of mutual respect. M Thompson
- 423
- said that he feels disrespected. He feels that there is some ulterior motive behind the council’s push on
- 424
- 100 South.
- 425
- K Eck asked if M Thompson prefers a 66 ft right of way if the road goes through. M Thompson said that he
- 426
- feels that if the road is opened, it should be done right [with the full right of way]. K Eck asked what the
- 427
- neighbors’ thoughts are on a different right of way width. M Thompson said that he is not sure. However,
- 428
- he doesn’t understand what the rush is to put the street through. The road improvement could be left to
- 429
- developers. M Thompson said that he may develop soon. Others may eventually develop as well. The
- 430
- road will take care of itself. What is the rush to put it through now?
- 431
- Mayor Drew said that the city would still have to pay for some of the cost of the road when development
- 432
- happens. Also, improving the road would be more expensive once development happens. M Thompson
- 433
- said that either way, it is cheaper for the city to wait for development.
- 434
- K Allen said that this issue has been there for 15 years. People say “why do it now?” K Allen said that
- 435
- another question is “why not do it now”? The dirt road that is there is only benefitting the residents of the
- 436
- street. Once it goes through, it could benefit more citizens. K Allen said that we have to go forward and do
- 437
- improvements in the city.
- 438
- Rowan Cecil of Providence said that he has friends who wonder when the city will open 100 South.
- 439
- JR Robinson of Providence spoke about Cottage Court where it meets Hawthorne Drive. They put in a
- 440
- fence that made it a dead end. He wondered why the city doesn’t care about that road being closed off,
- 441
- and yet they are so concerned about putting 100 South through.
- 442
- K Eck asked if that road was private. J Robinson said that it was private, but so was 100 South.
- 443
- K Allen said that Cottage Court was never a city street. B Fresz clarified that on 100 South, the city already
- 444
- owns right-of-way. It is not the same situation as Cottage Court.
- 445
- Amy Kohler of 100 South asked about a second home she owns at 620 South Main Street in Providence.
- 446
- She asked if that area is a private road. Mayor Drew said that it is. She asked whether if they put a gate on
- 447
- that road [like what was done on Cottage Court], the city couldn’t touch the road. Recently they were
- 448
- considering building another house on that land. Councilmembers Baldwin and Eck visited because the
- 449
- city was considering acquiring right of way for Main Street to continue through. At that time, A Kohler told
- 450
- the councilmembers that she would not allow them to make Main Street go through. She said that K Eck
- 451
- said that they may as well give the road to the city now, because if not, the city will take it anyway.
- 452
- K Eck said that she did not say that.
- 453
- A Kohler asked if 100 South will be paved. Right now it is not fit for traffic going fast. Will it be policed for
- 454
- speeding?
- 455
- Mayor Drew said that it will be opened, and the plan is to put in pavement. Initially, however, it will be
- 456
- opened [as a dirt road].
- 457
- A Kohler asked the council to wait on this vote. It feels rushed.
- 458
- Mayor Drew said that 100 South has been discussed every year for the past four years. It has been
- 459
- discussed by every council since it was closed 12 years ago.
- 460
- A Kohler disputed the point that has been made that citizens on other streets are not able to use 100
- 461
- South, and yet residents of 100 South are able to use the roads in front of those residents’ homes. She
- 462
- said that the people who bought homes on through streets knew what they were buying into. When she
- 463
- bought her home on 100 South, the street wasn’t even on the city’s master plan. She thought she knew
- 464
- what she was building on. She is concerned that the same thing will happen to her property on South
- 465
- Main Street.

- 466 • Mayor Drew said that the road on the South Main Street property is different from 100 South. On 100
- 467 South, property owners dedicated land to the city for a road.
- 468 • Reese Peterson of 100 South asked if the citizens will get any benefit when the road does go through. He
- 469 asked if the road will be gravel when it is opened up, or if it will be improved.
- 470 • B Fresz said that his preference would be to open it up even if improvements haven't been made yet.
- 471 • R Peterson said that the road will be destroyed by excessive use if it is left as gravel. He said that the
- 472 citizens deserve some assurance about what will happen when it is opened up.
- 473 • B Fresz said that there are many unknowns still in this process. We don't know when exactly it will
- 474 happen.
- 475 • Mayor Drew said that we will not open it up immediately. There is still construction traffic happening on
- 476 the other side of the barrier. He said that R Stapley will have to consider the implications of maintaining
- 477 the dirt road.
- 478 • R Peterson asked if the property owners will get the land back that forms the cul-de-sac [where it is in
- 479 excess of the 66 ft right of way]. Mayor Drew said that they will.
- 480 • Camille Pederson asked why the city didn't take care of the road since they owned it. She is concerned
- 481 that if it is opened up as a dirt road, it will still continue to be under-maintained.
- 482 • B Fresz said that his position has been to remove the deed restriction, and then see what happens. If it
- 483 opens up as a dirt road, we have police to enforce speeding and a public works department to take care of
- 484 it. He said that if we get the COG money, we will pave it, and if we don't get the COG money, we will
- 485 leave it as a dirt road.
- 486 • K Allen said that this is still a preliminary plan. He asked if we can make modifications to the plan once it is
- 487 submitted to COG.
- 488 • Mayor Drew said that if we are applying for funds for acquiring right-of-way, our engineering and design
- 489 work needs to be 30% complete. If we are applying for money for full construction, we need to be 90%
- 490 complete. We are applying for money to fund acquisition of land for a right of way. He said that in order
- 491 for a road to be considered for COG money, it must be on the CMPO (Cache Metropolitan Planning
- 492 Organization)'s map. 100 South is on the map.
- 493 • B Fresz spoke about the design options for the road. He said that option two makes no sense. K Eck
- 494 agreed. B Fresz said that because of a potential roundabout at 200 West and 100 South, he is not
- 495 concerned about the alignment of the road.
- 496 • B Fresz liked option four.
- 497 • K Eck said that option four is the only one she is comfortable with.
- 498 • K Eck explained some of the comments that were read from the previous council meeting. She said that
- 499 some members of the council were talking about postponing this decision on 100 South, and she told
- 500 them that the council still has a job to do during the rest of their term. This is why they were talking about
- 501 [getting it done before the next council is elected]. K Eck said that she is willing to entertain a smaller right
- 502 of way.
- 503 • K Eck said that we would still have the same push back even if the road were narrower. The real issue is
- 504 the road going through. She said that she offered to talk to property owners, but she only heard from
- 505 Mark Thompson and one other. She is most in favor of option four because it has the least impact on
- 506 property owners.
- 507 • B Fresz was in favor of option 4 because it saves trees.
- 508 • D Giles said that M Thompson has some good points about development coming in. D Giles was leaning
- 509 towards option 1, but he sees that option 4 would protect the property owners. He would probably go
- 510 with option 4. He emphasized that the street opening will happen in due time, not immediately.
- 511 • K Dunkley wanted to clarify what K Eck said about no one responding to her invitation to talk. He said that
- 512 K Eck only reached out to M Thompson. K Dunkley asked again if what we choose tonight will be what will
- 513 be built. He agreed that the road will go through eventually, but hoped that we can take the time to
- 514 consider options for the road that will minimize the damage to the neighborhood.
- 515 • B Fresz said that we are only deciding the position of the right of way tonight. We are not deciding the
- 516 design of the street within the right of way.

- 517 • Mayor Drew said that in theory, we could explore some sidewalk/park strip/street options within the right
- 518 of way.
- 519 • K Eck asked what the width of the right of way would be if we did sidewalk on one side only.
- 520 • Mayor Drew said that we have an ordinance that defines right of way widths. To do something different,
- 521 we would need to pass a new ordinance.
- 522 • M Pierce said that he does not recommend having a sidewalk only on one side. He does not like changing
- 523 road widths. If you don't stick with a standard, chaos ensues.
- 524 • K Allen felt that maybe we should wait until the judge's decision on the deed restriction before voting on
- 525 this issue.
- 526 • D Giles asked if we know when that will happen. Mayor Drew said that we do not. K Dunkley had heard
- 527 that it would be done in three weeks.
- 528 • K Eck felt that we should table this item until the judge makes a decision.
- 529 • Mayor Drew said that the judge may decide that M Thompson never owned the property in the first
- 530 place.

531  
 532 **Item No. 3. Resolution 017-2019 40-Year Water Rights Plan.** The Providence City Council will consider a  
 533 resolution approving the Providence City 40-Year Water Rights Plan.

534 **Motion to approve resolution 017-2019: — R Sneddon, second — B Fresz**

535 **Vote:**

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

537 **Nay:**

538 **Abstained:**

539 **Excused:**

540 Discussion:

- 541 • M Pierce said that Brent Speth and John Hubbard commented on the draft. We will take the comments
- 542 into consideration.
- 543 • Mayor Drew said that the water rights plan also refers to city shares in irrigation companies.
- 544 • N Wright said that overall, the city is in a good position as far as water rights. The city should continue to
- 545 require water rights from developers.
- 546 • K Allen asked where the water comes from. N Wright said that it is from Broad Hollow Spring. It is
- 547 underground recharge snow melt that takes time to come through to the spring.
- 548 • R Daniels said that the water plan is based on 16.5 cubic feet of water coming down Spring Creek. Mayor
- 549 Drew said that this is true to a particular point of diversion.
- 550 • R Daniels said that this year, we have 16 cubic feet per second coming down. In 2013, we had 3.25 cubic
- 551 feet per second coming down. R Daniels said that the average flow between 2013 and 2018, excluding
- 552 2017, was 5.5 cubic feet per second. He felt that the city needs to accommodate the lower water years in
- 553 their plan.
- 554 • Mayor Drew said that the plan also includes pumping water from wells.
- 555 • R Daniels said that the plan assumes that Spring Creek Water Company has an available flow of 16.5 cubic
- 556 feet per second.
- 557 • M Pierce clarified that this plan is referencing water rights, not actual water. We could have the rights
- 558 even if the water isn't available. The purpose of this plan is to make sure that the city has enough water
- 559 rights. We start with the water rights. When we get to the water master plan, we can take into
- 560 consideration what the source is actually capable of. The state encourages us to have multiple sources of
- 561 water in case one source goes bad.
- 562 • Mayor Drew asked if the report recommends how we could improve the water sources. M Pierce said that
- 563 that would be in the water master plan.
- 564 • K Allen asked if the cities around us have enough available water.
- 565 • N Wright brought up page 9 figure 5. This graph shows historical demand starting from 2009. The
- 566 engineers then extrapolated the demand from projected population increases.
- 567 • N Wright said that the summer months tend to be when the water rights are stressed. We have enough
- 568 water rights today to last through 2027.

- 569 • B Fresz asked if this study is assuming the same amount of water use per person that we have today. N  
570 Wright said that it is based off of today's use.
- 571 • N Wright explained that some water rights are a fixed volume right. This means that we could take that  
572 volume over a shorter period of time if we wanted to. Other rights are flow rate based. In Figure 10, we  
573 assumed compression of the volume based rights to take more water during the summer.
- 574 • N Wright explained that there are some restrictions on compressing volume-based rights. In general,  
575 however, you can compress them.
- 576 • K Allen said that we should be looking at acquiring more water shares to take care of projected needs.
- 577 • K Allen said that there may come a time when a future council wishes that Providence had implemented  
578 water saving measures such as zeroscaping, limiting the amount of time sprinklers can run, etc., to save  
579 water.
- 580 • N Wright said that figure 6 shows that per capita water use is trending downward. That has been taken  
581 into account.
- 582 • B Fresz asked if the report shows what our water rights will be if we continue to accumulate them at the  
583 same rate we have for the past ten years. If we keep on the same path of requiring water rights for  
584 development, will we meet our future demand?
- 585 • M Pierce said that figure 5 shows that the city currently has excess water rights. If we stay on that trend,  
586 we will always have more than what we need. At some point, when the city is "built out," the city may no  
587 longer need to require water rights. However, this term may not be useful, because redevelopment can  
588 occur that brings more density even when a city is "built out."
- 589 • K Allen said that a Deseret News article spoke about the water situation along the Wasatch Front. They  
590 will need to start looking in new places to find sufficient water.
- 591 • M Pierce said that at some point in the future, conservation will be an important part of making sure that  
592 the city has enough water. There is a finite amount of water.
- 593 • Mayor Drew asked if conservation will happen naturally, because the housing market is shifting towards  
594 multi-family development. It is already most of the market today.
- 595 • B Fresz asked if the plan includes irrigation water. N Wright said that it does.
- 596 • B Fresz asked if the irrigation water use is tied to the amount of agricultural use.
- 597 • M Pierce said that if development continues to densify, outdoor water use will go down.
- 598 • R Sneddon asked about data for outdoor water use that is non-agricultural.
- 599 • N Wright said that metering water use tends to drive usage down.
- 600 • M Pierce said that there is also data that shows that as you raise your water rates, usage sometimes  
601 doesn't go down at all.
- 602 • Mayor Drew mentioned the Conclusions and Recommendations section. He said that it is essential that  
603 we continue to do what we have been doing as a city to acquire and improve water rights.
- 604 • M Pierce asked whether if the council approves the plan, errors can still be fixed. Some of the figures have  
605 been questioned.
- 606 • B Fresz said that if it is something major, he would like to know about it.
- 607 • M Pierce suggested that we get together with the irrigation companies and go through the math together.
- 608 • Mayor Drew asked R Daniels of Spring Creek Water Company what happens when shareholders in a water  
609 company choose not to use their water. R Daniels said that each year, shareholders mark whether they  
610 are going to use their shares this year.
- 611 • Mayor Drew said that we have had flood irrigators do some damage [when water overflows their lot]. The  
612 city will be sending out a courtesy notice to those people. R Daniels said that if the city lets the water  
613 company know about these situations, the water company will go talk to violators.
- 614 • Mayor Drew said that if R Stapley has to chase down the irrigation company, that uses valuable time. The  
615 letter that we will send will say that if the abuse continues, the user will receive a citation. A copy of the  
616 letter will also be forwarded to Spring Creek Water Company.

617  
618 **Item No. 4 Resolution 018-2019 Development Agreement.** The Providence City Council will consider for adoption  
619 a resolution approving the development agreement for Vineyard Phase 1. A Life Cycle Residential (LCR) subdivision

620 containing 18 single-family detached homes, 20 townhomes, and 10 condominium units, located in the general  
621 area of 170 East Spring Creek Parkway.

622 **Motion to approve resolution 018-2019:** — K Allen, second — D Giles

623 **Vote:**

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

625 **Nay:**

626 **Abstained:**

627 **Excused:**

628 Discussion:

- 629
- 630 • K Eck disclosed that her husband works for the developer. He is a salaried employee and does not make  
631 any more money if this development goes through.
  - 632 • Josh Paulsen, a member of the Planning Commission, said that the commission will be reviewing the final  
633 plat tomorrow. He asked about the process and why the development agreement is approved before the  
634 final plat.
  - 635 • Mayor Drew said that the development agreement is a legal agreement, whereas the plat is a map.

636 **Item No. 5 Resolution 019-2019 Development Agreement Addendum.** The Providence City Council will consider  
637 for adoption a resolution approving an addendum to the development agreement for Sunrise Acres 3 Subdivision  
638 as amended. An eight-lot residential subdivision located in the general area of 646 South 330 West.

639 **Motion to approve resolution 019-2019.** — B Fresz, second — K Allen

640 **Vote:**

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

642 **Nay:**

643 **Abstained:**

644 **Excused:**

645 Discussion:

- 646
- 647 • S Bankhead said that the amendment changes the bonding requirements. It extends the completion date  
648 for the public improvement installments. It also requires the developer to provide a public improvements  
649 security and a warranty bond.
  - 650 • B Fresz asked the reason that they want to extend the time.
  - 651 • Steve Simmons of Cache County borders the development in question. He said that the maps and  
652 information the council has are not current. He said that the council indicated that a 66 ft road is  
653 necessary for public safety, but yet in this development they are claiming that a 27 ft road will be safe. He  
654 said that if the developer would do a full road completely within their land, he would not fight it. But by  
655 doing a half road, the city is indicating their desire to acquire the other half of the land by going to court.  
656 He said that two years ago, there was a plan that was submitted that would have had the back yards of  
657 houses up against his lot. He liked that plan, but it was rejected by the city. In regards to the proposed half  
658 road, he feels that there may be a pride issue on the part of the city after having lost the lawsuit. They will  
659 now try to get half of the road from his property against his will. He doesn't feel that there will be  
660 development on his land in the future that will necessitate the road, because the size of his lot is not  
661 conducive to development.
  - 662 • K Allen asked S Simmons where he lives. He said he lives on the private driveway that is called 2100 South.  
663 He pays for trash pickup there, but the residents snow plow it themselves. The post office will not deliver  
664 mail because it is a private driveway. School buses do not go there.
  - 665 • Mayor Drew asked about the width of the road in question. M Pierce said that it is a partial road, not a  
666 half road. [The asphalt] is 24 ft wide, which is 12 ft per vehicle. The minimum width per vehicle is close to  
667 10 ft. The standard road width [for asphalt] is 30 ft. We have many partial roads in the city.
  - 668 • Mayor Drew asked if the map is inaccurate. M Pierce said that he hasn't seen the one that the council has  
669 before them, but the plats that he and R Stapley reviewed were not inaccurate.
  - 670 • R Simmons said that there has been a survey since the lawsuit.
  - B Fresz asked about the time extension. S Bankhead said that the time expired during the legal process.

- 671 • R Stapley said that due to the litigation, the water and sewer lines were put in and not finished. The water  
672 pipe was sanitized with chlorine powder, which is a very corrosive chemical. Due to the work being  
673 stopped mid process, the chlorine has damaged the pipes. The developer agreed to replace all of the  
674 water lines.  
675 • S Bankhead said that the map we have was stamped June 21, 2019. It is the most current map.  
676 • D Giles asked if there is curb and gutter on both sides of the partial road. M Pierce said that it is only on  
677 the north side.  
678

679 **Item No. 6. Resolution 022-2019 Fireworks Restrictions.** The Providence City Council will consider for adoption a  
680 resolution designating a closed area to ignition or use of fireworks.

681 **Motion to approve resolution 022-2019: — B Fresz, second — K Eck**

682 **Vote:**

683 **Yea: K Allen, K Eck, D Giles, R Sneddon**

684 **Nay: B Fresz**

685 **Abstained:**

686 **Excused:**

687 Discussion:

- 688 • S Bankhead asked when the council would like this to go into effect.  
689 • B Fresz asked if this is the same map as last year. S Bankhead said that it is. B Fresz said that last year was  
690 very dry, and this year has been very wet. Is the fire risk really the same? Did the fire marshal consider  
691 this?  
692 • K Allen felt that in the next few days, it will become just as dry because of the heat.  
693 • S Bankhead said that even though the temperatures are different, the mountainous bush covered area  
694 hasn't changed, nor has the undeveloped wildland changed very much.  
695 • S Bankhead said that the fire marshal did look at it.  
696 • K Eck felt that implementing the restriction for a longer time would be better in order to avoid fires.  
697 • Mayor Drew said that this restriction allows the sheriff deputies to give citations. Also, if property damage  
698 occurs due to illegal fireworks, there can be criminal action.

699 **Item No. 7 Resolution 020-2019 Bid Award.** The Providence City Council will consider for adoption a resolution  
700 awarding the bid for the Providence City Cemetery Expansion Phase 1 project.

701 **The Council awarded the bid to Staker Parsons**

702 **Vote:**

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

704 **Nay:**

705 **Abstained:**

706 **Excused:**

707 Discussion:

- 708 • S Bankhead said that we had four bids. We would like to get moving on this project as quickly as possible.  
709 • B Fresz asked if we are happy with all four of these contractors' performance, and if they perform at an  
710 equal level.  
711 • R Stapley said that he has nothing against the lowest bidder, Staker Parsons. R Stapley said that we  
712 generally look at the lowest bid and accept it if they are a reputable company.  
713 • B Fresz said that in his experience, the lowest bid is not always the lowest bid. R Stapley said that in this  
714 case, he would go with the lowest bid.  
715 • Mayor Drew asked why one bid can be twice as much as another. He brought up some line items that  
716 differed widely between the bidders. B Fresz said that sometimes companies include labor costs in the  
717 same line items as materials, and sometimes they do not.  
718

719 **Item No. 8 Resolution 021-2019 Final Budget.** The Providence City Council will consider a resolution approving the  
720 final budgets for all funds for Fiscal Year 2019.

721 **Motion to approve resolution 021-2019: — B Fresz, second — D Giles**

722 **Vote:**

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

724 **Nay:**

725 **Abstained:**

726 **Excused:**

727 Discussion:

- 728 • No discussion

729

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

733 D Giles:

- 734 • D Giles asked about the recycle bins at the public works facility. That area is a mess. How can we stop the  
735 misuse of the bins?
- 736 • R Stapley said that if we are going to provide that service, there will be consequences like what we have  
737 seen. Logan City doesn't have the manpower to empty the bins daily. Once they are full, people leave a  
738 mess.
- 739 • K Eck asked if we can see the bins on the cameras. R Stapley said that we can, but we don't have time to  
740 monitor them. However, we can go back and look for specific serious violations.

741 K Eck:

- 742 • K Eck met with The Family Place. They provide amazing services to our community. They would like us to  
743 educate the public. One way we can do this is by putting something in our newsletter. If residents go to  
744 smile.amazon.com, ½% of their purchase can go towards The Family Place. They would also like to  
745 participate in our fall city celebration. Mayor Drew said that if they email him something he will put it in  
746 the newsletter.
- 747 • K Eck requested that the council get their packets earlier. She said that Nibley gets their packets 6 days in  
748 advance, and Millville gets them 5 days in advance. She said that Nibley city uploads what is going on the  
749 agenda piece by piece to something called Box so that the council doesn't have to wait to get the packet  
750 all at once. She felt that if we can't get the information for something far enough in advance, we should  
751 push that item to the next council meeting.
- 752 • B Fresz agreed that it would be good to get items piece by piece.

753 K Allen:

- 754 • K Allen asked about the Henninger Property.
- 755 • Mayor Drew said that they are still in process. R Stapley is keeping an eye on things. He said that the  
756 Henningers are building the home right now and have made some modifications.
- 757 • K Allen asked about the sidewalk on Canyon Road between Ryan Powell's development and the church  
758 house. R Stapley said that we will not have sidewalk in front of the house in question at this time.

759 B Fresz:

- 760 • B Fresz spoke about the UTOPIA fiber survey. We have had 193 respondents to the survey, which  
761 approaches 10% of the households in Providence. This is a reasonable statistical sample. 92% said that  
762 they would be supportive of the city pursuing additional broadband options. All the indicators are that  
763 this is a popular thing to do. He would like to have UTOPIA come to the next city council meeting to  
764 present about their service.
- 765 • Mayor drew said that 805 households would have to sign up to get to 35% of the city [which is the  
766 threshold at which the city will not have to pay anything.]
- 767 • B Fresz said that a 10% response rate is a pretty good sample to go off of.
- 768 • B Fresz said that the next step is to put out a request for a proposal. There will then be a four week period  
769 where other companies can also bid. If UTOPIA is the lowest bidder, they take care of the financing,  
770 bonding, fees etc. B Fresz felt that high speed internet would be great for commercial development. Also,  
771 many residents could save money on their internet bills. He said that he has waited until the statistics are  
772 very good before proposing that we proceed.
- 773 • J Paulsen said that we won't know until we get a bid what the ultimate pricing will be. The survey  
774 responses could be price sensitive.

- 775 • B Fresz said that it is around \$70 per month for 1 Gbps service, and \$65 per month for 250 Mbps.
- 776 • Mayor Drew asked how much taxpayer money will go towards UTOPIA. B Fresz said that if 35% of the
- 777 population signs up, the city won't be paying anything. UTOPIA installs the fiber. They also do the bonds.
- 778 The city backs the bonds.
- 779 • J Paulsen asked whether the survey question was binary or a Likert scale. He felt that a Likert scale would
- 780 have given more valid data.
- 781 • B Fresz said that the responses were Yes, No, and Other. The survey asked 15 questions to get at the
- 782 validity in other ways. B Fresz said that the indicators about who would be interested in paying for the
- 783 service were in the upper 70 percent range. UTOPIA has experience with these surveys, and they said that
- 784 these results were extremely favorable.

785 Mayor Drew:

- 786 • The deadline for submitting the application and engineering work for COG money for 100 South is August
- 787 13<sup>th</sup>. M Pierce will need 5-6 weeks to get his part done. If we miss the deadline while we wait for the
- 788 court, we will set the project back by a year. He feels that the odds of us getting COG money for acquiring
- 789 right of way is good this year. He disagrees with former mayor Calderwood's statements that we couldn't
- 790 receive COG money for this project. He has spoken with Jeff Gilbert who is over COG money with the
- 791 county. J Gilbert said that right of way acquisition is an approved use.
- 792 • Mayor Drew said that many local cities have received money for right-of-way acquisition. We have a good
- 793 chance this year because fewer cities are applying for money.
- 794 • K Eck asked if we have to open the road once the judge removes the deed restriction. Mayor Drew said
- 795 that we will not. There may be some safety issues with the construction [to the west] that we should
- 796 consider before opening the road.
- 797 • B Fresz asked if we have any other projects that can be considered for COG money. S Bankhead said that
- 798 we don't have any other that is on the CMPO maps. Mayor Drew said that it needs to be on their maps to
- 799 be considered.
- 800 • B Fresz asked if a roundabout at 200 West 100 North is on the CMPO maps. Mayor Drew and R Stapley
- 801 said that they think those roads are on the map. S Bankhead said that the roundabout is not called out as
- 802 a project on the map.
- 803 • S Bankhead said that she doesn't think that we have another potential project on the map.
- 804 • B Fresz asked how we get projects on the map.
- 805 • Mayor Drew said that we meet with J Gilbert every year to discuss it. B Fresz asked if it is too late to get
- 806 projects on this year.
- 807 • Mayor Drew said that the roads need to be collector streets in order to be considered. S Bankhead said
- 808 that the money is intended for projects that improve traffic flow.
- 809 • B Fresz asked if 200 West and 100 North could be brought up for consideration next year.
- 810 • Mayor Drew said that he would like to put sidewalk on the west side of 200 West.
- 811 • S Bankhead said that the projects are designated in 10 year blocks. To get a construction project on the
- 812 map scheduled for the next few years would be quite difficult.
- 813 • B Fresz said that we should do our due diligence to get projects [such as the roundabout discussed above]
- 814 onto the map. Mayor Drew said that we do that every year.
- 815 • S Bankhead said that COG usually will not fund curb, gutter and sidewalk. Mayor Drew said that cities
- 816 have to pay to put in the sidewalk, curb and gutter, but that this can count as the 7% fund matching that
- 817 is required by COG.
- 818 • B Fresz asked about the traffic master plan, and whether it will identify more projects that are eligible for
- 819 COG money. S Bankhead said that this can be part of the master plan.
- 820 • The council discussed when they could meet next. It was decided that Monday would work.
- 821 • B Fresz noted that he will be out of town for the Truth in Taxation hearing on August 5<sup>th</sup>. He will try to call
- 822 in.

823 **Executive Session Notice:** The Providence City Council may enter into a closed session to discuss pending or  
 824 reasonably imminent litigation as allowed by Utah Code 52-4-205(1)(c). The Providence City Council may enter into  
 825 a closed session to discuss professional competence or other factors allowed by Utah Code 52-4-205(1)(a). The



826 Providence City Council may enter into a closed session to discuss land acquisition or the sale of real property Utah  
827 Code 52-4-205(1) (d) and (e).  
828 • No executive session  
829 **Motion to adjourn: — K Eck, second — D Giles**  
830 **Vote:**  
831 **Yea: K Allen, K Eck, B Fresz, D Giles, R Sneddon**  
832 **Nay:**  
833 **Excused**  
834  
835 Meeting adjourned at approximately 11:00 PM  
836 Minutes prepared by Jesse Bardsley  
837 Minutes approved by vote of the council on July 9, 2019  
838  
839  
840 \_\_\_\_\_  
841 John Drew, Mayor

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Skarlet Bankhead, City Recorder