

1 **PROVIDENCE CITY COUNCIL MEETING MINUTES**

2 **November 12, 2019 6:00 PM**

3 **Providence City Office Building,**

4 **164 North Gateway Drive, Providence UT**

5
6 **Opening Ceremony:**

7 Call to Order: Mayor Drew

8 Roll Call of City Council Members: Mayor Drew

9 Pledge of Allegiance:

10 Attendance: John Drew, Kirk Allen, Kristina Eck (by telephone) Brent Fresz (by telephone), Dennis Giles,

11 Roy Sneddon

12 Opening Remarks – Prayer:

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14 **Municipal Election Canvass:** The Providence City Council, acting as the Board of Municipal Canvassers, will canvass
15 the returns of the 2019 Municipal Election.

16 **Motion to accept the 2019 Municipal General Election official canvas results: — K Allen, second — R Sneddon**

17 **Vote:**

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

19 **Nay:**

20 **Abstained:**

21 **Excused:**

22 Discussion:

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24 • S Bankhead explained that due to changes in the election laws, the city can no longer access the County's
25 election computer program. The County assigned two people to help us check signatures. Diane
26 Campbell, Kris Hobbs, Kate Groll, and Sheyler Gunnell helped count the ballots. We had very good turnout
27 in our by-mail election.
28 • S Bankhead read from the canvass results. She explained that we had three provisional ballots that were
29 not able to be counted, and 26 ballots that we contacted but the voters did not come in to resolve issues
30 with the ballot. She thanked everyone who ran for office.
31 • S Bankhead said that Brent Speth, Carrie Kirk, Josh Paulsen, and Jeanell Sealy were elected.

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

35 Max Pierce, City Engineer:

- 36 • The fire hydrants are in the GIS. We are in the process of putting the sewer manhole map into the GIS.
37 • R Stapley and M Pierce need to get together about the standard drawings update.
38 • The Transportation Master Plan draft is nearly complete. We need to meet with R Stapley and S Bankhead
39 to get some input. Then we can forward a draft to the Council.
40 • Spring Creek Crossing: The attorneys are working towards an agreement on the Boyer Property. Once the
41 easements are obtained, we can put that project out to bid.
42 • Mayor Drew asked about the Winstead property. M Pierce said that that part is complete. S Bankhead
43 said that the appraisals are also complete. We are just waiting on the Boyer property.
44 • K Allen asked if our plan is to start this project in the spring.
45 • M Pierce said that it would be fine to start this project any time, including during the winter, since there is
46 no road currently in use that will need to be shut down for the project.
47 • K Allen asked if we could bid out this project within a week of working out the legal issues. In the winter,
48 we should have less competition for contractors' time.
49 • Zone 2 Tank: Things are coming along. The structural engineer is working on the plans.
50 • Zone 1 Tank: We are waiting for the property owners. We have given them our survey. They are going to
51 have their engineer lay out their subdivision based on both options that have been suggested.
52 • 500 South water line: The project is almost done. Pavement was done today. We will be putting the as-
53 built plans into GIS.

- 54 • Spring Creek Parkway Storm Drain: This will not happen until next spring. We need to get a price from the
- 55 contractor.
- 56 • Cemetery expansion is complete. We will be going out tomorrow to stake the monument locations.
- 57 • Southwest Sewer Master Plan: We are waiting on the attorneys for the CRA.
- 58 • Storm Water Rate Study: We have put it on hold until the other rate studies are up to speed. We want to
- 59 keep things consistent between the studies.
- 60 • 100 South 200 West: We are writing legal descriptions for the property takes. We have a COG meeting
- 61 next Monday.
- 62 • Secondary Water Feasibility Study: We need to meet with property owners to talk about acquiring
- 63 property for the storage pond.
- 64 • Water Capital Facilities Plan: We have a draft ready. We will be scheduling a meeting with the new city
- 65 manager to discuss it.
- 66 • UDOT SR 165 Access Management: S Bankhead said that the procedure has changed. We need to fill out
- 67 some information online to apply.
- 68 • Sidewalk Survey: We have walked many of the blocks and color coded them according to their condition.
- 69 Red indicates a safety hazard. Yellow indicates poor condition. As we fix the red areas, we could fix the
- 70 yellow areas that are nearby. The idea behind this was that we could give this to a contractor with a 3-
- 71 year contract and allow them to do it with a flexible schedule. This would allow us to get a better price. All
- 72 of the yellow and red areas have a photograph in the GIS. We also have a 360 degree camera that we can
- 73 use to document the condition of the landscaping, etc., before we fix any of the areas.
- 74 • K Allen asked about the sidewalks that dead end.
- 75 • M Pierce said that the map also shows areas that have no sidewalk. The city could decide to put sidewalk
- 76 on some of those areas, especially if they are close to an area that needs replacement.
- 77 • K Allen asked about community block development grants. S Bankhead said that our median income is
- 78 generally too high to qualify for those grants.
- 79 • M Pierce said that some cities will match the residents on building a sidewalk so that the residents only
- 80 pay 50%.
- 81 • R Sneddon asked how we should prioritize where to start on the sidewalks.
- 82 • M Pierce said that once this map is done, his firm will provide a cost estimate to the city. Then the council
- 83 needs to decide how quickly they want to get this done.
- 84 • Mayor Drew said that we wouldn't want to do them all in the same year because it is very disruptive.
- 85 • R Sneddon asked M Pierce to give the council an engineering recommendation on how to move forward.
- 86 • S Bankhead said that we can also work with the schools. If they put some of the sidewalks in their "Safe
- 87 Routes to School" plan, we may be able to get some grant money.
- 88 • Mayor Drew asked about curb and gutter. He said that we had previously decided that it didn't make
- 89 sense to put in curb and gutter while fixing the sidewalk.
- 90 • M Pierce said that it should be considered on an individual basis. It may make sense in different areas to
- 91 put it in, to replace it, or to remove it.

92 Rob Stapley, Public Works Director:

- 93 • We are getting quotes to replace a few of our trucks. We are trying to replace one of the Ford 350s and
- 94 one of our personnel trucks.
- 95 • We are asphaltting wherever we can before the hot mix plant shuts down for the winter.
- 96 • 500 South: Asphalt was done today. We will do a walk through tomorrow. We were lucky to get some
- 97 good weather.
- 98 • K Allen asked if there is money that we have held back on warranty [for 500 South].
- 99 • R Stapley said that there is some money that we hold until everything is finalized. There is also a one-year
- 100 warranty.
- 101 • We rebuilt the components inside Redd Reservoir. This enhanced our SCADA capabilities.
- 102 • The EPA has decided to ask for more "unregulated contaminants" testing. We were randomly selected.
- 103 • R Sneddon asked if the fact that we are being required to do this again means anything about the first
- 104 sample. R Stapley said that this is part of their normal procedure.
- 105 • R Stapley is working with the Division of Drinking Water about the deep rooted vegetation problem at
- 106 Broad Hollow Spring. The Division changed their point rules for water systems, and the vegetation around

- 107 the spring is giving us negative points. They granted our exception, but they required some conditions.
108 We are having some trouble with some of the conditions.
- 109 • R Sneddon said that cutting down the trees could cause a lot more problems. R Stapley agreed. That
110 would not be a good solution.
 - 111 • R Stapley said that our water from the spring does require chlorination, like most springs, but we haven't
112 had any problems with bacteria.
 - 113 • Val Kotter and Sons completed all the sewer infiltration issues that we wanted to get done this year.
114 There are a few that we still need to fix that are related to service lines to homes. There is one very bad
115 infiltration with tree roots that we are hiring a contractor to fix.
 - 116 • We are working on vacuuming out storm boxes. We will work on some irrigation culverts.
 - 117 • Leaf cleanup will continue as long as we have the time.

118
119 S Bankhead, Administrative Services Director

- 120 • We have seen an increase in our dog licensing. J Bardsley, city staff, has worked on this.
- 121 • Our business licensing for this year was 103 home businesses, and 116 commercial businesses. Even
122 though the state is no longer requiring some types of home businesses to have a license, many people
123 have decided that it is advantageous to them to have one.
- 124 • Our sales tax revenue is holding about constant.
- 125 • S Bankhead spoke about the invoice register. She explained that the \$141,620 on page 7 was for the
126 County's work to put down the chip seal.
- 127 • We have spent about \$90,000 on Hillcrest Park (page 8). We have spent about \$55,000 on the cemetery
128 project (page 11).
- 129 • K Eck asked if we have any extra money from Hillcrest Park.
- 130 • S Bankhead said that she doesn't know the exact numbers for the total we have spent on Hillcrest Park.
131 She believes we have spent nearly all of the budgeted amount. We can look at impact fees and allocations
132 and adjust the budget so that we can add more features to the park. K Eck said that she would like to see
133 those numbers by the beginning of next year.
- 134 • S Bankhead said that our Pipeline notification service is a very efficient way for people to get notified.
135 They can choose what categories they want to receive notifications about. We have 675 people signed up,
136 which is about ¼ of our households. It would be good to get more. It is especially useful when there is a
137 small local emergency such as a water leak.
- 138 • D Giles asked if the young man going around town selling roofs is licensed. S Bankhead said that he is
139 probably the one who came in to our office to get a solicitor license for that.
- 140 • K Eck asked if there is an ordinance against panhandling, and if it is something that we can consider.
- 141 • S Bankhead said that we do not have one that she is aware of. She would have to look at State Code with
142 regards to what we can do.
- 143 • K Allen thanked S Bankhead for the descriptions on the check register items. S Bankhead said that Diane
144 Campbell and Tara Bankhead work on that.
- 145 • S Bankhead said that some city councils approve stacks of individual invoices. We decided to stop doing
146 that because it was taking too long to get them paid. That is why our council sees an invoice register with
147 descriptions instead.

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149 **Approval of the minutes**

150 **Item No. 1.** The Providence City Council will consider approval of the minutes of October 22, 2019

151 **Motion to approve the minutes of October 22: — R Sneddon, second — D Giles**

152 **Vote:**

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

154 **Nay:**

155 **Abstained:**

156 **Excused:**

157 **Corrections:**

- 158 • Alese Crockett
- 159 • Line 559 ~~except~~ exempt

- 160 • Line 404: “homes from building”
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162 **Public Comments:** Citizens may appear before the City Council to express their views on issues within the City’s
163 jurisdiction. Comments will be addressed to the Council. Remarks are limited to 3 minutes per person. The total
164 time allotted to public comment is 15 minutes. The City Council may act on an item, if it arose subsequent to the
165 posting of this agenda and the City Council determines that an emergency exists.

- 166 • Peter Holmgren of Providence asked what the difference is between administrative business and
167 legislative business.
168 • Mayor Drew said that the Council is a legislative body, but it sometimes has to approve administrative
169 tasks. An administrative item consists of making a decision about whether something meets city code. For
170 example, with a development agreement, we are just looking at whether it meets city code. We often
171 don’t solicit public comment on these issues. Legislative items are when we are making policy decisions,
172 such as zoning. On these issues we do invite public comment.
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174 **Public Hearing(s):** None
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176 **Administrative Business Item(s):**

177 **Item No.1. Resolution 037-2019 – Development Agreement:** The Providence City Council will consider for
178 adoption a resolution approving the Development and Public Improvement Installation Agreement for The Corner
179 Lot 1 Amendment – Final Plat; a two-lot commercial subdivision located in the general area of 506 West 100 South,
180 Providence UT.

181 **Motion to approve resolution 037-2019 – Development Agreement regarding the property at 506 West 100**
182 **South in Providence:** — K Allen, second — R Sneddon

183 **Vote:**

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

185 **Nay:**

186 **Abstained:**

187 **Excused:**

188 Discussion:

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- 190 • S Bankhead explained that this is an existing commercial lot. Their original intent was to have one building
191 with several different offices. However, they would now like to have two separate lots and two separate
192 buildings. The Planning Commission approved the amended final plat.
 - 193 • S Bankhead said that the main point in this development agreement is the extension of services into the
194 new lot.
 - 195 • K Allen asked if D Macfarlane plans to move his offices there. S Bankhead believes that he does.
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197 **Item No. 2. Resolution 038-2019 – Development Agreement:** The Providence City Council will consider for
198 adoption a resolution approving the Development and Public Improvement Installation Agreement for Providence
199 Highlands Phase 4; a 12-lot residential subdivision located in the general area of 1180 South 800 East.

200 **Motion to approve Resolution 038-2019 Development Agreement with Providence City with the correction**
201 **noted below:** — R Sneddon, second — D Giles

202 **Vote:**

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

204 **Nay:**

205 **Abstained:**

206 **Excused:**

207 Discussion:

- 208 • S Bankhead said that this plat was approved previously. If the developer does not record the final plat
209 within one year of its approval, the final plat has to be done again.
210 • Correction: K Allen noted that on page 12, it says “Mayor Don Calderwood.”

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- K Allen asked if this is the last phase. S Bankhead said that the developer has submitted a concept plan for another phase on the north side of 1000 South, but they have not gone much further on that because of difficulties with the access. The phase we are considering today is the final area that they can do on the south side of 1000 South without a second access. They could do a few more homes on the north where there is frontage on Grandview drive.
 - K Allen asked about additional accesses that have been proposed. S Bankhead said that the developer has suggested a boundary line adjustment with Millville so that they could build a road that would connect to 400 East.

220 **Item No. 3. Resolution 039-2019 – Historic Preservation Commission Appointment:** The Providence City Council
221 will consider for adoption a resolution appointing Sharon Johnson to the Providence Historic Preservation
222 Commission.

223 **Motion to approve Resolution 039-2019 Historic Preservation Commission Appointment for Sharon Johnson: –**
224 **D Giles, second — R Sneddon**

225 **Vote:**

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

227 **Nay:**

228 **Abstained:**

229 **Excused:**

230 Discussion:

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- Sharon Johnson said that she was disappointed to have to leave the Planning Commission. She is very interested in being a member of the Historic Preservation Commission. She is very interested in knowing what we do to help people preserve older homes, etc.
 - Mayor Drew said that people who own historic homes are looking for some guidelines to preserve them.
 - S Bankhead said that those guidelines are through the Utah State Historical Society under the Division of State History. We can help direct people to the state website. Those people can also use the work of the Historic Preservation Commission to help with their application [for historic status].
 - K Allen said that there are also a lot of historic barns and sheds.
 - S Johnson said that we should talk up historical status so that more people know about it. She thanked the council and the city staff for the work they do.

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242 **Item No. 4. Resolution 040-2019 – City Council Bylaws Amendment:** The Providence City Council will consider for
243 adoption a resolution approving an amendment to the City Council Bylaws.

244 **Motion to approve resolution 040-2019 regarding city council bylaws with the corrections below: – K Allen,**
245 **second — R Sneddon**

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

247 **Nay:**

248 **Abstained:**

249 **Excused:**

250 Discussion:

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- Mayor Drew explained that there has been some changes to state code that affect our bylaws. We also found something from a few years ago that we were supposed to add in to the bylaws but did not. It has been added with this resolution.
 - Correction by R Sneddon: 1.1 & 1.2 are in contradiction to each other. Drop the word “strictly” in 1.2.
 - Correction: 6.3: Move “agent” to the correct place in the sentence after “authorized.”
 - K Allen noted that the bylaws state that the City Council meets on the 2nd and 4th Tuesdays of the month. The new council will have to decide when they would like to meet.

260 **Legislative Business Item(s)**

261 **Item No.1. Ordinance No. 2019-023 – Code Amendment PCC 10-6-1:** The Providence City Council will consider for
262 adoption and ordinance amending PCC Title 10 Zoning Regulations, Chapter 6, Section 1 Use Chart by amending

263 bed and breakfast as a home business in single-family zones and a conditional use in multi-family zones.
264 **Motion to approve ordinance 2019-023 Code Amendment PCC 10-6-1: — R Sneddon, second — D Giles**

265 **Vote:**

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

267 **Nay: B Fresz**

268 **Abstained:**

269 **Excused:**

270 Discussion:

- 271 • S Bankhead noted that the proposed changes should be red on the chart in the agenda packet, but it did
272 not print out that way. The change is that Bed and Breakfast is noted with a “C” for conditional use [in
273 SFM, SFH, MFR, MFM and MFH zones].
- 274 • S Bankhead explained that the applicant is concerned with the potential owner-occupied requirement in
275 multi-family zones. They want to have an on-site manager [who will not be the owner].
- 276 • S Bankhead said that city staff didn’t want to allow them to have residential in a commercial zone [which
277 was the zone that the parcel was before last council meeting] because that would open up the door to
278 other residential use. Staff recommended that instead of that, we allow bed and breakfast as a
279 conditional use in multi-family zones. The owner is concerned that if we require owner occupancy, the
280 “bungalow” will not count as a bed and breakfast unit.
- 281 • S Bankhead said that many of the conditions we look for in a conditional use are already taken care of in a
282 multi-family zone. For example, we already require guest parking in multi-family zones.
- 283 • K Eck asked if this is only for the Old Rock Church or if we are changing the use chart. S Bankhead said that
284 we are changing the use chart.
- 285 • K Eck said that she is concerned about approving bed and breakfast in multi-family. However, she feels
286 that what the Old Rock Church is doing is perfectly reasonable. K Eck felt that we could have people
287 buying up townhomes and renting them as Airbnbs. She felt that this would not be favorable for our
288 community. There is not enough parking. With the new townhomes [Providence Gateway], there is not
289 much parking beyond the garages.
- 290 • Kip Gilley of Pioneer Builders said that if the owner is required to live there, a townhome owner might
291 stay in the unit and rent out rooms for Airbnb.
- 292 • D Giles asked about the conditional use process. Will people really come in to tell us what they are doing?
- 293 • S Bankhead said that if we find someone in violation of a use, we can send them a notice and make them
294 come take care of it. Airbnbs are very difficult to enforce, because the State Legislature is in favor of
295 Airbnb right now. We do our best to try to control nuisances. Also, some developments have their own
296 restrictions about renting or subletting.
- 297 • Mayor Drew asked if we have restrictions on someone renting a room from their townhome. S Bankhead
298 said that we do not. Short term rentals are technically not allowed, although this is difficult to enforce.
- 299 • K Eck said that there are about seven single room nightly rentals around where she lives.
- 300 • S Bankhead said that according to our ordinance, those are not allowed [without a conditional use].
301 However, state code makes it difficult to enforce our ordinance.
- 302 • K Eck felt that at minimum, it should be conditional use in multi-family.
- 303 • B Fresz said that short term rentals are already happening, and it is not causing much trouble. Why should
304 we restrict it?
- 305 • K Allen said that he wants to make sure that the historical Old Rock Church is used and maintained. He
306 feels that we should make what they are doing legal, and that we should make the use conditional.
- 307 • R Sneddon felt that it should be conditional.
- 308 • D Giles felt that it should at least be conditional.

310 **Item No.2. Ordinance No. 2019-024 – Code Amendment PCC 10-3-6:** The Providence City Council will consider for
311 adoption and ordinance amending PCC Title 10 Zoning Regulations, Chapter 3 Permits, Plans, and Annexation,
312 Section 6 Annexation by adding the information required with an annexation petition.

313 **Vote:**

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

315 **Nay:**

316 **Abstained:**

317 **Excused:**

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- S Bankhead explained that we have been doing some things with our application by policy that we could not strictly require by law. [This ordinance will put those things into law]. S Bankhead said that with a legislative action, the Council has the option to say “no” to a project. An annexation is a legislative action. [This gives us more power to ask for things].
- S Bankhead explained that part of the changes relate to sending the annexation petition back to the Planning Commission if the proposed annexation does not match with the General Plan map. It does not change the City Council’s discretion on an annexation, but rather gives the Planning Commission a chance to weigh in.
- Mayor Drew asked if we still have to amend the future annexation map before rezoning.
- S Bankhead explained that we still have to do that step. What this change does is allow the Planning Commission to weigh in on the change to the map.
- S Bankhead explained the other requirements that we are adding to an annexation petition. We are requiring them to give us mailing addresses for affected entities, the adjacent property owners, etc. We are also making the applicant provide a feasibility study that addresses services such as utilities, and sensitive areas. The sensitive areas part is important to us so that the Council can know what type of land they are dealing with before they proceed with an annexation. It also makes the developer look at our sensitive areas ordinance before they get the land annexed. We are also requiring information about the density of the proposed development, circulation patterns, etc.
- S Bankhead read from the proposed changes.
- S Bankhead said that annexation is the time that we have the most ability to require things. We are not asking for anything that a good developer would not already be doing.
- Mayor Drew felt that the developer would be vested if they went through all these requirements.
- S Bankhead said that the developer still has to go through the subdivision approval process even after they are annexed. If Providence made a new law after they were annexed but before they went through that process, they would have to follow the new law. The annexation agreement does not give them the right to build anything they want. S Bankhead said that the vesting question would be an attorney question.
- K Allen felt that this is a positive thing. He felt that the developer cannot require anything of the city of Providence until the city council approves the annexation.
- Mayor Drew asked if a small annexation would be subject to these requirements. S Bankhead said that it would be.

Item No. 3. Resolution 041-2019 General Plan - Moderate Income Housing: The Providence City Council will consider for adoption a resolution approving General Plan Chapter 7 Moderate Income Housing.

Motion to adopt Resolution 041-2019 General Plan – Moderate Income Housing: — R Sneddon, second — K Allen

Vote:

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

Nay:

Abstained:

Excused:

Discussion:

- S Bankhead said that some of the data came from BRAG, but some came from the US Census American Communities Survey 2013-2017 Five Year Narrative Profile.
- S Bankhead explained that the look of the introductory pages has changed, but the type of information is the same. We updated the demographic information.
- Mayor Drew noted that the number of affordable rental units in Providence has gone down from 2016 to 2018. S Bankhead said that this can be due to inflation in the cost of housing. Mayor Drew said that the price of a rental unit must have gone up faster than pay increases have.
- S Bankhead explained that Providence City’s median income is higher than the average for the Cache County area. We have to provide our moderate income housing based on the area median income, not Providence’s median income.

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- S Bankhead said that our plan meets the requirements for the new state guidelines.
 - S Bankhead said that this chapter and the Annexation Policy Plan are approved separately from the General Plan. They will revise our current year 2000 plan. They have to be done before December.
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375 **Item No.4. Ordinance No. 2019-022 – Code Amendment PCC 1-6-7:A:** The Providence City Council will consider for
376 adoption an ordinance amending PCC 1-6-7:A. changing the day of the regular city council meetings to the 1st or 3rd
377 Tuesdays of the month.

378 **Motion that council meetings be the 1st or 3rd Wednesdays: — K Eck, second — B Fresz**

379 **Vote:**

380 **Yea: B Fresz, K Eck, D Giles**

381 **Nay: R Sneddon, K Allen**

382 **Abstained:**

383 **Excused:**

384 **Discussion:**

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- Mayor Drew said that this change could be good because it allows the Planning Commission to hand off something to the Council the next week.
 - S Bankhead said that this change would be good for city staff, because we don't have to do a 24 hour turnaround between meetings.
 - Mayor Drew said that the original reason that this was being considered was that we wanted to have a representative at the County Council meetings, which are on the 2nd and 4th Tuesdays.
 - K Eck said that Wednesday might be a beneficial day. Mayor Drew said that we could also do a 1st and 3rd Wednesday. K Eck wanted to hear from those who will be on the Council starting in January.
 - Carrie Kirk, councilwoman elect, would strongly prefer Wednesdays.
 - Jeanell Sealy, councilwoman elect, would prefer Wednesdays.
 - Brent Speth, councilman elect, didn't have a preference.
 - Josh Paulsen, councilman elect, didn't have a preference. He liked the idea of staggering the Planning Commission and Council meetings.
 - K Allen felt that we should postpone the issue until the new council can decide it formally. He would like to table it. He liked the idea of having a representative at the County Council meeting.
 - J Seally asked what happens when the meeting falls on a holiday, such as Wednesday, January 1st. Does the council meet only once that month, or do we move the meeting? S Bankhead said that that is up to the council.
 - S Bankhead said that we will probably have the oath of office ceremony [for the new council members] on Monday, January 6th. The current council members' terms [except K Eck's] expire at noon on the first Monday of the year.
 - K Eck suggested that we have a meeting after the swearing in.
 - B Speth suggested that we have a short meeting on the 6th to decide the agenda for the 15th, and then meet on the 15th and not meet again for the rest of the month. He would like to meet at noon.
 - C Kirk asked that we do it after 2 PM.
 - J Paulsen asked for 5 PM.
 - B Speth asked if all the councilmembers choose who swears them in. S Bankhead said that most often, she does it. Only certain people can do it. It can be a city recorder, a judge, etc.
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414 **Item No. 5. General Plan Discussion:** The Providence City Council will discuss Chapters 4, 5, and 6 in the proposed
415 general plan.

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- Mayor Drew asked about Form Based Code. S Bankhead said that Form Based Code is based on density instead of lot sizes. It allows developers to do clustering, open space, etc. It keeps density the same, but it scares some people who want to know exactly what will be going in. It is exciting to people who like creativity in open space, trails, etc.
 - Mayor Drew brought up R Sneddon's comment on 4.3.7.C. He said that there would need to be a culture change for Providence residents to accept form based code.
 - Mayor Drew asked what density the Vineyard LCR development is. S Bankhead said that they are at about 7.6 units per acre, which is higher than our highest Single Family zone which is at about 5.5 units per acre.
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- 424 However, they were able to do trails and green space. Our LCR zone is somewhat similar to form-based
425 code. The developer can do between 4 and 12 units per acre, but they need to provide the open space.
- 426 • Mayor Drew asked if any Cache Valley cities do form-based code.
 - 427 • S Bankhead said that she doesn't think so. Summit County has some, such as in Park City. Daybreak [in
428 Salt Lake County] was also a kind of form-based code idea. She said that developers are usually motivated
429 to create a quality product that will sell well. The city can also regulate design elements.
 - 430 • J Bardsley, city staff, said that Form Based Code can also be about regulating architectural and design
431 features while allowing for a variety of uses. For example, somewhere like Park City might require all
432 buildings to look like a cabin, regardless of the use.
 - 433 • Mayor Drew asked how we would adopt a form based code. Would we do it across the entire city, or only
434 in parts?
 - 435 • S Bankhead said that there are model codes out there that we can use. Form-based codes have been
436 around for a long time. The biggest challenge of having a form-based code is for the city engineer, zoning
437 staff, etc., to stay on top of monitoring it, crafting the development agreements, etc.
 - 438 • Mayor Drew asked if form-based code is limited to residential uses. S Bankhead said that it is not.
 - 439 • S Bankhead said that our PUD (Planned Unit Development) ordinance is moving towards a form-based
440 code. They still have to take care of all of the necessities, such as public safety, but they can do it in a
441 manner that works with the market.
 - 442 • K Allen said that if we really wanted to do this, we would have to move it from being a guideline to being
443 a part of the code.
 - 444 • K Allen spoke about connectivity. He felt that Ryan Powell's [Ridgeview Estates] subdivision is a good
445 example of this.
 - 446 • Mayor Drew asked if we define the term "multimodal" which is referenced in 5.2. S Bankhead said that
447 we will check.
 - 448 • The Council discussed B Fresz's comment about a Pedestrian Master Plan. B Fresz said that we plan for
449 cars and we plan for bikes, but we should probably plan for people as well.
 - 450 • S Bankhead asked if it would include things like pedestrian underpasses or overpasses in certain areas of
451 the city.
 - 452 • B Fresz said that he could definitely see an overpass over Hwy 165 if we expand [development] to the
453 other side of the highway.
 - 454 • R Sneddon said that he doesn't like systems that force people into specific routes. He wants to walk
455 where he wants to walk. He asked if B Fresz has a list of areas that he wants people to be able to see [via
456 walking].
 - 457 • B Fresz said that he is more concerned about whether people can walk east to west or north to south
458 safely within the city if they want to. There are some roads, such as the one coming out of Providence
459 Canyon, that have sections that are unsafe for pedestrians.
 - 460 • K Allen mentioned the power lines in the Highlands area. It would be a good area for a trail. We can find
461 places like that to put pathways. We could also plan to put paths in the gullies.
 - 462 • B Fresz spoke about his suggestion to include a bicycle master plan. Not every path that works for walking
463 works for bicycles.
 - 464 • R Sneddon said that we already have a bicycle trail along the deer fence.
 - 465 • Mayor Drew asked about B Fresz's comment on 5.3.5.B. Is the "Interconnection Master Plan" referring to
466 connections with other cities? B Fresz said that it is.
 - 467 • S Bankhead asked about B Fresz's comment about including right of way corridor maps in the
468 transportation master plan. Was this about including the widths of roads?
 - 469 • B Fresz said that his comment was about interconnection with other cities within the region. We don't
470 want our roads that connect to be of differing widths.

471
472 **Council Reports:** Items presented by the City Council members will be presented as informational only; no formal
473 action will be taken. The City Council may act on an item, if it arose subsequent to the posting of this agenda and
474 the City Council determines that an emergency exists.

- 475 • B Fresz asked about the request for proposal for UTOPIA. Mayor Drew said that we are waiting to hear
476 from Comcast. We have corresponded with Syringa and Utopia.

- 477 • B Fresz asked what would happen if Comcast doesn't respond. We should put the proposal on our
478 website, and then if they don't respond they don't respond.
479 • Mayor Drew said that we will drop Comcast if they don't respond. We will get something out by Friday.
480 • Mayor Drew mentioned the RACI duties chart. We can sit down with the Mayor, S Bankhead, and Ryan
481 Snow to get an initial draft done before it comes to the Council.

482 **Motion to enter executive session:** — R Sneddon, second — D Giles

483 Entered at 10:05 PM

484

485 **Executive Session Notice:**

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

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

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

492

493 **Motion to close executive session:** — K Allen, second — R Sneddon

494 **Vote:**

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

496 **Nay:**

497 **Abstained:**

498 **Excused:**

499

500 **Motion to adjourn:** — K Allen, second — R Sneddon

501 **Vote:**

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

503 **Nay:**

504 **Abstained:**

505 **Excused:** K Eck

506

507 Meeting adjourned at approximately 10:17 PM

508 Minutes prepared by Jesse Bardsley

509 Minutes approved by vote of the Council on December 4, 2019

510

511

512

513

514

John Drew, Mayor

Skarlet Bankhead, City Recorder