

1 **PROVIDENCE CITY COUNCIL MEETING MINUTES**

2 **Wednesday, June 17, 2020 6:00 PM**

3 **Providence City Office Building,**

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

5 **Members of the Council may be attending this meeting electronically.**

6 **This meeting was live streamed on Providence City's YouTube Channel**

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8 **Opening Ceremony:**

9 Call to Order: Mayor Drew

10 Roll Call of City Council Members: Mayor Drew

11 Attendance: John Drew, Kristina Eck, Josh Paulsen, Jeanell Sealy, Brent Speth

12 Excused: Carrie Kirk

13 Pledge of Allegiance: Mayor Drew

14 Opening Remarks – Prayer: Josh Paulsen

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

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19 Rob Stapley, Public Works Director:

- 20 • The 500 North storm water project, the 200 South 350 East cul-de-sac paving project, and summer road  
21 maintenance were discussed.  
22 • R Stapley discussed upgrades to our SCADA system.

23 Skarlet Bankhead, Administrative Services director

- 24 • Our recreation programs are ongoing. We are sanitizing.  
25 • We will be starting tennis and pickle ball lessons.  
26 • There may be a mini soccer season in July.  
27 • Softball games will start next week, and our recreational baseball will start the first part of July.

28 Ryan Snow, City Manager

- 29 • We received six proposals for the Parks, Trails and Recreation Master Plan.  
30 • We are seeking to qualify for the Government Financial Officers Association distinguished budget award.

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32 **Approval of the minutes**

33 **Item No. 1.** The Providence City Council will consider approval of the minutes of May 20, 2020.

34 **Motion to approve the minutes of May 20, 2020: — J Sealy, second — J Paulsen**

35 **Vote:**

36 **Yea: J Sealy, K Eck, J Paulsen**

37 **Nay:**

38 **Abstained: B Speth**

39 **Excused: C Kirk**

40 **Corrections:**

- 41 • Line 95 “public facing webpages” was discussed. J Bardsley will check the audio.  
42 • K Eck liked the new [abbreviated] style of the minutes

43  
44 **Public Comments:** Citizens may express their views to the City Council on issues within the City’s jurisdiction.

45 **Public comments may be sent to [providencacityutah@gmail.com](mailto:providencacityutah@gmail.com) or text comments to 435-752-9441.** The City  
46 Council may act on an item, if it arose subsequent to the posting of this agenda and the City Council determines  
47 that an emergency exists.

- 48 • No public comments

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50 **Public Hearing(s):**

51 **PERSONS WISHING TO COMMENT ON PUBLIC HEARING ITEMS MAY EMAIL THEIR COMMENTS TO**

52 **[providencacityutah@gmail.com](mailto:providencacityutah@gmail.com) OR TEXT COMMENTS TO 435-752-9441.**

54 **Item No. 1. 2020 Budgets (no earlier than 6:15 p.m.)** The Providence City council will hold a public hearing to  
55 provide an opportunity for anyone interested to comment on the proposed adjustments to finalize the 2020  
56 budgets for all funds (General, Capital Project, Water, Sewer, Storm Water, and Secondary Water) before action is  
57 taken.

- 58 • No public comments

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60 **Administrative Business Item(s):**

61 **Item No. 5. Resolution 023-2020 – Planning Commission Alternate.** The Providence City Council will consider for  
62 approval a resolution appointing a resident to fill a vacancy on the planning commission, starting as an alternate.

63 **Motion to work on resolution 023-2020: — J Sealy, second — B Speth**

- 64 • Matt Harris introduced himself. He has lived in Providence for about a year. He is on the faculty at Utah  
65 State University in mechanical and aerospace engineering. He lives in Creekside Townhomes, and enjoys  
66 the walkable features of the area. He has researched the general plan. He likes the idea of walking, biking  
67 and having affordable housing. He would like to implement the General Plan.
- 68 • B Speth asked M Harris if his employment is for short term or longer term. M Harris said that he is a  
69 tenure track faculty. At the five year mark, he may become tenured. He plans to stay here for a longer  
70 period of time.
- 71 • Mayor Drew asked M Harris about his background.
- 72 • M Harris said he was working in Houston with a typical suburban lifestyle. He traveled, and saw that  
73 people living in other ways were just as happy. They decided to downsize and simplify life. They chose  
74 Providence because of the nearby parks, nearby shopping, etc. One reason that they are in a townhome is  
75 so that they can be mortgage-free.
- 76 • Joe Chambers explained his background. He has been practicing law in Cache Valley since 1979. He has  
77 two law degrees. He has taught at USU and BYU as an adjunct. He is a tax specialist for a law firm. He  
78 mainly does commercial transactions. He has no particular agenda for serving on the Commission. He  
79 feels that the Planning Commission is important for conditional uses. He has raised 5 children in  
80 Providence.
- 81 • Kathleen Alder, Planning Commission Chair, discussed the candidates. She felt that both candidates bring  
82 some unique perspectives.
- 83 • R Snow suggested that it is good to represent all the different areas of the city. The north is  
84 underrepresented, which is where M Harris is located. J Chambers is up on center street near the [Public  
85 Works] building.
- 86 • Mayor Drew asked if there would be conflicts of interest due to the clients J Chambers has represented. J  
87 Chambers said that most of the clients he represents are in other areas.
- 88 • Mayor Drew said that M Harris has a different perspective. He is younger and lives in multi-family  
89 housing, whereas the rest of the Council and Commission live in single family homes. J Chambers has the  
90 perspective of his legal background. It is important to have different perspectives.

91 **Motion for Resolution 023-2020 to appoint Matt Harris: — K Eck**

92 Motion died for lack of a second

93 **Motion to appoint Joe Chambers to the Planning Commission: — J Paulsen, second — B Speth**

94 Discussion on the motion:

- 95 • J Paulsen explained his motion for J Chambers. He felt that both candidates are good options, but that our  
96 Commission has been very focused on moderate income housing already. We haven't been getting the  
97 multi-family housing that we want in the City. He doesn't want to shift the balance on the Commission too  
98 far in that direction.
- 99 • Mayor Drew said that we don't have anyone on the Commission who has the background that M Harris  
100 has.

101 **Vote:**

102 **Yea: B Speth, J Paulsen, J Sealy**

103 **Nay: K Eck**

104 **Abstained:**

105 **Excused: C Kirk**

106 **Public Hearings continued:**

107 Providence City Council Minutes  
Wednesday, June 17, 2020

108 **Item No. 2. 2021 Budgets (no earlier than 6:30 p.m.)** The Providence City council will hold a public hearing to  
109 provide an opportunity for anyone interested to comment on the estimates of revenue and expenditures or any  
110 item thereof in the final budget of any fund (General, Capital Project, Water, Sewer, Storm Water, and Secondary  
111 Water) before action is taken.

- No public comments

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114 **Item No. 3. Loan request (no earlier than 6:40 p.m.)** The Providence City council will hold a public hearing to  
115 provide an opportunity for anyone interested to comment on a proposal to request a loan from Permanent  
116 Community Impact Board to build a 1.5M gallon storage reservoir

- R Snow explained that we have a choice between using a loan and using our reserves to build a new water tank. The tank will cost us about \$2 million. If we go with a loan, we could seek it from the Community Impact Board at a rate of about 1-1.5% in the amount of about \$1,760,000. We would be able to use impact fees to pay off this loan.
- J Sealy asked about the interest rate we get on our [reserve] fund. R Snow explained that we are getting approximately 1.5% right now. Before COVID-19, we were getting around 3%.
- Mayor Drew said that we need to decide as a Council what the reserve fund is for and what it is not for. Also, if we use our reserve fund, we would still have to pay ourselves back by replenishing the reserves.
- B Speth asked about our current reserve balance. S Bankhead explained that we have about \$2.7 million in reserves (other than operating capital) and about \$900,000 more that we cannot use until the 2001 C Bond is paid off.
- R Snow explained that the loan would not be a 100% loan. We would use about \$400,000 of our reserves with the loan.
- B Speth felt that it is better to keep a healthy reserve and borrow the money. New growth can help pay for it. J Sealy agreed.
- R Snow explained that we would be applying for a loan at a rate of 1-1.5%, but it could end up being as high as 2-2.5%.

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135 **Item No. 4. Partial grant request (no earlier than 6:45 p.m.)** The Providence City council will hold a public hearing  
136 to provide an opportunity for anyone interested to comment on a proposal to request a partial grant from the  
137 Permanent Community Impact Board to create a Sewer Master Plan.

- R Snow explained the reason for this request. We are asking for a \$20,000 grant which we would match with our own money.

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141 **Presentation(s):** Susan Becker, Zions Public Finance, Inc., will present the Fiber Feasibility Study.

- S Becker presented the feasibility study. Fiber usage numbers, installation costs, and different models for fiber were discussed. The cost/revenue breakdowns of the various models were shown. Utopia, Strata Networks, and other options were discussed.
- Dave Ryan of Strata said that the \$30 fee per month is an estimate. It can be adjusted.
- Bandwidth capacity was discussed. The “refresh” rate of the infrastructure was discussed.
- 5G was discussed, including potential revenue to the city. D Ryan said that the city could make \$3-5000 per month per tower. J Paulsen asked how 5G might affect take rates for fiber. Spanish Fork’s experience was discussed.
- Licensing costs and customer service were discussed. Case studies were discussed.
- The Council decided to review the presentation and the model and come back to this topic at a future meeting.

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154 **Administrative Business Item(s):**

155 **Item No. 4. Resolution 022-2020 – Fireworks.** The Providence City Council will consider for approval a resolution  
156 designating a closed area to ignition or use of fireworks.

157 **Motion to work on Resolution No. 4: — J Paulsen, second — J Sealy:**

- Aaron Walker, Logan City Fire Inspector, explained that the State sets the days for fireworks, but the Council decides on the geographical area. The Fire Department is recommending keeping the same geographical area as last year.

161 **Motion to accept the 2020 fireworks closed area resolution 022—2020 as recommended: — B Speth, — second J**  
162 **Paulsen**  
163 **Vote:**  
164 **Yea: K Eck, J Paulsen, J Sealy, B Speth**  
165 **Nay:**  
166 **Abstained:**  
167 **Excused: C Kirk**

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169 **Legislative Business Item(s):**

170 **Item No. 1. Ordinance 2020-006 – Rezone.** The Providence City Council will consider for adoption an ordinance  
171 changing the zone of a portion of Parcel No. 02-090-0011 (approximately 2.82 acres adjacent to the east boundary  
172 of Parcel No. 02-090-0018), located in the general area of 750 West 300 South, from Commercial Highway District  
173 (CHD) to Multi-Family High Density (MFH).

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  - This item was removed from the agenda at the request of the applicant.

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176 **Legislative Business Items continued:**

177 **Item No. 2. Ordinance 2020-007 – Rezone.** The Providence City Council will consider for adoption an ordinance  
178 changing the zone of Parcel No.s 02-212-0004, 02-212-0005, and 02-171-0001 from Commercial General District  
179 (CGD) to Multi-Family High, located in the general area of 265 N Gateway Dr and 565 W 100 N, containing  
180 approximately 7.89 acres, from Commercial General District (CGD) to Multi-Family High Density (MFH).

181 **Motion to reject ordinance No. 2020-007 – Rezone: — J Paulsen, second — B Speth**

182 **Vote:**

183 **Yea: K Eck, J Paulsen, J Sealy, B Speth**

184 **Nay:**

185 **Abstained:**

186 **Excused: C Kirk**

187 **Comments:**

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  - Mark Daines explained the reason that they submitted this property for a zone change. It has been  
189 difficult to market this property as commercial. This property is in the city core, which has been  
190 designated in the General Plan for higher density or mixed use.
  - J Paulsen said he would consider it if it came back as mixed use.
  - K Eck spoke about asking the Planning Commission to consider taking Multi Family High off of our books.  
193 The Planning Commission did not choose to get rid of the zone. She said that she will always vote “no” on  
194 Multi-Family High. Multi Family Medium is the highest density that she would feel comfortable with. She  
195 felt that it is worth looking at mixed use.

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197 **Item No. 6. Resolution 024-2020 – Approval of RFP.** The Providence City Council will consider for adoption a  
198 resolution accepting a proposal for design and engineering services for street improvements for 100 South  
199 between 200 W and 400 W.

200 **Motion to approve CRS as the RFP bid winner for resolution 024-2020: — J Sealy, second — B Speth**

201 **Vote:**

202 **Yea: K Eck, J Paulsen, J Sealy, B Speth**

203 **Nay:**

204 **Abstained:**

205 **Excused: C Kirk**

206 **Comments:**

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  - R Snow explained how the recommended RFP was chosen. The one that the selection committee  
208 recommended is CRS Engineers.
  - J Sealy felt that CRS needs to be proactive in helping the residents of 100 South understand the process of  
209 the engineering work. B Speth felt that each property owner wants a finished product up against their  
210 property. The engineering firm will need to be present with the property owners to help deal with their  
211 concerns.

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214 **Administrative Business Items continued:**  
 215 **Item No. 3. Resolution 021-2020 – Certified Tax Rate:** The Providence City Council will consider for adoption a  
 216 resolution establishing the certified tax rate.  
 217 **Motion to accept Resolution 021-2020 Certified Tax Rate of .001780 for the coming year: — B Speth, second — J**  
 218 **Sealy**  
 219 **Vote:**  
 220 **Yea: K Eck, J Paulsen, J Sealy, B Speth**  
 221 **Nay:**  
 222 **Abstained:**  
 223 **Excused: C Kirk**  
 224 **Comments:**  
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- Mayor Drew explained that the rate will be falling, but it holds the collection amounts the same from

  
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- existing property owners.

  
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- R Snow explained that there is some revenue increase due to new growth, but not an increase in

  
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- collection from existing property owners. R Snow explained the expected revenues.

  
 229  
 230 **Item No. 1. Resolution 019-2020 – Budget Fiscal Year End 06/30/2020.** The Providence City Council will consider  
 231 for approval a resolution approving the final budget adjustments for all funds (General, Capital Project, Water,  
 232 Sewer, Storm Water, and Secondary Water) for fiscal year end 06/30/2020.  
 233 **Motion to accept resolution 019-2020 – Budget Fiscal Year End 6/30/2020 to approve the final budget**  
 234 **adjustments for all funds as noted on the agenda: — B Speth, second — J Sealy**  
 235 **Vote:**  
 236 **Yea: K Eck, J Sealy, J Paulsen, B Speth**  
 237 **Nay:**  
 238 **Abstained:**  
 239 **Excused: C Kirk**  
 240 **Comments:**  
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- S Bankhead explained the adjustments. At the end of the year, we adjust so that our revenues match our

  
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- expenses. Some changes from the original budget in revenue and expenses were discussed. We are also

  
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- transferring some extra money into the capital projects fund.

  
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- R Snow explained differences in the approach we will be taking in the future to show use of prior year

  
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- funds.

  
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- The reason that we created the secondary water fund was discussed, as well as the reason that it shows a

  
 247 

- negative balance.

  
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- R Snow discussed his budget preparation methodology.

  
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 250 **Item No. 2. Resolution 020-2020 – Budget Fiscal Year End 06/30/2021.** The Providence City Council will consider  
 251 for approval a resolution approving the final budgets for all funds (General, Capital Project, Water, Sewer, Storm  
 252 Water, and Secondary Water) for fiscal year end 06/30/2021 for all funds.  
 253 **Motion to approve resolution 020-2020 –Budget fiscal year end 6/30/2021: — J Sealy, second — J Paulsen**  
 254 **Vote:**  
 255 **Yea: K Eck, J Paulsen, J Sealy, B Speth**  
 256 **Nay:**  
 257 **Abstained:**  
 258 **Excused: C Kirk**  
 259 **Comments:**  
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- R Snow asked if the Council agrees with the priorities in the capital projects. He reviewed the 2021

  
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- budget, including the online budget book available through our website.

  
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- The staff and council salary study and adjustments were discussed.

  
 263 

- The attorney fees in the water budget were discussed. B Speth and J Sealy spoke about reducing attorney

  
 264 

- fees and about the work that the City has been doing to resolve the issue with Spring Creek Water

  
 265 

- Company.

  
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267 **Council Reports:** Items presented by the City Council members will be presented as informational only; no formal  
268 action will be taken. The City Council may act on an item, if it arose subsequent to the posting of this agenda and  
269 the City Council determines that an emergency exists.  
270

271 Kristina Eck

- The city celebration was discussed. K Eck asked the other Council members to help with the committee.

272 Jeanell Sealy

- The library is back to curbside pickup only.

273 Brent Speth

- There is a drive through refugee health fair this Saturday at 6-8pm at the Cache County Fair Grounds.

274 Mayor Drew

- Mayor Drew reported on the COG committee and on the solid waste advisory board. Mayor Drew was elected chair of the CMPO board.

275

276 **Executive Session Notice:**

277 The Providence City Council may enter into a closed session to discuss pending or reasonably imminent litigation as  
278 allowed by Utah Code 52-4-205(1)(c).  
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280 The Providence City Council may enter into a closed session to discuss professional competence or other factors  
281 allowed by Utah Code 52-4-205(1)(a).  
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283 The Providence City Council may enter into a closed session to discuss land acquisition or the sale of real property  
284 Utah Code 52-4-205(1) (d) and (e).  
285

- **No executive session.**

286

287 **Motion to adjourn: — J Paulsen, second — K Eck**

288 **Vote:**

289 **Yea: K Eck, J Paulsen, J Sealy, B Speth**

290 **Nay:**

291 **Abstained:**

292 **Excused: C Kirk**

293 Meeting adjourned at approximately 10:40 PM

294 Minutes prepared by Jesse Bardsley

295 Minutes approved by vote of the Council on July 15, 2020

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\_\_\_\_\_  
John Drew, Mayor

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Skarlet Bankhead, City Recorder