

1 **PROVIDENCE CITY COUNCIL MEETING MINUTES**
2 **Wednesday, September 16, 2020 6:00 PM**
3 **Providence City Office Building, 164 North Gateway Drive, Providence UT**
4 **This meeting was live streamed on Providence City's YouTube Channel.**
5

6 The Providence City Council will begin discussing the following agenda items at **6:00 p.m.**

7 **Opening Ceremony:**

- 8 Call to Order: Mayor Drew
9 Roll Call of City Council Members: Mayor Drew
10 Attendance: John Drew, Kristina Eck, Carrie Kirk (Zoom), Josh Paulsen, Jeanell Sealy, Brent Speth (Zoom)
11 Pledge of Allegiance: Mayor Drew
12 Opening Remarks – Prayer: Brent Speth
13

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

17 Rob Stapley, Public Works Director

- 18 • The wind storm cleanup was discussed. We lost about 17 large park trees. Zollinger Park has a new
19 playground that will be installed soon. The green waste bins at Von's Park were discussed.

20 Skarlet Bankhead, Administrative Services Director

- 21 • S Bankhead complimented the community response during the storm cleanup. Kickball was a success. Flag
22 football is beginning. Development is continuing unabated.

23 Ryan Snow, City Manager

- 24 • We are on-track with our budget. We have several master plans under way: Parks, recreation and trails is
25 slightly behind due to the survey; the transportation master plan is under way; the sewer master plan will
26 be coming soon. We now have a technical advisory committee for fiber; we will be hearing a fiber-related
27 presentation today.
28 • R Snow has been visiting personally with the property owners on 100 South.
29 • We submitted an application for EDC Utah.
30 • The COG application for 100 South was discussed.
31

32 **Approval of the minutes**

33 **Item No. 1.** The Providence City Council will consider approval of the minutes of August 19, 2020

34 **Motion to approve the August 19, 2020 minutes with the correction that John Drew would take over the fiber**
35 **project on C Kirk's report: — J Paulsen, second — J Sealy**

36 Corrections:

- 37 • Mayor Drew said he would take over the fiber project, not the canyon project. He did agree to contact the
38 trails coordinator.

39 *Vote:*

40 *Yea: K Eck, C Kirk, J Paulsen, J Sealy, B Speth*

41 *Nay:*

42 *Abstained:*

43 *Excused:*
44

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

46 **Item No. 1. Presentation:** Bryce Lancaster will present information about CAPSA.

- 47 • Ashley Shaw presented the information instead of Bryce Lancaster. She spoke about how COVID-19 has
48 affected the community as far as domestic violence. Hotline calls are up 110%. There were over 1,000
49 calls in the month of August. Casework and therapy services have also gone up. Emergency shelter
50 services have gone up 60%. CAPSA is attempting to disseminate information about its services as widely
51 as possible. A Shaw asked the Council to inform her if there are any opportunities to publish this
52 information through newsletters, through religious groups, business groups, social media outlets, etc.
53

54 **Item No. 2. Presentation:** Logan Fire Chief Brad Hannig will present information about the Community Connect
55 program.

- 56 • Prevention efforts through inspection were discussed. Logan City has a new software program called First
57 Due Size-Up that helps them access important information about the property they are responding to.
58 Citizens can now create a free online account and share information with the fire department that will
59 help the department be prepared to respond to their home.
60

61 **Item No. 3. Report:** The volunteer technical advisory committee will discuss the installation of fiber throughout the
62 city.

- 63 • Ky Sealy of the Technical Advisory Committee reviewed the recommendation report. The Committee
64 recommends that the Council pursue the utility model through a public/private partnership with Strata
65 networks. K Sealy explained the makeup of the Committee.
- 66 • C Kirk thanked the committee for doing this in-depth research. J Paulsen explained that his position on
67 this issue has changed as we have done our due diligence. He was against the utility model at first, but
68 now agrees that we should be pursuing it.
- 69 • The ISP agreements were discussed. The possibility of city-wide wifi was discussed. Dave Ryan of Strata
70 Networks said that the network is designed to be able to handle that possibility, but the costs of putting in
71 those additional service points is not in the model.
- 72 • The monthly cost to residents was discussed. Other components such as TV, phone service, etc., were
73 discussed. Accounting for the project was discussed.
- 74 • C Kirk asked what decision needs to be made next. K Sealy said that if the Council approves their
75 recommendation, the Technical Advisory Committee would begin working on a fiber master plan with
76 Strata Networks. There would be agreements worked out between the City and Strata networks.
- 77 • C Kirk would like to see the TAC move forward in the direction that they have indicated. She also thinks
78 that we should consider asking for deposits so that we can gauge the interest in different areas of the city.
- 79 • J Paulsen agreed that we should proceed in the direction that the TAC has recommended. K Eck agreed. J
80 Sealy agreed, but she felt that it would be nice to add a mid-range service between the basic service and
81 the 250 mbps service.
- 82 • Brent Fresz of Providence asked what the timeline for this project would be. K Sealy said that the current
83 Public Private Partnership Proposal suggests a timeline of three years, but it can be adjusted.
- 84 • Mayor Drew said that the direction to move forward given by the Council tonight means that city staff will
85 sit down with Strata and negotiate the details of a contract.
86

87 **Public Comments:** Citizens may express their views to the City Council on issues within the City's jurisdiction.
88 Public comments may also be sent to providencacityutah@gmail.com or text comments to 435-752-9441. The City
89 Council may act on an item, if it arose subsequent to the posting of this agenda and the City Council determines
90 that an emergency exists.

- 91 • No public comments
92

93 **Item No. 4. Resolution 031-2020 – Parameters Resolution:** A RESOLUTION AUTHORIZING NOT MORE THAN
94 \$2,000,000 WATER REVENUE BONDS, IN ONE OR MORE SERIES, TO FINANCE WATER SYSTEM IMPROVEMENTS,
95 AND RELATED IMPROVEMENTS; PROVIDING FOR THE PUBLICATION OF A NOTICE OF PUBLIC HEARING AND BONDS
96 TO BE ISSUED; FIXING THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT, MATURITY, INTEREST RATE AND
97 DISCOUNT OF THE BONDS; PROVIDING FOR THE RUNNING OF A CONTEST PERIOD; AND RELATED MATTERS.

- 98 • R Snow explained that the Community Impact Board authorized us for a loan at a 1.5% interest rate.

99 **Motion to approve the parameter resolution 031-2020 to authorize not more than 2,000,000 for a water
100 revenue bond:** — *B Speth, second* —*J Paulsen*

101 *Vote:*

102 *Yea: K Eck, C Kirk, J Paulsen, J Sealy, B Speth*

103 *Nay:*

104 *Abstained:*

105 *Excused:*
106

107 **Item No. 5. Resolution 033-2020 – Annexation Petition for Further Consideration.** The Providence City Council

108 will consider for approval a resolution accepting an annexation petition for further consideration for Parcel No.s
109 02-096-0035, a 5.51-acre parcel located in the general area of 580 West 300 South; 02-090-0013, a 7.69-acre
110 parcel located in the general area of 310 S HWY165 (County address 1710 South Main); and 03-002-0007, a 8.20-
111 acre parcel located in the general area of 420 S HWY165.

112 • R Snow noted that this area is on the city's annexation policy plan.

113 **Motion to approve Item No. 5. Resolution 033-2020 – Annexation petition for further consideration:** — C Kirk,
114 second — J Sealy

115 • S Bankhead explained that no annexation or zone assignment will happen tonight. This resolution gives
116 the staff the OK to work with the County to make sure that the annexation petition is correct. Once that is
117 certified, then we go through a series of publications and a public hearing before a decision is made.

118 • B Speth asked how much vesting will occur if we authorize this to go forward. S Bankhead said that there
119 is no vesting with this authorization. She noted that this land is in our annexation policy plan, and there
120 are at least two other cities that also may try to annex it if we do not.

121 • J Paulsen wanted the citizens to know that the Council is not authorizing this annexation tonight by voting
122 yes. They are not giving any approval to development on this land.

123 • S Bankhead read from an emailed public comment sent by Tatiana Southam. She is against the petition to
124 annex parcel 02-096-0035 and assign it a multi family high density zone. There is already a lot of
125 development in the area, including multi-family, and we are not yet sure what the traffic impact will be
126 when it is all finished. She wrote about the width of the roads, the danger to children, the lack of public
127 transportation, and the increased risk of accidents. She would like the council to consider a different zone
128 than the proposed MFH.

129 • S Bankhead explained that two of the three properties are requesting commercial highway district. The
130 general plan proposes all three properties as commercial highway district. Therefore, this request would
131 also go to Planning Commission for consideration of a recommendation regarding the property that is
132 requested to differ from the General Plan. Tonight is just the beginning of the public process.

133 • B Speth said that he is in favor of taking a look at annexing the properties, but there are many issues that
134 would need to be looked into before annexing them.

135 • S Bankhead said that even if this property gets annexed, there would still be a lot of work that would need
136 to be done before someone could develop it.

137 • J Paulsen said that it makes sense for this area to be annexed into Providence. Hopefully, the city and the
138 applicants can work together to create a situation that would be beneficial to both parties. C Kirk agreed
139 with J Paulsen and B Speth.

140 • B Speth noted that with an annexation, we can require the applicant to do more, such as off-site
141 improvements like sidewalks, than we can with a rezone. S Bankhead said that the Council will see the
142 annexation agreement, which contains requirements for improvements, before they vote on the
143 annexation.

144 • Kent Dunkley, representing the applicants, clarified that the proposed development is for about 5.51
145 acres of land, not the entire land area of the proposed annexation. He doesn't know of any plans for the
146 other two parcels. He said that the developer would be happy to do [multi family medium].

147 *Vote:*

148 *Yea: K Eck, C Kirk, J Paulsen, J Sealy, B Speth*

149 *Nay:*

150 *Abstained:*

151 *Excused:*

152

153

154 **Item No. 6. Resolution 034-2020 – CARES Act Grant Program:** The Providence City Council will consider for

155 adoption a resolution establishing a grant program for businesses and residents using CARES Act funds granted to
156 the City from the State of Utah's allocation of federal funds for coronavirus aid.

157 • R Snow explained the ways in which we have allocated CARES act funds so far. We have extra funds that
158 we can use to make grants to residents and businesses based on their need and the effect of COVID-19.

159 • The residential grants were discussed. They could help individuals who have been laid off with their utility
160 payments.

- 161 • K Eck asked if we could give any extra money to CAPSA or The Family Place. R Snow said he would have to
162 check to see if they are eligible.

163 **Motion to approve resolution 034-2020:** — B Speth, second — K Eck

164 *Vote:*

165 *Yea: K Eck, C Kirk, J Paulsen, J Sealy, B Speth*

166 *Nay:*

167 *Abstained:*

168 *Excused:*

169

170 **Item No. 7. Resolution 035-2020 - Personnel Policies:** The Providence City Council will consider changes to the
171 Providence City Personnel Policies and Procedures Manual.

- 172 • R Snow explained the background of these changes.
173 • J Paulsen noted that the language “sick leave” is used in the policy when it should be “paid time off”
174 (PTO). R Snow said that he will look into that.
175 • R Snow noted that we will also correct a reference that says “policy code” instead of “city code.”
176 • J Paulsen noted that there is also a place where it says “breast” where it should say “best.”
177 • Drug testing was discussed. Variations to the policy to be approved by the city manager were discussed.
178 The public works on-call system was discussed.

179 **Motion to approve Resolution 035-2020 – Personnel Policies:** — K Eck, second — J Sealy

180 *Vote:*

181 *Yea: K Eck, C Kirk, J Paulsen, J Sealy, B Speth*

182 *Nay:*

183 *Abstained:*

184 *Excused:*

185

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

187 **Item No. 1. Ordinance 008-2020 – Rezone:** The City Council will consider an ordinance changing the zone for
188 Parcel No.s 02-212-0004, 02-212-0005, and 02-171-0001 from Commercial General District (CGD) to Mixed Use
189 District (MXD), located in the general area of 265 N Gateway Dr. and 565 W 100 N, containing approximately 7.89
190 acres.

191 **Motion to approve Ordinance 008-2020:** — K Eck, second — J Paulsen

- 192 • Kathleen Alder, Planning Commission Chair, explained why the Commission recommended this change.
193 • The minimum percentages of the various uses within the mixed use district were discussed. The access to
194 the parcels was discussed. Live-work units were discussed. The city-owned parcels adjacent to the
195 proposed rezone area were discussed. The changing nature of commercial properties was discussed in
196 relation to why the Commission felt that we should deviate from the General Plan in this instance.
197 • B Speth felt that the property owners have put a lot of investment into this property, and that we should
198 allow them to try a different zone to see if they can get it to work. C Kirk felt like this is the type of land
199 that the Mixed Use zone was intended for.

200 *Vote:*

201 *Yea: K Eck, C Kirk, J Sealy, B Speth*

202 *Nay: J Paulsen*

203 *Abstained:*

204 *Excused:*

205

206 **Item No. 2. Ordinance 009-2020 – Rezone:** The City Council will consider an ordinance changing the zone for the
207 southeast portion of Parcel No. 02-101-0001 from Single-Family Large (SFL) to Single-Family Traditional (SFT),
208 located in the general area of 80 N Sherwood Dr. (800 E), containing approximately 6.10 acres.

209 **Motion to adopt Ordinance 009-2020 the rezone from Single Family Large to Single Family Traditional in the**
210 **general area of Sherwood Drive, containing only 6.10 acres generally located on the south east portion of parcel**
211 **02-101-0001 :** — K Eck, second — C Kirk

- 212 • S Bankhead explained the background of this request. It is for a peninsula-shaped piece of the parcel that
213 the developer felt would be difficult to develop with half-acre lots. The rezone request is not for the

- 214 entire parcel.
- 215 • The language of the resolution, and how it specifies the area in question, was discussed. S Bankhead
- 216 explained why we would allow them to rezone a portion of a parcel rather than requiring them to
- 217 subdivide the land first.
- 218 • K Eck spoke about the housing crisis, and how allowing smaller lots helps people afford a home.

219 *Vote:*

220 *Yea: K Eck, C Kirk, J Paulsen, J Sealy, B Speth*

221 *Nay:*

222 *Abstained:*

223 *Excused:*

224

225 **Item No. 3. Ordinance 010-2020 – Electronic Meetings:** The City Council will consider an ordinance amending

226 Providence City Code Title 2 Chapter 3 Historic Preservation Commission and Chapter 4 Land Use Authority by

227 adding electronic meeting information.

- 228 • S Bankhead explained the background of this request. Changes to state code regarding electronic
- 229 meetings were discussed.

230 **Motion to approve Ordinance 010-2020 Electronic Meetings:** — K Eck, second — J Paulsen

231 *Vote:*

232 *Yea: K Eck, C Kirk, J Paulsen, J Sealy, B Speth*

233 *Nay:*

234 *Abstained:*

235 *Excused:*

236

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

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

239 the City Council determines that an emergency exists.

- 240 • B Speth spoke about emergency management meetings. He and R Snow will both try to attend.
- 241 • C Kirk reported that the Youth Council is in need of an advisor. She also felt that we could do more to
- 242 advertise for youth participation. We are making progress with [Spring Creek Water Company] and
- 243 meeting with them weekly. The Parks Master Plan is progressing. C Kirk reported on the canyon cleanup.
- 244 • K Eck asked that the Council get its packets and information sooner. Individual pieces could be sent
- 245 separately.
- 246 • Mayor Drew reported on the green waste discussions with the County Council. Mayor Drew reported on
- 247 the County Council's discussion of the island of county land that would be left if we annexed the parcels
- 248 discussed today. Mayor Drew and R Snow spoke about sales tax from online retailers.
- 249 • R Snow spoke about the Utah League of Cities and Towns conference.

250

251 **Executive Session:**

- 252 • No executive session

253

254 **Motion to adjourn the meeting:** — J Paulsen, second — J Sealy

255 *Vote:*

256 *Yea: K Eck, C Kirk, J Paulsen, J Sealy, B Speth*

257 *Nay:*

258 *Abstained:*

259 *Excused:*

260 Meeting adjourned at approximately 9:40 PM

261 Minutes prepared by Jesse Bardsley

262

263

264

265

266

John Drew, Mayor

Skarlet Bankhead, City Recorder