

1 **PROVIDENCE CITY COUNCIL MEETING MINUTES**

2 **Wednesday, December 16, 2020 6:00 PM**

3 **Providence City Office Building,**
4 **164 North Gateway Drive, Providence UT**

5 **Members of the Council attended this meeting electronically.**

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

7
8 **Opening Ceremony:**

9 Call to Order: Mayor Drew
10 Roll Call of City Council Members: Mayor Drew
11 Attendance: John Drew, Carrie Kirk, Josh Paulsen, Jeanell Sealy, Brent Speth
12 Excused: Kristina Eck
13 Pledge of Allegiance: Mayor Drew
14 Opening Remarks – Prayer: Carrie Kirk
15

16 **Staff Reports:** Items presented by Providence City Staff (including but not limited to: Public Works Director,
17 Administrative Services Director, and City Manager) will be presented as information only.
18

19 Rob Stapley, Public Works Director

- 20 • Winter operations are underway. We have a new employee, Talon Collins. B Speth would like pictures of
21 employees so that he can know their names.
22

23 Skarlet Bankhead, Administrative Services Director

- 24 • S Bankhead reported on the tree lighting event. Recreation signups start in January. Land use applications
25 are continuing to come in.
26

27 Ryan Snow, City Manager

- 28 • Our master plans are progressing. R Snow has been working with Zion's Bank about funding opportunities
29 for fiber. R Snow reported on the Spring Creek Water Company meeting that he attended.
30 • B Speth brought up the idea of a skate park in Providence. R Snow said that the Parks, Trails and
31 Recreation Master Plan mentions the possibility of adding new facilities such as a skate park, but it does
32 not specify a location. MHTN Architects is looking into possible locations.
33

34 **Approval of the minutes**

35 **Item No. 1.** The Providence City Council will consider approval of the minutes of November 18, 2020

36 **Motion to approve the minutes of November 18, 2020: B Speth, second — J Sealy**

37 **Vote:**

38 **Yea: C Kirk, J Paulsen, J Sealy, B Speth**

39 **Nay:**

40 **Abstained:**

41 **Excused: K Eck**
42

43 **Public Hearing(s):**

44 **Item No. 1. Annexation and Zone Assignment:** Prior to making a decision on granting the annexation petition the
45 City Council is holding a public hearing. The purpose of the public hearing is to provide an opportunity for anyone
46 interested to comment on the annexation before action is taken. **The City Council invites you to offer your**
47 **comments by email to providencacityutah@gmail.com or text to 435-752-9441.**

48 The property described in the annexation petition contains Parcel No.s 02-096-0035, 02-090-0013, and 03-002-
49 0007, located adjacent to the southwest boundary of Providence City, in the general area of 580 W 300 South, 310
50 S HWY165, and 420 S HWY165, containing 20.672 acres

51 The petitioners are requesting the following zone assignments: 02-090-0013 and 03-002-0007 Commercial
52 Highway District (CHD), 02-096-0035 Multi-Family Medium (MFM)

- 53 • Peter Holmgren sent an email to the Council which all of the Council members received and S Bankhead

54 summarized. The Holmgrens are concerned about more multi-family. They don't like the current multi-
55 family developments that we have going.

56
57 **Item No. 2. Budget Adjustments:** Prior to making a decision on the proposed budget adjustments to reflect actual
58 and anticipated revenue and expenditures in the 2021 Budgets for all funds, the City Council is holding a public
59 hearing. The purpose of the public hearing is to provide an opportunity for anyone interested to comment on the
60 adjustments before action is taken. **Persons wishing to comment on agenda items may email their comments to**
61 **providencacityutah@gmail.com or text comments to 435-752-9441.**

- 62 • S Bankhead explained the purpose of this adjustment.
- 63 • Matt Harris of Providence would like us to consider a plan and budget for mitigating sound problems from
64 the pickleball courts at Leonhardt park. S Bankhead said that this has been discussed by the committee
65 for the Parks, Trails and Recreation Master Plan. We could address this once the plan is in place.
- 66 • C Kirk asked if we have found a place for all of our CARES grant money. R Snow reported on the efforts to
67 distribute and use the funds.

68
69 **Public Comments:** Citizens may express their views to the City Council on issues within the City's jurisdiction.

70 **Public comments may be sent to providencacityutah@gmail.com or text comments to 435-752-9441.** The City
71 Council may act on an item, if it arose subsequent to the posting of this agenda and the City Council determines
72 that an emergency exists.

73
74 **Public Comments - \$1,990,000 Water Revenue Bonds, Series 2020 to Finance Water System Improvements, and**

75 **Related Matters:** The City invites comments on the water project and associated loan (either favorable or
76 negative). Interested individuals are encouraged to respond in writing before 5:30 p.m. on December 15, 2020.
77 The City will hold a public meeting at 6:00 p.m. on December 16, 2020 at the Providence City Office Building
78 located at 164 North Gateway Drive, Providence, Utah 84332. The City will receive both written and oral
79 comments at that time. Your comments will be considered and if there is significant opposition to the proposed
80 project, the lending agency may require a bond election to obtain the Board's funds.

- 81 • The Holmgrens of Providence are not in favor of a loan for water improvements. If we can't afford it, we
82 shouldn't get a bond or increase user fees. We already had a large tax increase last year.
- 83 • Mayor Drew explained that most of this expenditure is for anticipated growth and can be paid for by
84 impact fees. Part of it is for current needs.
- 85 • S Bankhead reported on a letter from Howard and Jeanette Christenson of Providence. They felt that
86 moving forward with this bond was a very good thing.

87
88 **Presentations:**

89 **Item No. 1. The Fiber TAC report:** Representatives if the Fiber TAC will give an update on their findings and review
90 a proposed memorandum of understanding between Providence City and Uintah Basin Electronic
91 Telecommunications LLC dba STRATA Networks.

- 92 • Ky Sealy gave a report on the progress of the TAC. They have been working on three different
93 agreements: for fiber construction, for network maintenance, and for ISP services. He reviewed the 2nd
94 TAC report, which lists and categorizes the risks the city would incur based on current understandings.
- 95 • Members of the Council thanked the TAC for their thorough recommendations. The TAC includes
96 professionals from the telecommunications and computer industry who are doing this voluntarily. Their
97 work is accessible to the public through the city website.
- 98 • The Council discussed verifying STRATA's work after and during the network build.
- 99 • Cybersecurity was discussed.
- 100 • J Sealy felt that we should clarify the language relative to the last-mile requirement in the Network
101 Operation Agreement to specify that the city is responsible only for new construction.
- 102 • Access through private property for fiber installation was discussed.

103
104 **Administrative Business Item(s):**

105 **Item No. 1. Memorandum of Understanding:** The Providence City Council will discuss, and may approve, a
106 memorandum of understanding between Providence City and Uintah Basin Electronic Telecommunications LLC dba
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107 STRATA Networks to provide design and construction and network management services to the City and its
108 Customers.

109 **Motion to approve the memorandum of understanding: — C Kirk, second — J Sealy**

- 110 • J Sealy noted that we need to update the dates on the memorandum.
- 111 • S Bankhead clarified that only the two pages of the Memorandum of Understanding are being approved.
112 The agreements included in the agenda packet are there as examples.
- 113 • Mayor Drew said that we will likely consider a final draft of the contracts in the council meeting in
114 January.

115 **Vote:**

116 **Yea: C Kirk, J Paulsen, J Sealy, B Speth**

117 **Nay:**

118 **Abstained:**

119 **Excused: K Eck**

120

121 **Item No. 2. Proposed annexation agreement – Resolution 042-2020:** The Providence City Council will consider for
122 adoption a resolution accepting an annexation agreement between the City and Margene Z Low SUC TR, Janice
123 G Byington SUC TR, & Kathryn L Fuhriman CO SUC TR pertaining to Parcel No.s 02-096-0035, 02-090-
124 0013, & 03-002-0007

- 125 • S Bankhead explained the annexation agreement.
- 126 • J Sealy brought up the possibility of requiring a connected sidewalk from Highway 165 to Garden
127 Drive and requiring trail improvements along the river area.
- 128 • Requiring the sidewalk to connect across the Barlow property was discussed. B Speth said that
129 this is a major safety concern for children walking to school and needs to be addressed.
- 130 • J Sealy explained that the elementary school students would be bussed to River Heights
131 Elementary School, but the middle school students would walk. She explained how the school
132 district would implement its safe routes program for the elementary school.
- 133 • K Dunkley said that the potential owners of the Fox Meadows development would be willing to
134 participate in the cost of the sidewalk. They are also in favor of a walking trail near the wetlands
135 as shown on the city's General Plan.
- 136 • The Council discussed whether to require only the sidewalk or to also require the curb, gutter
137 and widening of the asphalt along 300 South.
- 138 • S Bankhead shared potential language for requiring a sidewalk in the agreement.
- 139 • The Council discussed continuing this item until we can speak with the Barlows about this.

140 **Motion to continue: — B Speth, second — J Paulsen**

141 **Vote:**

142 **Yea: C Kirk, J Paulsen, J Sealy, B Speth**

143 **Nay:**

144 **Abstained:**

145 **Excused: K Eck**

146

147 **Item No. 3. Proposed budget adjustments – Resolution 043-2020:** The Providence City Council will consider for
148 adoption a resolution approving the proposed adjustments to the 2021 Budgets for all funds.

149 **Motion to approve the budget amendments of Resolution 043-2020: — J Sealy, second — C Kirk**

150 **Vote:**

151 **Yea: C Kirk, J Paulsen, J Sealy, B Speth**

152 **Nay:**

153 **Abstained:**

154 **Excused: K Eck**

155

156 **Item No. 4. Resolution 032-2020 – Water Revenue Bond – Final Bond Resolution:** The Providence City Council will
157 consider for reaffirmation: **A RESOLUTION AUTHORIZING \$1,990,000 WATER REVENUE BONDS, SERIES 2020 TO**
158 **FINANCE WATER SYSTEM IMPROVEMENTS, AND RELATED MATTERS.**

159 **Motion to approve resolution 032-2020: — J Paulsen, second — B Speth**

160 **Vote:**
161 **Yea: C Kirk, J Paulsen, J Sealy, B Speth**
162 **Nay:**
163 **Abstained:**
164 **Excused: K Eck**
165

166 **Item No. 5. Resolution 044-2020 – 2020 Bear River Region, Utah Pre-Disaster Mitigation Plan:** The Providence
167 City Council will consider for approval a resolution adopting the 2020 Bear River Region, Utah Pre-Disaster
168 Mitigation Plan.

169 **Motion to approve resolution 044-2020: — B Speth, second — J Sealy**

- 170 • Zac Covington with Bear River Association of Governments explained the plan.
- 171 • The Council discussed preparation for an earthquake and how to get assistance after one.
- 172 • Z Covington discussed a model geotechnical ordinance that the city could adopt.

173 **Vote:**
174 **Yea: C Kirk, J Paulsen, J Sealy, B Speth**
175 **Nay:**
176 **Abstained:**
177 **Excused: K Eck**
178

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

180 **Item No. 1. Annexation – Ordinance 2020-013:** The Providence City Council will consider for adoption an
181 ordinance granting a Petition for Annexation for Parcel No.s 02-096-0035, a 5.51-acre parcel located in the general
182 area of 580 West 300 South; 02-090-0013, a 7.69-acre parcel located in the general area of 310 S HWY165 (County
183 address 1710 South Main); and 03-002-0007, a 8.20-acre parcel located in the general area of 420 S HWY165 and
184 assigning zoning districts as follows: 02-090-0013 and 03-002-0007 Commercial Highway District, 02-096-0035
185 Multi-Family Medium.

186 **Motion to continue this item to the January meeting: — J Sealy, second — C Kirk**

187 **Vote:**
188 **Yea: C Kirk, J Paulsen, J Sealy, B Speth**
189 **Nay:**
190 **Abstained:**
191 **Excused: K Eck**
192

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

196
197 **Brent Speth**

- 198 • B Speth spoke about CERT (Citizens Emergency Response Team). He suggested that we see if anyone in
199 the community would like to participate.
- 200 • Mayor Drew asked B Speth to draft an article for the city newsletter about the program.
- 201 • B Speth spoke about a family health and safety training that is coming up.
- 202 • B Speth reported on a class he attended about development. They discussed the idea that commercial
203 development will come after there are enough people in the area.

204 **Carrie Kirk**

- 205 • C Kirk reported on the youth council. We had one person volunteer to be an advisor, but we would like to
206 have multiple advisors. There will be a planning meeting in January, and they will be considering an Easter
207 activity.
 - 208 • C Kirk spoke about the Parks and Recreation Master Plan. We have done everything we can to hear the
209 voice of everyone who has been willing to comment.
 - 210 • The Council discussed a potential history project involving old newspaper clippings and photos.
- 211

212 **Executive Session Notice:**
213 The Providence City Council may enter into a closed session to discuss pending or reasonably imminent litigation as
214 allowed by Utah Code 52-4-205(1)(c).
215 The Providence City Council may enter into a closed session to discuss professional competence or other factors
216 allowed by Utah Code 52-4-205(1)(a).
217 The Providence City Council may enter into a closed session to discuss land acquisition or the sale of real property
218 Utah Code 52-4-205(1) (d) and (e).
219 • No executive session held.

220
221 **Motion to adjourn the meeting: — C Kirk, second — B Speth**

222 **Vote:**

223 **Yea: C Kirk, J Paulsen, J Sealy, B Speth**

224 **Nay:**

225 **Abstained:**

226 **Excused: K Eck**

227 Meeting adjourned at approximately 9:00 PM

228 Minutes prepared by Jesse Bardsley

229

230

231

232

John Drew, Mayor

Skarlet Bankhead, City Recorder