

1 **PROVIDENCE CITY COUNCIL MEETING MINUTES**

2 **Wednesday, January 20, 2021 6:00 PM**

3 Providence City Office Building,

4 164 North Gateway Drive, Providence UT

5 Members of the Council will 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, Carrie Kirk, Josh Paulsen, Jeanell Sealy, Brent Speth

12 Pledge of Allegiance: Mayor Drew

13 Opening Remarks – Prayer: Mayor Drew, Carrie Kirk

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

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18 Rob Stapley, Public Works Director

- 19 • We need to replace a few trucks. The bid for our new reservoir has been published. Enforcement of snow
20 removal on sidewalks was discussed.

21 Skarlet Bankhead, Administrative Services Director

- 22 • We have 14 active land use applications. Park reservations and competitive baseball signups have begun.
23 We have a new intern.

24 Ryan Snow, City Manager

- 25 • The new intern, Justin Blaylock, will mostly do GIS. R Snow presented some of our GIS data. We are
26 gathering data and will make many of these maps public.
27 • The water change application with Spring Creek Water Company has been submitted to the state.

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29 **Approval of the minutes**

30 **Item No. 1.** The Providence City Council will consider approval of the minutes of December 16, 2020

31 ***Motion to approve the minutes of December 16: — J Paulsen, — C Kirk***

32 Corrections:

- 33 • Line 28: change “opportunities” to “funding options.”
34 • Note that there were no public comments.

35 ***Vote:***

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

37 ***Nay:***

38 ***Abstained:***

39 ***Excused:***

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41 **Public Hearing(s):** None

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

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

- 47 • No public comments

48
49 **Annexation:**

50 **Item No. 1. (Administrative) Petition for Annexation For Further Consideration – Resolution 001-2021:** The
51 Providence City Council will consider and may take action on a resolution accepting a petition for annexation for

52 further consideration for Parcel No. 02-111-0005 & 0006, containing 21.45 acres adjacent to the east boundary of
53 Providence City in the general area of 900 E Eagleview Drive, owned by Baer Nixon Inc.

54 • S Bankhead explained that this is the first step in the annexation process. If the council approves it for
55 further consideration, staff will review the annexation request and then it will proceed to publication,
56 protest period, public hearings, etc.

57 • S Bankhead noted that this property is in Providence City's Annexation Policy Plan. The General Plan
58 indicates that this would be annexed as a Single Family Traditional zone.

59 **Motion to approve resolution 001-2021 with the omission of parcel no. 02-111-0005 and the omission of the**
60 **property description on the second bullet point for parcel no. 02-111-0005: — J Sealy, second — K Eck**

61 • J Paulsen noted that parcel no. 02-111-0005 does not show a zone assigned in the parcel viewer. S
62 Bankhead believes it is Single Family Traditional.

63 **Vote:**

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

65 **Nay:**

66 **Abstained:**

67 **Excused:**

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69 **Item No. 2. (Administrative) Proposed annexation agreement – Resolution 042-2020:** The Providence City Council
70 will consider and may take action on a resolution accepting an annexation agreement between the City and
71 Margene Z Low SUC TR, Janice G Byington SUC TR, & Kathryn L Fuhriman CO SUC TR pertaining to Parcel
72 No.s 02-096-0035, 02-090-0013, & 03-002-0007

73 **Motion to approve resolution 042-2020 the proposed annexation agreement to include that the city**
74 **will provide pipe in front of the Barlow property and the developers will provide improvement (road**
75 **base, asphalt) to the edge of the city easement and it will be installed by the developer to engineering**
76 **specifications: — J Sealy, second — C Kirk**

77 • Kent Dunkley, representing the applicant, reported on his conversations with Wayne and
78 Benjamin Barlow with regards to installing a sidewalk along their property. There was initially
79 some agreement that an easement could be granted in exchange for the developer constructing
80 a fence, but then the fence requests changed and became too expensive for the developer.
81 Instead, it has been suggested that the money be put towards improving 300 South, including
82 covering the ditch and creating a gravel path.

83 • B Speth suggested having the asphalt widened at the same time that the developers improve
84 the parts of 300 South in front of their own development. K Dunkely said that the developers are
85 only willing to pay as much as they would have paid for the sidewalk and the fence along it.

86 • The Barlows' concern with the pond was brought up.

87 • K Dunkley suggested covering over the ditch and putting road base on it.

88 • The possibility of the city sharing in some of the costs of widening the road was discussed.

89 • It was proposed that the city could buy the pipe and the developers could install the pipe and
90 lay the road base and the asphalt to the edge of the city right-of-way. K Dunkley reported that
91 the developer agrees to the proposal. The above motion has been amended to reflect this
92 understanding.

93 **Vote:**

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

95 **Nay:**

96 **Abstained:**

97 **Excused:**

98

99 **Item No. 3. (Legislative) Annexation – Ordinance 2020-013:** The Providence City Council will consider for adoption
100 an ordinance granting a Petition for Annexation for Parcel No.s 02-096-0035, a 5.51-acre parcel located in the
101 general area of 580 West 300 South; 02-090-0013, a 7.69-acre parcel located in the general area of 310 S HWY165
102 (County address 1710 South Main); and 03-002-0007, a 8.20-acre parcel located in the general area of 420 S

103 HWY165 and assigning zoning districts as follows: 02-090-0013 and 03-002-0007 Commercial Highway District, 02-
104 096-0035 Multi-Family Medium.

105 **Motion to approve ordinance 2020-013 annexation to include that parcel no 02-090-0013 and 03-002-0007 shall**
106 **be zoned Commercial Highway District and parcel 02-096-0035 shall be zoned Multi Family Medium: — B Speth,**
107 **second — J Paulsen**

- 108 • S Bankhead noted that the zones are listed incorrectly on page 3 of the ordinance that was distributed
109 with the agenda packet.
- 110 • J Sealy said that residents in this area seem to prefer that this remain commercial. We are surrounding
111 the neighborhood with multi-family.
- 112 • Members of the Council brought up the need for housing, the need for rooftops to attract commercial,
113 and the importance of a transition zone.
- 114 • C Kirk spoke about resident concerns. She would like the residents to feel heard. Council members walk a
115 tight rope between what they are learning and what they are hearing from residents. There is a lot of
116 misinformation out there. C Kirk spoke about tax revenues from multi family and commercial.

117 **Vote:**

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

119 **Nay: J Sealy**

120 **Abstained:**

121 **Excused:**

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123 **Master Plan:**

124 **Item No. 4. (Administrative) Master Plan – Resolution 002-2021:** The Providence City Council will consider
125 and may take action on a resolution adopting the Providence City Parks, Trails & Recreation Master Plan 2020.

- 126 • Ryan Wallace, Amanda Dillon and Vince Olcott of MHTN Architects, as well as Michael Taylor of Civil
127 Solutions Group, presented about the plan.
- 128 • B Speth suggested that we change the image at the beginning of the plan so that it shows Providence. C
129 Kirk agreed.
- 130 • J Paulsen expressed concerns about the budget and prioritization. J Paulsen brought up the idea of some
131 kind of water amenity or aquatic center. It seems that residents wanted this. J Paulsen felt that the
132 proposed syncline connector trail is out of the scope of this plan. J Paulsen felt that some alignment
133 should be done between the transportation plan and this plan. J Paulsen felt that we should give a higher
134 funding priority to acquisition of land for the preservation of open space. J Paulsen brought up making a
135 path along the power line corridor on the bench.
- 136 • J Sealy felt that fruit trees are not the best idea for Jay’s Well park due to maintenance. J Sealy wondered
137 if having the syncline trail on the plan would open up other opportunities for funding such as through the
138 Forest Service. J Sealy liked the idea of adding a trail at the power line corridor.
- 139 • B Speth brought up the idea of a skate park.
- 140 • K Eck felt that these comments are coming too late.
- 141 • R Snow also addressed the fruit trees and the aquatic center.
- 142 • V Olcott addressed the skate park. A Dillon addressed the coordination with the transportation master
143 plan. M Taylor addressed the trail under the power lines. C Kirk agreed that it would be a good addition to
144 the plan.
- 145 • Adjusting the priorities in section 6.4(C) to increase the priority of acquiring parkland was discussed. Jay’s
146 Well was discussed.

147

148 **Motion to approve resolution 002-2021, the master plan for the parks, trails and recreation: — K Eck, second — C**
149 **Kirk**

150 **Vote:**

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

152 **Nay: J Paulsen**

153 **Abstained:**

154 **Excused:**

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Item No. 5. (Administrative) Master Plan Discussion: The Providence City Council will review and discuss the proposed Providence City, Utah Transportation Master Plan.

- Scott Shea of CRS Engineers spoke about the plan and addressed comments submitted by the Council. Canyon Road was discussed. Mayor Drew spoke about a proposed pedestrian corridor that would bypass part of Canyon Road.
- Sidewalks were discussed. Members of the Council felt that Safe Routes to School information should be included in the plan including a map and areas for future improvement. R Snow said that we can work on adding those.
- Decorative lighting was discussed.
- Extending 300 South to the east was discussed. B Speth would like that to be removed from the plan. Improving 300 East was discussed. B Speth felt this should start at 200 North and extend to River Heights rather than starting at 300 South. Improving 100 South was discussed. B Speth felt that citizens can exit the city on 100 North instead.

Rates & Fees:

Item No. 6. (Administrative) Proposed Amendments to the Providence City Fee Schedule – Resolution 003-2021:

The Providence City Council will consider and may take action on a resolution amending the Providence City Fee Schedule including but not limited to the following rates and fees: monthly water rates, monthly sewer rates, monthly storm water rates, garbage rates, and green waste rates.

- This item was continued

Fiber Optic Communications Network:

ITEM NO. 7. (ADMINISTRATIVE) BONDING PARAMETERS – RESOLUTION 004-2021. THE PROVIDENCE CITY COUNCIL WILL CONSIDER FOR ADOPTION OF A RESOLUTION OF THE CITY COUNCIL OF PROVIDENCE CITY, UTAH, AUTHORIZING THE ISSUANCE AND SALE OF NOT MORE THAN \$8,500,000 AGGREGATE PRINCIPAL AMOUNT OF MUNICIPAL ENERGY TAXES, SALES USE TAXES AND TELECOMMUNICATIONS FEE REVENUE BONDS, SERIES 2021; AND RELATED MATTERS

- Mark Anderson of Zion’s Bank explained the resolution.
- S Bankhead read a comment from Mary Hubbard of Providence. She is against creating a fiber optic network. It is not necessary and may become obsolete. We are experiencing an economic downturn and it may not be the time to get us in debt. She felt that this should be put to a vote of all the citizens of Providence before they are made to subsidize those who want it.

Motion to approve Item No. 7 Resolution 004-2021: — K Eck, second — J Paulsen

Vote:

Yea: K Eck, C Kirk, J Paulsen, J Sealy

Nay: B Speth

Abstained:

Excused:

Item No. 8. (Administrative) Design & Construction Agreement – Resolution 005-2021: The Providence City Council will consider and may take action on a resolution approving an agreement between Providence City and Uintah Basin Electronic Telecommunications, LLC (dba STRATA Networks) for a public-private partnership for the design and construction of an open fiber optic communications network.

Motion to approve Item No. 8 the Design & Construction Agreement — Resolution 005-2021: — C Kirk, second — K Eck

- B Speth expressed concern that some residents may not be able to afford the \$10 per month utility fee and may not be comfortable applying for a subsidy from the city to cover it. He was also concerned about the financial burden on the city of this project during a down turn. This is a good option for the people who want it, but there are those who do not want it.

- 206 • R Snow reviewed a conversation he had with Don Calderwood about this issue. He explained to him that
207 each residence will receive a basic internet service for the \$10 per month utility fee.
208 • K Eck felt that there are only a very few people in the city who do not have internet. The vast majority of
209 people in Providence will save money with this arrangement.

210 **Vote:**

211 **Yea:** K Eck, C Kirk, J Paulsen, J Sealy

212 **Nay:** B Speth

213 **Abstained:**

214 **Excused:**

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216 **Item No. 9. (Administrative) Fiber Optic Cable License & Network Operation Agreement – Resolution 006-2021:**

217 The Providence City Council will consider and may take action on a resolution approving an agreement between
218 Providence City and Uintah Basin Electronic Telecommunications, LLC (dba STRATA Networks) for a public-private
219 partnership for the operation of an open fiber optic communications network.

220 **Motion to approve Item No. 9 (Administrative) Fiber Optic Cable License & Network Operation Agreement –**
221 **Resolution 006-2021: — J Paulsen, second — J Sealy**

222 **Vote:**

223 **Yea:** K Eck, C Kirk, J Paulsen, J Sealy

224 **Nay:** B Speth

225 **Abstained:**

226 **Excused:**

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228 **2021 Vision & Goals:**

229 **Item No. 10. (Administrative) Council 2021 Vision & Goals - Discussion:** The Providence City Council will discuss
230 council goals and objectives for 2021.

- 231 • This item was continued.

232 **Council Reports:** Items presented by the City Council members will be presented as informational only; no formal
233 action will be taken.

- 234 • The Council discussed holding another meeting on the 28th of January.

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236 **Executive Session Notice:**

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

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

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

- 243 • No Executive session held.

244

245 **Motion to close the meeting: — J Paulsen, second — J Sealy**

246 **Vote:**

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

248 **Nay:**

249 **Abstained**

250 **Excused:**

251 Meeting adjourned at approximately 10:25 PM

252 Minutes prepared by Jesse Bardsley

253 Minutes approved by vote of the Council on February 17, 2021

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John Drew, Mayor

_____ Skarlet Bankhead, City Recorder