

1 **PROVIDENCE CITY COUNCIL MEETING MINUTES**

2 **Wednesday, February 17, 2021 6:00 PM**

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

5 This was an in-person meeting. However, one member 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, Kristina Eck (Zoom), Carrie Kirk, Jeanell Sealy, Brent Speth

12 Excused: Joshua Paulsen

13 Pledge of Allegiance: Mayor Drew

14 Opening Remarks – Prayer: Jeanell Sealy

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 • Snow levels and snow removal were discussed. Justin Blaylock, an intern from USU, is helping us with our
21 GIS, which will be very useful to us.

22
23 Skarlet Bankhead, Administrative Services Director

- 24 • Recreation baseball, softball, and kickball registration will be starting next week. We are also doing whiffle
25 ball this year. We are looking for input on our pickle ball and tennis programs. We are looking for a new
26 city recorder. S Bankhead reported that she will focus on land use and step down from city recorder
27 functions. We will have a part-time recreation person joining us in the office, Tia Wayment.

28
29 Ryan Snow, City Manager

- 30 • We are keeping track of what the legislature is doing. We are hoping to get started building our new tank
31 in the next month or two. We are making progress on the sewer master plan, and we have been meeting
32 with property owners. We are also making progress on the transportation master plan.

33
34 Mike Bartschi, Sherriff's Department

- 35 • M Bartschi introduced Matt Hansen, our new star deputy for Providence.

36
37 **Approval of the minutes**

38 **Item No. 1.** The Providence City Council will consider approval of the minutes of January 20, 2021

- 39 • Line 141: Remove "C Kirk addressed the fruit trees."

40
41 **Item No. 2.** The Providence City Council will consider approval of the minutes of January 28, 2021

42
43 ***Motion to approve the minutes from January 20, 2021 and the minutes from January 28, 2021: — C Kirk, second***
44 ***— B Speth***

45 ***Vote:***

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

47 ***Nay:***

48 ***Abstained:***

49 ***Excused: J Paulsen***

50
51
52 **Public Hearing(s):**

53 **Item No. 1. Revenue Bonds:** The Providence City Council will hold a public hearing regarding the issuance and sale
54 of not more than \$8,500,000 aggregate principal amount of municipal energy taxes, sales use taxes and
55 telecommunications fee revenue bonds and any potential economic impact that the project to be financed with
56 the proceeds of that portion of the bonds issued under the act may have on the private sector and related matters

- 57 • R Snow explained the background of this resolution. It is another step in the bond process, but does not
58 obligate the Council to bond.
- 59 • Lynn Lemon of Providence expressed concern about street repair following fiber installation. After the
60 sewer was installed, some streets were never fixed.
- 61 • R Snow explained the fiber installation process. It uses approximately 1.5 inch trenches that will cause less
62 damage to streets.
- 63 • L Lemon asked if there are other cities that have done this and been successful.
- 64 • R Snow explained that there are many cities that are working well with the UTOPIA model. The difference
65 with our model is that we will end up owning the infrastructure.
- 66 • L Lemon asked whether we should pay for some of this with the city's funds rather than bonding. Mayor
67 Drew explained why the Council decided to bond for the entire amount.

68
69 **Revenue Bonds Resolution:**

70 **Item No. 2. Resolution 007-2021 – Revenue Bonds, Series 2021.** Consideration for adoption of a resolution of the
71 city council of Providence City, Utah, authorizing a preliminary official statement, an official statement, and other
72 documents required in connection with the issuance and sale of not more than \$8,500,000 aggregate principal
73 amount of municipal energy taxes, sales use taxes and telecommunications fee revenue bonds, series 2021; and
74 related matters

75 **Motion to approve Item No. 2 Resolution 007-2021 – Revenue Bonds: — C Kirk, second — J Sealy**

- 76 • Mayor Drew encouraged residents to visit providencecity.com/fiber for answers to fiber-related
77 questions. J Sealy encouraged residents who still have questions after reviewing the materials on the
78 website to contact city staff or members of the Council. We want to make sure that everyone is informed
79 and that concerns are addressed.
- 80 • B Speth would like us to address resident concerns before we move forward so that we can have more
81 unity.
- 82 • R Snow spoke about the effort he has been making to respond to resident questions and concerns. This
83 resolution will not be irreversible. It prepares documents for the loan but does not initiate the loan.
- 84 • C Kirk spoke about the base fee. This project will likely cause existing internet service providers to lower
85 their rates. There will be a balancing that will occur. It is likely that everyone in Providence who uses
86 internet will save money. Even those who do not use internet will likely benefit from an increase in their
87 home value.

88
89 **Vote:**

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

91 **Nay:**

92 **Abstained:**

93 **Excused: J Paulsen**

94
95 **Public Comments:** Citizens may express their views to the City Council on issues within the City's jurisdiction. In-
96 person comments will be taken. Public comments may also be sent to providencecityutah@gmail.com or text
97 comments to 435-752-9441. The City Council may act on an item, if it arose subsequent to the posting of this
98 agenda and the City Council determines that an emergency exists.

- 99 • No public comments

100
101 **Bid Award:**

102 **Item No. 3. (Administrative) Resolution 008-2021– Bid Award:** The Providence City Council will consider and may
103 take action on a resolution awarding the bid for the construction of a 1.5 million gallon water storage tank.

- 104 • R Snow explained that Spindler Construction Corporation came in as the low bidder at \$1,798,081 out of
105 seven bids received. Staff recommends that we approve the bid from Spindler Construction.

106 **Motion to approve the resolution: — B Speth, second — C Kirk**

107 **Vote:**

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

109 **Nay:**

110 **Abstained:**

111 **Excused: J Paulsen**

112

113 **Annexation & Land Development:**

114 **Item No. 4. (Administrative) Resolution 009-2021 – Petition for Annexation for Further Consideration:** The
115 Providence City Council will consider and may take action on a resolution accepting a petition for annexation for
116 further consideration for Parcel No. 02-117-0022, containing 10 acres adjacent to the south boundary of
117 Providence City in the general area of 600 South Garden Dr, owned by David W Mathews and Carol Ann Liechty.

- 118 • Mayor Drew explained that this resolution does not approve the annexation. It directs the staff to start
119 the process of further consideration.

120 **Motion to approve Item No. 4 Resolution 009-2021 – Petition for Annexation for Further Consideration: — J**

121 **Sealy, second — C Kirk**

- 122 • S Bankhead explained noticing requirements for annexations. S Bankhead spoke about the road that the
123 CMPO plan shows going through this property. S Bankhead noted that the applicants are requesting Multi
124 Family High zoning, which will require a public hearing in the Planning Commission because it is different
125 from the Mixed Use Zone proposed in the General Plan.
- 126 • K Eck asked about condos. Michael Jewell of the developer addressed the [conceptual] site plan. He said
127 that in a Multi-Family High zone, their intention would be to move away from vertical development such
128 as condos. K Eck said that she would like to see this come in as Single Family High.
- 129 • The CMPO plan was discussed. J Sealy is against Mixed Use or [Multi Family High]. The highest density she
130 would support would be Single Family High.
- 131 • B Speth was concerned about children having a place to play.
- 132 • Kevin Allen of the developer explained that they are not asking for approval of the site plan or the density
133 at this time. They are only asking for annexation. [With annexation], the city also has the option to have
134 developers pay for the roads that are shown in the CMPO plan. As for the density, they plan on asking for
135 less than the city has specified for this parcel in the city's [General Plan].
- 136 • C Kirk was in favor of annexing the property but not if it is coming in as Mixed Use District.
- 137 • B Speth noted that the resolution title should be changed to say 009-2021.

138 **Vote:**

139 **Yea: C Eck, C Kirk, J Sealy, B Speth**

140 **Nay:**

141 **Abstained:**

142 **Excused: J Paulsen**

143

144 **Item No. 5. (Administrative) Resolution 010-2021 – Municipal Boundary Line Adjustment:** The Providence City
145 Council will consider and may take action on a resolution indicating the intent of the Providence City Council to
146 adjust a common boundary with Millville City involving Parcel No. 02-117-0020, containing 0.67 acres located at
147 approximately 645 S 200 W, owned by Z Squared Holdings LLC.

148 **Motion to continue Item No. 5 Resolution 010-2021 – Municipal Boundary Line Adjustment: — J Sealy, second —**

149 **B Speth**

- 150 • Michael Zollinger representing Z Squared Holdings, spoke about the road at 2100 South. It is a private
151 drive and Millville is planning for it to remain a private drive.
- 152 • Utility connections were discussed.
- 153 • Using this property in negotiations with Millville for other boundary line issues was discussed.

154 **Vote:**

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

156 **Nay:**
157 **Abstained:**
158 **Excused: J Paulsen**

159
160
161 **Item No. 6. (Administrative) Resolution 011-2021 – Development Agreement:** The Providence City Council will
162 consider and may take action on a resolution approving a Development and Public Improvement Installation
163 Agreement for Shoreline Estates Subdivision Phase 1, a 23-lot single-family residential subdivision phase located in
164 the general area of 700 East Spring Creek Parkway.

- 165 • This item was removed from the agenda.

166
167 **Rates & Fees:**

168 **Item No. 7. (Administrative) Discussion:** The Providence City Council will discuss user rates for the proposed fiber
169 optic communications network.

- 170 • Rate options were discussed. Citizen concerns were brought up. Some members of the council felt that
171 there should be a basic fee and that all residents will benefit from fiber. Others felt that there should be
172 no fee for those who do not subscribe. C Kirk proposed reducing the fee on the 250 mbps service by \$5
173 from what was suggested, and increasing the 1 gbps service by \$10 from what was suggested. She
174 suggested phasing out the basic fee as more people sign up for the service. B Speth felt that there is a
175 population within the city that does not want this service and won't want to pay the basic fee. He also felt
176 that competitors will try to undercut the city. He felt that if we have the sign up rates that some members
177 of the Council are expecting, then we won't need the basic subscriber fee for all residents.
- 178 • Engaging with Providence citizens to educate and hear concerns was discussed.
- 179 • J Paulsen's emailed comments were read by C Kirk. He feels that a supermajority of Providence residents
180 are eager for fiber. He feels that success in this initiative will be a function of our ability to follow through
181 on our initial plan that was recommended by the Technical Advisory Committee. He is in favor of the
182 proposed \$10 basic fee to all residents which also delivers internet service. He is in favor of charging a
183 premium for gigabit users. He would like the fees to be set in a way that encourages take rate. He wants
184 to make sure that our rates are competitive with current providers, which will result in all residents paying
185 less than they do today. He felt that we should have a more aggressive fee structure at the beginning of
186 the project to encourage adoption. He felt that we should consider a corporate business rate.
- 187 • Condominium/Townhome, private HOA, and commercial connections were discussed.
- 188 • Expected prices for TV packages provided by ISPs were discussed.
- 189 • K Eck was in favor of the utility model but with a subsidy for the small handful of people who [can't
190 afford] the \$10 per month utility fee.
- 191 • Kathleen Alder of Providence asked about getting people to sign up in advance.
- 192 • The Council discussed how to engage with citizens who have objections.
- 193 • Creating a sign-up web page was discussed. Putting notice about the \$10 fee in the newsletter was
194 discussed. Adding a "Fiber" line to the monthly bill in order to raise awareness was discussed. Putting out
195 yard signs was discussed.

196
197 **Council Reports:** Items presented by the City Council members will be presented as informational only; no formal
198 action will be taken.

199
200 Kristina Eck

- 201 • K Eck would like to put a moratorium on our mixed use zone until it has been revisited/revised. S
202 Bankhead explained that nothing obligates the Council to approve any assignment of the Mixed Use Zone
203 to a parcel.

204
205 Carrie Kirk

- 206 • C Kirk spoke about city events. We are seeking volunteers for these events.

207

208 Jeanell Sealy
209 • J Sealy is working on writing an article about the library status for the newsletter.
210

211 **Executive Session Notice:**

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

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

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

218 • No executive session
219

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

221 **Vote**

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

223 **Nay:**

224 **Abstained:**

225 **Excused: J Paulsen**

226 Meeting adjourned at approximately 10:15 PM

227 Minutes prepared by Jesse Bardsley

228 Minutes approved by vote of the Council on March 17, 2021
229
230
231

232 _____
233 John Drew, Mayor

Skarlet Bankhead, City Recorder