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2 **PROVIDENCE CITY COUNCIL MEETING MINUTES**
3 **May 19th, 2021 6:00 PM**
4 **Providence City Office Building,**
5 **164 North Gateway Drive, Providence UT**
6

7 **Comments:** The City Council accepts comments: in-person, by email, and by text.
8 Email: providencecityutah@gmail.com
9 Text: 435-752-9441
10

11 **Attendance:** Members of the Council may be attending this meeting electronically.
12 This meeting will live stream on Providence City's YouTube Channel
13 Public may attend the meeting via a Zoom link.
14 To request a link, email providencecityutah@gmail.com
15

16 **Opening Ceremony:**

17 Call to Order: Mayor Drew
18 Roll Call of City Council Members: Mayor Drew
19 Attendance: John Drew, Carrie Kirk, Joshua Paulsen, Jeanell Sealy, Brent Speth
20 Excused: Kristina Eck
21 Pledge of Allegiance: Mayor Drew
22 Opening Remarks – Prayer: Brent Speth
23

24 **Staff Reports:** Items presented by Providence City Staff (including but not limited to: Public Works Director,
25 Administrative Services Director, and City Manager) will be presented as information only.
26

27 Rob Stapley, Public Works Director

- 28 • We are short an employee. We are looking for an entry level or a supervisory position in
29 water/wastewater.
- 30 • There will be many projects this summer including fiber, road and water projects. There will be quite a
31 few detours and gravel roads. There is also a UDOT project that is coming to Highway 165.
- 32 • The inspections on the new water tank project were discussed.
33

34 Skarlet Bankhead, Administrative Services Director

- 35 • Rec baseball and softball is starting. We didn't get anyone to sign up for adult kickball.
36

37 Ryan Snow, City Manager

- 38 • We have been working on the budget and the master plans. R Snow reviewed our grant applications.
39 We have been working on the sheriff's contract. We have been discussing additional park land. Fiber is
40 getting ready to roll out. Tax rates were discussed.
41

42 Tyler Cameron, City Recorder

- 43 • This is an election year, and we have two council positions and the mayor position open. Those
44 interested in declaring for candidacy need to see the city recorder between June 1st and June 7th
45 between 8 am and 5 pm (excluding weekends.). We are also contracting with the county [for the
46 election].
47

48 **Approval of the minutes:**
49

50 **Item No. 1 Minutes (Exhibit):** The Providence City Council will consider approval of the minutes of April 21,
51 2021

52 Corrections:

- 53 • Check the numbers given on Item No. 4

54 **Motion to approve the minutes:** — *C Kirk, second — B Speth*

55 **Vote:**

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

57 **Nay:**

58 **Abstained:**

59 **Excused:** *K Eck*

60

61

62 **Public Comments:** Citizens may express their views to the City Council on issues within the City's
63 jurisdiction. The City Council accepts comments: by email providencecityutah@gmail.com, and by text
64 435-752-9441.

- 65 • Laura Ferguson of Pack 11 Webelos introduced Riley Spear, visiting scout.

66

67 **Public Presentation:**

68

- 69 • **Item No. 2 CAPSA's Services:** Bryce Lancaster, CAPSA Services Awareness Educator, will
70 review CAPSA's services through the course of the pandemic – specifically in reference to our services
71 supporting survivors of sexual assault.

- 72 ○ B Lancaster said that we are seeing some stabilization in [domestic violence numbers] but an
73 increase in rape and sexual assault numbers. B Lancaster reviewed CAPSA services related to
74 victims of sexual assault. They have caseworkers and therapists that can help survivors and
75 secondary survivors in many ways.

76

77 **Public Hearings:**

78

- 79 • **Item No. 3 Boundary Line Adjustment (Exhibit):** Parcel No. 02-117-0015 and 02-117-0020
80 located in the general area of 600 S 285 West and 645 S 200 W. Providence City Council will
81 adjust the boundaries as proposed in Resolution 010-2021

- 82 ○ No public comments

83

- 84 • **Item No 4 Water Master Plan Grant Application:** Grant application for Providence
85 City's Water Master Plan through the Permanent Community Impact Board.

- 86 ○ R Snow explained that the Community Impact Board is a state entity that is set up for
87 planning and impact mitigation. We are asking for \$45,000 towards a \$90,000 [Water
88 Master Plan]. It will include a hydraulic model. It will include identifying the capital
89 improvement needs in our culinary system. We are not looking for any loan for this
90 plan. If they do not fund it, we will try to fund it all out of our budget. It may delay it a
91 little bit. We have looked at other options. There are specific pieces of our water system
92 that need this plan. There is also a subdivision that would like to expand in a low
93 pressure area, and the master plan should identify any needs or changes that need to be
94 made. The plan will foresee our construction for the next 20 years. We are interested to
95 hear any public comment or questions on this proposal.

96 ○ No public comments.

97

98 **Ordinances:**

99

- 100 ➤ **Item No. 5 Ordinance 006-2021 Municipal Boundary Line Adjustment:** Parcel No. 02-117-
101 0015 and 02-117-0020 located in the general area of 600 S 285 West and 645 S 200 W. Providence City
102 Council will adjust the boundaries as proposed in Resolution 010-2021 ([Exhibit](#))
103 ○ S Bankhead noted that the legal description will change a little bit. This is the abbreviated
104 version. The plat will have the full description for the portion of 02-117-0020.

105 *Motion to approve Item No. 5 Ordinance 006-2021 Municipal Boundary Line Adjustment: — J Sealy,*
106 *second — C Kirk*

107 *Vote:*

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

109 *Nay:*

110 *Abstained:*

111 *Excused: K Eck*

112

113 **Land Use Development:**

114

- 115 ➤ **Item No. 6 Resolution 027-2021 Development and Public Improvement Installation**
116 **Agreement (Exhibit).** The Providence City Council will consider and may take action on a resolution
117 approving a Development and Public Improvement Installation Agreement for Fickas Commercial
118 Subdivision; a 4-lot subdivision with three commercial lots and one remainder residential parcel located
119 in the general area of 750 West 300 South.

- 120 ○ S Bankhead explained the background of this agreement.
121 ○ Water shares were discussed.
122 ○ R Stapley and B Speth discussed the plan to bore under Highway 165 for the sewer. B Speth
123 felt that he does not have enough answers on how the sewer will work.
124 ○ Scott Archibald with Sunrise Engineering commented on the sewer issue. He recommends that
125 the bore be 12 inches to accommodate future use. The boring, wet well and lift station can all
126 be paid for with impact fees from development. He discussed the sequencing of city sewer
127 improvements in the area.
128 ○ B Speth expressed concerns about the wet well that will be required for this development and
129 the backup power source that it will need.
130 ○ S Bankhead explained that the applicants will be providing the gravity flow portion of the
131 sewer and the force main. They will also provide the pumps to pump into the force main. It will
132 not require a lift station.

133 *Motion to approve Resolution 027-2021 Development and Public Improvement Installation Agreement: — J*
134 *Paulsen, second — C Kirk*

135 *Vote:*

136 *Yea: C Kirk, J Paulsen, J Sealy*

137 *Nay: B Speth*

138 *Abstained:*

139 *Excused: K Eck*

140

- 141 ➤ **Item No. 7 Resolution 023-2021 Development and Public Improvement Installation Agreement.**
142 **(Exhibit)** The Providence City Council will consider and may take action on a resolution approving a
143 Development and Public Improvement Installation Agreement for Providence Gateway Subdivision

144 Phase N a single-family attached [townhome] development containing 6 residential buildings with a
145 combined total of 38 dwelling units, located in the general area of 60 North Gateway Drive.

- 146 ○ R Snow explained that we have worked with Visionary Homes to resolve the issue regarding
147 the design standards for their other developments. [This approval (Providence Gateway Phase
148 N) was held up at the previous meeting due to a failure to meet the standards in the other
149 developments].
- 150 ○ Dallas Nicholl of Visionary Homes explained their efforts to meet the façade requirements for
151 Vineyard and Providence Gateway.
- 152 ○ S Bankhead explained that in the future, we will require the developer to resubmit elevations so
153 that we can ensure that they are the same as the elevations submitted with the original
154 application.

155 ***Motion to approve Resolution 023-2021 Phase N of the Gateway North Subdivision: — B Speth, second — C***
156 ***Kirk***

157 ***Vote:***

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

159 ***Nay:***

160 ***Abstained:***

161 ***Excused: K Eck***

- 162
- 163 ➤ **Item No. 8: Resolution 030-2021 Dew Tank Construction Noise Variance Permit (Exhibit) :** The
164 Providence City Council will consider and may take action on a resolution granting a noise variance
165 permit. J-U-B and Spindler Corporation who will be doing construction for the Dew Tank would like
166 to start working as early as 4:00 in the morning on the days that they will be pouring concrete.
167 Requesting a noise variance permit for the entirety of the summer. Expected affected areas include
168 Sherwood Ave, Abby Ln (South End) and Maple Hollow Ln.

- 169 ○ Darek Kimball of JUB Engineers, the Council, and R Stapley discussed the request. Late night
170 hours are necessary due to the type of construction we are using.
- 171 ○ R Stapley suggested allowing them to have a certain number of days for the variance instead of
172 giving them a blank check for all summer.
- 173 ○ J Paulsen felt that we should give them a certain number of days and that residents should be
174 notified. C Kirk felt that the notification should include an explanation of why it is necessary. B
175 Speth wanted this included in the newsletter and felt that we should put up signs to notify
176 residents of the days for pouring. J Paulsen felt that the contractors should have permission for
177 up to five pours and that residents should receive 48 hours' notice. The contractors and the city
178 should communicate with residents to explain the situation and apologize for the [first pour].
- 179 ○ Darrell Hansen of Spindler Construction discussed the different options for organizing the
180 pours and how much time they would need.

181 ***Motion to amend the resolution 030-2021 to allow a noise variance for up to two all-nighters and up to three***
182 ***as early as 4 am., with some additional caveats that the residents are given at least 48 hours notice of the***
183 ***pour by flyer to the door along Center Street from 300 East [upward] and on Sherwood drive from Eagleview***
184 ***Drive to Abbey Lane, and additionally two sandwich boards (working with the city) put out 48 hours before***
185 ***at Center Street and 300 East (1) and at 400 East and Center (1), and that a letter be drafted to the residents***
186 ***(listed above) prior to any additional pours, in cooperation with the city and reviewed by the city manager,***
187 ***that states the intent and what is going on and explains the messaging and the necessity for the variance: —***
188 ***J Paulsen, second — C Kirk***

189 ***Vote:***

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

191 ***Nay:***

192 *Abstained:*

193 *Excused: K Eck*

194

- 195 ➤ **Item No. 9: Resolution 029-2021: Municipal Boundary Line Adjustment (Exhibit):** The
196 Providence City Council will consider and may take action on a resolution stating the City's intent to
197 adjust a common boundary between Providence City and Millville City involving part of Parcel No. 03-
198 036-0011 located in the general area of E 1250 S and Grandview Dr. Owned by CELCO INC.
- 199 ○ S Bankhead explained the background of this request. They are only bringing in the portion that
 - 200 could be gravity-fed to our sewer system.
 - 201 ○ Placing conditions on the boundary line adjustment was discussed.
 - 202 ○ Mayor Drew reviewed discussions he has had with Millville. They do not want us to connect to
 - 203 their roads.
 - 204 ○ J Paulsen felt that we should wait until some things can be worked out with Millville before
 - 205 entertaining this adjustment. C Kirk agreed. The traffic is an issue.

206 *Motion to table resolution 029-2021: — J Sealy, second — B Speth*

207 *Vote:*

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

209 *Nay:*

210 *Abstained:*

211 *Excused: K Eck*

212

213 **Agreements, Contracts, Bid Awards:**

214

- 215 ➤ **Item No. 10: Amended Resolution 028-2021 (Originally Approved 4/21): Election Administration**
216 **- Amended Agreement (Exhibit):** Section 5 has been substantively changed to clarify some of the
217 language on the responsibilities of the city. Exhibit B has also been updated to show expected costs for
218 the city. The expected costs **DO NOT** consider the savings on return postage by use of Drop Boxes. To
219 mitigate costs, the County Clerk's office recommends that municipalities encourage their constituents to
220 use Drop Boxes.

221 *Motion to approve resolution 028-2021: — B Speth, second — J Paulsen*

222 *Vote:*

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

224 *Nay:*

225 *Abstained:*

226 *Excused: K Eck*

227

228 **Plans and other Business:**

229

- 230 • **Item No. 11 100 South Cross Section Road Construction (Exhibit):** The Providence City Council
231 will consider for approval the updated improvement plan for 100 South from 200 West to 400 West.
- 232 ○ R Snow explained the city's progress in planning for improvements on 100 S. We are
233 proposing to use our partial street cross-section and to shift the plan to the north on the east side
234 of the road from what the Council previously approved so that it will be within the right-of-way
235 we currently own.

236 *Motion to approve Item No. 11 100 South Cross Section Road Construction: — C Kirk, second — J Sealy*

237 *Vote:*

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

239 *Nay:*

240 *Abstained:*

241 *Excused: K Eck*

242

243 ➤ **Item No. 12 Sewer Master Plan (Exhibit):** The Providence City Council will consider and may take
244 action on the proposed wastewater/sewer collection master plan.

- 245 ○ Scott Archibald of Sunrise Engineering explained the progress on the plan. Sewer infiltration
246 was discussed.
- 247 ○ B Speth spoke about infiltration issues near Lex Baer's shop. He asked R Stapley to look at it.
- 248 ○ Mayor Drew spoke about infiltration. He has been tracking the difference between the cities
249 that contract with Logan. We consistently have more sewer flow than Smithfield and Nibley
250 and we could save a large amount of money if we fixed it. He will be convening a meeting with
251 Logan City Environmental Department and other cities and engineers to discuss sump
252 pumps/infiltration.
- 253 ○ S Archibald discussed the differences between Providence's system and Smithfield and
254 Nibley's.
- 255 ○ The Council discussed the options for replacing the line that connects Providence to Logan.

256 *Motion to approve Item No. 12 the Sewer Master Plan: — C Kirk, second — J Paulsen*

257 *Vote:*

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

259 *Nay:*

260 *Abstained:*

261 *Excused: K Eck*

262

263 ➤ **Item No. 13 Budget Presentation.** The Providence City Council will consider and may adopt the
264 2022 Tentative Budget. (Exhibit)

- 265 ○ J Paulsen felt that it was too late to cover this item. We have a pattern of going past 10 pm
266 because of our over-ambitious agendas. The most important items, like the budget, should also
267 be placed earlier in the agenda. The Council discussed the option of having two monthly
268 meetings.

269 *Motion to approve Item 13 the tentative methodology of the budget as proposed by our city manager Ryan
270 and the format, recognizing that there still might be changes in the numbers: — B Speth, second — J Sealy*

271 *Vote:*

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

273 *Nay:*

274 *Abstained:*

275 *Excused: K Eck*

276

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

279

280 B Speth:

- 281 • We are in a drought.

282 Jeanell Sealy

- 283 • David Zook, Cache County Executive, has an interest in continuing with the County Library for now.

284

285 **Executive Session Notice:**

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

288 The Providence City Council may enter into a closed session to discuss professional competence or other
289 factors allowed by Utah Code 52-4-205(1)(a).
290 The Providence City Council may enter into a closed session to discuss land acquisition or the sale of real
291 property Utah Code 52-4-205(1) (d) and (e).
292 • No executive session held.

293
294 ***Motion to adjourn: — B Speth, second — C Kirk***

295 ***Vote:***

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

297 ***Nay:***

298 ***Abstained:***

299 ***Excused: K Eck***

300 Meeting adjourned at approximately 10:30 PM

301 Minutes prepared by Jesse Bardsley

302 Minutes approved by vote of the Council on June 16th, 2021

303

304

305

306

307 _____
John Drew, Mayor

307 _____
Tyler Cameron, City Recorder

308

309