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3 **PROVIDENCE CITY COUNCIL MINUTES**

4 Wednesday August 18<sup>th</sup> 2021  
5 164 N Gateway Dr, Providence Ut  
6

7 For a more complete and accurate account of City Council Meeting please view our  
8 YouTube video of the meeting that can be found on Providence’s YouTube channel: [City](#)  
9 [Council Meeting 8/18/2021 - YouTube](#) (Ctrl + Click to follow link)

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11 Hr. Min Sec. in GREEN above items are time stamps for YouTube Video of the City Council Meeting.

12  
13 **Attendance:** Members of the Council may be attending this meeting electronically. This meeting will live stream  
14 on Providence City’s YouTube Channel.

15  
16 **Opening Ceremony:**

17 Call to Order: Mayor Drew  
18 Roll Call of City Council Members: Mayor Drew  
19 Pledge of Allegiance: Mayor Drew  
20 Council Attendance: Mayor John Drew, Councilmember Kristina Eck, Councilmember Jeanell Sealy,  
21 Councilmember Brent Speth, Councilmember Carrie Kirk.  
22 Absent: Councilmember Joshua Paulsen  
23 Staff Attendance: Ryan Snow (City Manager), Skarlet Bankhead (Community Development Director), Rob Stapley  
24 (Public Works Director), Ty Cameron (City Recorder)  
25 Opening Remarks – Prayer: Andrea Diamond  
26  
27

28 **Approval of the minutes:**

29  
30 **(7 Min 30 Sec.)**

- 31 ➤ **Item No. 1 Minutes:** The Providence City Council will consider approval of the minutes of July  
32 21<sup>st</sup> 2021 ([EXHIBIT](#))  
33  
34 • **Motion to approve the minutes from July 21<sup>st</sup> – Councilmember Speth, Second – Councilmember**  
35 **Kirk. Vote: All Yea. Motion passes.**

36  
37 **(8 Min 20 Sec.)**

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

- 40  
41 • Mayor Drew opens floor for public comments. No public comments made.  
42

43 **Public Hearings:**

44  
45 **(9 Min 55 Sec)**

- 46 ➤ **Item No. 2 Alder Annexation:** Providence City Council will take comments and questions  
47 regarding the application to annex parcels 02-089-0019, 02-090-0019, 02-090-0002, 03-002-0016, 02-090-  
48 0005, 02-090-0008, 02-090-0009, 02-090-0010, 03-002-0003, and 03-002-0004 located in the general area

49 of 1700 S and 500 S SR165. Petition is seeking parcels be annexed into Providence City and zoned Multi-  
50 Family High, Life Cycle Residential, Commercial General and Commercial Highway. [\(AREA MAP\)](#)

- 51
- 52 • Mayor Drew calls and reads item number 2 and opens it up for discussion and public comment.
- 53 • Director Bankhead is asked to explain the annexation process and give an overview of the Alder annexation.
- 54 Director Bankhead explains the requested zoning of the parcels and the possible future plans.
- 55 • Manager Snow indicates the applicant, Kathleen Alder, is on the phone and available for questions.
- 56 Manager Snow comments on access to the sewer and waterlines for the properties.
- 57 • Emily Thatcher (Resident) asks for an explanation of the LCR zone. Director Bankhead responds and
- 58 describes zone attributes and what can and cannot be built in the LCR zone.
- 59 • Emily Thatcher makes comments on concern for the MF/HD zone and future access with it being up against
- 60 SR 165.
- 61 • Manager Snow responds informs of possible outlets or accesses and UDOT restrictions. Director Bankhead
- 62 gives additional comment of future plans and access.
- 63 • Parties discuss the possible plan or idea of having a walkway under the SR 165 on 500 S.
- 64 • Hans Peterson (Co-Petitioner) gives comment about zoning and possible future plans. Representative from
- 65 Cornerstone Reality who is assisting Mr. Peterson comments on future plans for property.
- 66 • Councilmember Kirk comments about the annexation process and highlights the positives approving this
- 67 annexation will bring to Providence City.
- 68 • Andrea Diamond (Resident) poses three questions to staff and petitioners regarding future plans and zoning.
- 69 Kathleen Alder responds and gives overview of possible future plan for property. Manager Snow responds
- 70 to 2<sup>nd</sup> question posed by Ms. Diamond regarding cost to residents and informs of impact fees being
- 71 established. Director Bankhead responds to Ms. Diamonds 3<sup>rd</sup> question about what the Commercial
- 72 Highway zone entails. Mayor Drew comments on development and annexation of parcels.
- 73 • Councilmember Sealy comments on the General Commercial zone and asks for clarification. Director
- 74 Bankhead responds and informs what buildings can and cannot be built on zone.
- 75 • David Hair (Millville Mayor) asks about the LCR zone and the potential for parks. Manager Snow responds
- 76 and informs about LCR zone and its design standards.
- 77 • Mayor Drew closes public hearing as there is no further comments.
- 78

### 79 **Land Use Development:**

#### 80 **(38 Min 50 Sec)**

- 81
- 82 ➤ **Item No. 3 Ordinance 2021-016 - Alder Annexation:** Providence City Council will discuss
- 83 and may take action on an ordinance authorizing the annexation and zoning of parcels 02-089-0019, 02-
- 84 090-0019, 02-090-0002, 03-002-0016, 02-090-0005, 02-090-0008, 02-090-0009, 02-090-0010, 03-002-
- 85 0003, and 03-002-0004. Stated parcels are located in the general area of 1700 S and 500 S SR165. Approval
- 86 of ordinance will annex parcels into Providence City with them being zoned as Multi-Family High, Life
- 87 Cycle Residential, Commercial General ad Commercial Highway. Planning Commission held a public
- 88 hearing on the zoning of these parcels on July 14<sup>th</sup>. ***Motion that the Planning Commission recommend to***
- 89 ***the City Council for this Alder annexation zoning [for] the property in the general area of 1700 S and***
- 90 ***500 S SR 165 consisting of parcels 02-089-0019, 02-090-0002, 02-090-0005, 02-090-0008, 02-090- 147***
- 91 ***0009, 02-090-0010, 03-002-0003, and 03-002-0004 [that it] be approved for rezone of the annexation***
- 92 ***according to the findings of fact and the conditions and conclusions previously discussed: — Motioned***
- 93 ***by R Cecil, second — B Marble. Vote - Yea: R Cecil, M Fortune, B Marble, R Perry Nay: Abstained: K***
- 94 ***Alder Excused: [\(PETITION\)](#), [\(ZONE ANALYSIS\)](#), [\(ZONING MAP\)](#) [\(ORDINANCE\)](#),***
- 95

- 96 • Mayor Drew calls and reads item number 3.
- 97 • **Councilmember Eck Motions to approve Ordinance 2021-016. Councilmember Speth – Second.**
- 98 • Councilmember Sealy poses a question about the zoning and changing the width of the zones, particularly
- 99 the Commercial zones. Director Bankhead responds that zones can be rezoned or modified later on, and
- 100 council has authority to not approve or review. Roger Dahle (Co-Petitioner) responds about the commercial
- 101 width and it possibly going wider but that the Commercial General zone will help take care of that.
- 102 • Councilmember Sealy questions if MFH zone possibly being changed to a lower density zone. Hans
- 103 Peterson responds and indicates current plans, but nothing is set. Director Bankhead comments on
- 104 percentage of what can be used or built on such a zone.
- 105 • Clark Rigby (Resident) comments on critical lands.
- 106 • Parties discuss flood plan and possible parks.
- 107 • **Council takes motion to a vote – All Yea. Motion passes**

108  
109 **(53 Min 50 Sec)**

110 ➤ **Item No. 4 Ordinance 2021-014 - Parcel 02-115-0027 Rezone:** Providence City Council

111 will consider and may take action on an ordinance authorizing the rezoning of property in the general area

112 of 1070 S 400 E Providence City Utah. Application is requesting current zone, which is zoned as

113 Agricultural (AGR) be rezoned too Single-Family High (SFH). Planning Commission held a Public

114 Hearing on this rezone on July 28<sup>th</sup>. *Motion that the Planning Commission, regarding Item No 3 Parcel*

115 *02-115-0027 request for rezoning, that this request be declined: —Motion by M Fortune, second — B*

116 *Marble. Vote- Yea: K Alder, M Fortune, B Marble, R Perry Nay: Abstained: Excused: R Cecil.*

117 **(PETITION) , (REZONE ANALYSIS) , (ORDINANCE)**

- 118
- 119 • Mayor Drew calls and reads item number 4 and asks if Director Bankhead will give overview.
- 120 • Director Bankhead gives brief outline and overview of the rezone request and what can and cannot be built
- 121 in the zone.
- 122 • Andy Bentley (Applicant) comments on future plan and purpose of rezone. Understands that many residents
- 123 in the area are unhappy with the possible plan and proposes if its possible to change the rezone or ordinance
- 124 during this meeting to a lower density zone instead of having to refile or apply. Director Bankhead indicates
- 125 that council has authority to amend the ordinance during the meeting to the party’s agreement.
- 126 • Councilmember Kirk comments concern about not sending it back to the Planning Commission for further
- 127 review or to allow Petitioner and residents to get together to discuss the rezone.
- 128 • **Councilmember Eck motions to amend the ordinance language to zone request from Single-Family**
- 129 **High to Single-Family Traditional. Second – Councilmember Sealy. Council Vote yea:**
- 130 **Councilmember Speth, Councilmember Eck, Councilmember Sealy. Nah: Councilmember Kirk.**
- 131 **Motion passes.**
- 132 • Mayor Drew informs of process of the ordinance, voting on the ordinance and the current status of the
- 133 ordinance with the recent amendment that was just made.
- 134 • **Councilmember Eck motions to approve amended ordinance. Second – Councilmember Speth.**
- 135 **Council Vote Yea: Councilmember Speth, Councilmember Eck, Councilmember Sealy. Nay:**
- 136 **Councilmember Kirk. Motion passes.**
- 137 • Emily Thatcher asks about public comment on item. Mayor Drew informs that he had opened it up to public
- 138 comment and no one raised their hand. Ms. Thatcher was confused on what he meant when he asked that.
- 139 Mayor Drew allows Ms. Thatcher to make a comment. Ms. Thatcher comments on the zone and surrounding
- 140 zoned areas.
- 141 • Tom Singleton (Resident) comments about the lot sizes regarding Ms. Thatcher’s concern.
- 142 • Andy Bentley and Mayor Drew speak to lot sizes of the rezone and what will be allowed.

- 143 • William Mason (Resident) thanks council and Mr. Bentley for their work and cooperation.
- 144 • Suzie Yates (Millville Resident) gives comment about traffic concerns and thanks council for their work.

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146  
147 **(1 Hr. 22 Min 45 Sec)**

148 ➤ **Item No. 5 Ordinance 2021-015 - Parcel 02-113-0049 Rezone:** Providence City Council will  
149 consider and may take action on an ordinance authorizing the rezoning of property in the general area of  
150 750 S 500 E, Parcel 02-113-0049, currently zoned as Agricultural (AGR) with the request that it be rezoned  
151 too Single-Family Residential (SFR). Planning Commission held a Public Hearing on this rezone on July  
152 28<sup>th</sup>. ***Motion to recommend that we look at parcel 02-113-0049 [as] Single Family Residential (to accept***  
153 ***the proposal): — Motion by R Perry, second — B Marble. Vote- Yea: K Alder, B Marble, R Perry Nay: M***  
154 ***Fortune Abstained: Excused: R Cecil*** **(PETITION), (REZONE ANALYSIS), (ORDINANCE)**

- 155
- 156 • Mayor Drew calls and reads item number 5.
- 157 • Director Bankhead gives overview of rezone application and what the new zone could entail in terms of
- 158 building structures. Informs council of Hill Crest neighborhood that is directly south of this zone and its
- 159 zoning history of how it got zoned as SFE but is lot sized around the SFT guidelines. Council discusses
- 160 issue and zones history.
- 161 • Councilmember Sealy asks about zoning and parcel description of lots.
- 162 • Parties discuss rezoning Hillcrest in the future to reflect its lot sizes and accurate zoning of the area.
- 163 • Rob Leischman (Resident) makes comment about the zone and its inaccuracy.
- 164 • Tom Singleton (Resident) comments about appraising the houses in that zone and its difficulties and its
- 165 non-conforming use.
- 166 • Andrew Lilywhite, (Petitioners Representative) informs council about purpose of rezone and future plans
- 167 and why they want it rezoned to SFR, Mr. Lilywhite hands out map of future plans to council to view.
- 168 • Councilmember Eck ask Mr. Lilywhite about the potential to amend ordinance, like they did the last one,
- 169 to reflect SFT.
- 170 • Mr. Lilywhite responds that that is not what his client is requesting and indicates the Planning
- 171 Commission did vote in favor of what they requested.
- 172 • Councilmember Kirk questions whether Neighbors and Petitioners would be up for discussing other
- 173 options for the rezone. Mr. Lilywhite responds that they would like to move forward tonight and not put
- 174 this off any longer.
- 175 • Brent Nazer (Resident) comments to council that they are here today to discuss the rezone and not about
- 176 future plans as future plans can change one the zone has been rezoned. Neighbors have made an offer for
- 177 the land that petitioner did not reply to.
- 178 • Staff indicate the Shelly Nazer has submitted a comment via email. Council has read her comment.
- 179 • Mr. Lilywhite comments on real estate law common practices.
- 180 • Councilmember Eck asks whether petitioner would like it zoned tonight as SFT if council agrees or to just
- 181 deny it. Mr. Lilywhite responds that he would have to talk to his client.
- 182 • Councilmember Speth states that its best to stay within the guidelines of the city and plans.
- 183 • Randell Kent (Property owner) comments on purpose of the application and what they want to do.
- 184 • Councilmember Sealy asks about road profiles and who pays for those. Manager Snow responds
- 185 indicating it depends on how it will be constructed.
- 186 • Craig Seawalt (Resident) makes comment about councils' responsibility and petitioner plan
- 187 • Michelle Pfister (Resident) thanks council and comments on zone and cities guidelines.
- 188 • Brent Nazer comments that zone should be as guided.
- 189 • **Councilmember Speth motions to deny ordinance. Second – J. Sealy.**

- 190 • Councilmember Eck again asks if petitioner would rather the ordinance be denied tonight or amended to
- 191 SFT to allow them to move forward?
- 192 • Mr. Lilywhite responds that they would rather it be amended to SFT then it be denied.
- 193 • **Councilmember Speth withdraws motion.**
- 194 • **Councilmember Eck motions to amend the ordinance language to amend petitioner request of SFR**
- 195 **to be SFT. Second – Councilmember Sealy. Council Vote: All Aye. Motion passes**
- 196 • **Councilmember Sealy motions to approve the recently amended ordinance. Second -**
- 197 **Councilmember Eck. Council Vote: All Aye. Motion Passes**
- 198 • Mr. Lilywhite asks about boundary line adjustments. Can seek help from Providence City staff.
- 199
- 200

201 **Agreements, Contracts, Bid Awards:**

202

203 **(2 Hr. 29 Min 52 Sec)**

- 204 ➤ **Item No. 6 Culinary Water Master Plan – Work Release:** Providence City Council will
- 205 review and may take action on granting Sunrise Engineering a Work Release for a Water Study.
- 206 **(CONTRACT)**
- 207

- 208 • Mayor Drew calls and reads item number 6.
- 209 • Manager Snow gives overview of contract and purpose.
- 210 • **Councilmember Kirk motions to approve contract and give Manager Snow authorization to fill in**
- 211 **what is needed. Second – Councilmember Sealy. Council Vote: All Yea. Motion passes.**
- 212

213 **(2 Hr. 31 Min 10 Sec)**

- 214 ➤ **Item No. 7 Baer Nixon Parcel Buying Agreement:** Providence City Council will review and
- 215 may take action on an agreement to purchase parcels 02-111-0005 & 02-111-0006 from Baer Nixon Inc.
- 216 **(AGREEMENT) (MAP)**
- 217

- 218 • Mayor Drew calls and reads item number 7.
- 219 • manager Snow gives overview of agreement of intent to purchase 10 acres of land between the 2 parcels
- 220 and future process and possible plans for the 10 acres.
- 221 • Mayor Drew gives overview of these parcels and future park space.
- 222 • **Councilmember Kirk motions to approve contract with Manager Snow having authority to fill in any**
- 223 **needed information. Second - Councilmember Sealy.**
- 224 • Councilmember Speth comments on concerns about developing under the powerlines. Manager Snow
- 225 responds that they are looking to put in a parking lot in that area.
- 226 • **Council Vote: All Yea. Motion passes**
- 227

228 **(2 Hr. 38 Min 52 Sec)**

- 229 ➤ **Item No. 8 Parcel 02-096-0003 Land Purchase Contract:** Providence City Council will
- 230 review and may take action on a contract allowing for the purchase of parcel 02-096-0003 from
- 231 Mark and Gina Thompson. **(CONTRACT) (MAP)**
- 232

- 233 • Mayor Drew calls and reads item number 8.
- 234 • Manager Snow gives overview of contract and pricing.

- 235 • **Councilmember Eck motions to approve contract with Manager Snow having authority to fill in**  
236 **needed information. Second – Councilmember Speth. Council Vote: All Yea. Motion passes**  
237  
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239

240 **Plans and other Business:**

241

242 **(2 Hr. 40 Min 35 Sec)**

- 243 ➤ **Item No. 9 Planning Commission Vacant Alternate Seat:** Providence City Council will  
244 consider and may take action on appointing someone to fill an open seat on the Planning  
245 Commission.  
246

- 247 • Mayor Drew calls and reads item number 9. Gives overview of appointment process and applications.  
248 Mayor Drew informs that they have chosen 2 worthy candidates who are here tonight.  
249 • Mayor Drew hands out applicants resumes and give brief background and invites them up to introduce  
250 themselves.  
251 • Andrea Diamond introduces herself and informs council of her background and why she applied. Talks  
252 about previous service with the Planning Commission years ago.  
253 • Mayor Drew gives brief overview of applicant Tyler Riggs who lives in the Vineyards.  
254 • Tyler Riggs introduces himself and gives his background and why he applied.  
255 • Councilmember Eck comments on the benefit of have a member who lives in the LCR zone.  
256 • Councilmember Kirk comments on candidates and their strengths and benefits to the PC.  
257 • **Councilmember Eck Motions to approve Tyler Riggs as the new Planning Commission alternate.**  
258 **Second – Councilmember Kirk. Council Vote: All Yea. Motion passes.**  
259  
260

261 **Staff Reports:** Items presented by Providence City Staff (including but not limited to: Public Works Director,  
262 Administrative Services Director, City Recorder, and City Manager) will be presented as information only.  
263  
264

265 **(3 Hr. 0 Min 0 Sec)**

- 266 • Director Stapley, Publics Works Director, gives staff report and indicates that a lot of projects have fallen  
267 behind due to some issues with contractors or overall shortage of supplies. Water project is underway.  
268 Reservoir has been delayed a little bit. Construction on Fiber work had been put off for a week as employees  
269 went back home for the county fair. A subcontract will be coming in to finish off the work that Strata has  
270 started on the fiber. Sage crest and Shoreline developments are behind. Ballard springs is also a bit behind.  
271 Water levels have done quite well.  
272 • Director Bankhead, Community Development Director, give staff report on current land use projects  
273 underway. Reports on property development on SR 165 involving the Mixed-Use Zone. Councilmember  
274 Eck asks about the PCC revision. Director Bankhead informs the revision is on the agenda for Planning  
275 Commissions next meeting and does include what was discussed per City Councils last meeting. Informs  
276 council that Jesse, Staff Member, has left and is headed east to attend graduate school. Staff is in the process  
277 of hiring a new employee to replace the vacant position. Council asks about the SFR zone and twin home  
278 construction. Director Bankhead informs council of a application for a barndaminum. Councilmember Kirk  
279 asks about rezones and what rezones can be brought before PC. Director Bankhead thanks council.

- 280 • Ty Cameron, City Recorder, informs council for current election status. Residents and council have until  
281 August 30<sup>th</sup> to submit any statements for or against the referendum. The courts have gone back to mask  
282 mandate.
- 283 • Manager Snow, City Manager, informs council of change water application being approved. 7 ISP have  
284 signed up with us to provide fiber internet. Goes over master plans. Grant application for bike trails is in  
285 process. Review with council the recent stop sign changes, purpose, and effectiveness. Parties discuss how  
286 to better inform the public about such changes in the future. Councilmember Sealy asks about process for  
287 deviation from master plans. Manager Snow responds. Council asks about sleeve project. Mayor Drew asks  
288 to follow up on sidewalk in Phase N not meeting the standard or meeting plans. 100 S COG application has  
289 been turned in and is on track.

290

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

293

294 **(3 Hr. 41 Min 35 Sec)**

- 295 • Councilmember Eck nothing to report.
- 296 • Councilmember Speth, Historic preservation working on an irrigation history report/project.
- 297 • Councilmember Sealy Schools starts tomorrow.
- 298 • Councilmember Kirk Youth council is putting on a fundraiser with a silent auction that will coincide with  
299 the move in the park which may be moved to Spring Creek gym depending on the weather. Many people  
300 are seeking to get involved with youth council. Application for youth council is open until the end of  
301 August.
- 302 • Mayor Drew comments on the productivity of youth council and all the good their doing. Talks about plans  
303 for the Justice Court and meeting with officials to discuss those possible plans as a lot of cities are dropping  
304 their Justice Court.
- 305 • **Councilmember Sealy motions to adjourn meeting. Second – Councilmember Kirk. Council Vote:**  
306 **All Aye. Meeting adjourned.**

307

308 Minutes prepared by Ty Cameron City Recorder  
309 Minutes approved by vote of Council on September 15th of 2021

310

311

312

313

314 John Drew

315 John Drew, Mayor

/s/ Ty Cameron

Ty Cameron, City Recorder

316