

1 **PROVIDENCE CITY COUNCIL MINUTES**

2 Wednesday October 20<sup>th</sup>, 2021

3 164 N Gateway Dr, Providence Ut

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5 For a more complete and accurate account of City Council Meeting please view our YouTube  
6 video of the meeting that can be found on Providence’s YouTube channel: [City Council 10/20/21](#)  
7 - [YouTube](#) (Ctrl + Click to follow link)

8  
9 Hr. Min Sec. in GREEN above items are time stamps for YouTube Video of the City Council Meeting.

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12 **Attendance:** Council Members: Mayor John Drew, Jeanell Sealy, Carrie Kirk, Kristina Eck, Joshua Paulsen and Brent Speth.  
13 City Staff: Ryan Snow (City Manager), Skarlet Bankhead (Land Use and Administrative Services Director),  
14 Rob Staple (Public Works Director) and Ty Cameron (City Recorder).

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16 **Opening Ceremony:**

17 Call to Order: Mayor Drew

18 Roll Call of City Council Members: Mayor Drew

19 Pledge of Allegiance:

20 Opening Remarks – Prayer/Comment: Councilmember Speth offers a prayer

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23 **Approval of the minutes:**

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25 **(2 Min 55 Sec.)**

26 ➤ **Item No. 1 Minutes:** The Providence City Council will consider approval of the minutes of September 15<sup>th</sup>,  
27 2021, [\(MINUTES\)](#)

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- 30 • Mayor Drew calls item number 1 and asks for a motion.
  - 31 • **Councilmember Sealy motions to approve the city council meeting minutes of September 15<sup>th</sup> 2021. -  
32 Secoded by Councilmember Kirk. No issues or comments. Vote: All yea. Motion passes**

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

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- 36 • Mayor Drew opens for floor for public comment. No comments or questions raised. Mayor Drew closes the public  
37 comment portion of tonight’s meeting.

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39 **Public Hearings/Presentations:**

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41 **(5 Min. 25 Sec.)**

42 ➤ **Item No. 2 CAPSA Presentation:** October is Domestic Violence Awareness Month. CAPSA to present on  
43 recent numbers as well as their response plan for the increase in cases of abuse that has been seen.

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- 45 • Mayor Drew calls item number 2 a gives a brief introduction and turns the floor over to Henry Shaw a  
46 representative from CAPSA’s education department.

- Henry Shaw presents CAPSA’s domestic violence issues, plans and statistics. Indicates CAPSA’s expansion plan and new building; will be having a ribbon cutting ceremony on October 29<sup>th</sup>. Parties discuss the rise in domestic violence and its relation to the current pandemic. Parties discuss how best to recommend or inform people of CAPSA and their services.
- Council thanks CAPSA for presenting this evening.

**Land Use Development:**

**(14 Min. 50 Sec.)**

- **Item No. 3 PCC 11-1-3 Exception:** The City Council will consider and may take action on a request by Paul Gibbons, representing Shoreline Estates 2021 LLC, for an exception to Providence City Code 11-1-3 which limits a cul-de-sac to a maximum length of 600-feet. The applicant is requesting an 819-foot cul-de-sac in the Shoreline Estates Phase 2 & 3 development. **This was before the Planning Commission on 10/13/21 where it was motioned to recommend to the City Council that they deny the request: Vote - Yea: Bob Perry, Kathleen Alder, Michael Fortune, Rowan Cecil. Abstained: Brian Marble. (ANALYSIS)**

- Mayor Drew calls item number 3 and gives brief introduction and asks Skarlet Bankhead to give overview of request.
- Skarlet Bankhead presents to the council the staff report, which includes the issues and conditions of the request.
- Staff and council discuss possible alternate plans and solutions. Council informs of a previous like request year’s back that was denied. Staff inform council of a similar request that was granted and the reason for granting it.
- Council and staff discuss the ramifications of approving the request and the code governing it.
- Paul Gibbons, applicant of request, comments on his request, why he applied and his plans for the area if request is granted.
- Parties discuss connection of streets and utilities.
- Paul Gibbons continues with his comment and informs council that his preliminary plat has already been approved prior to the exception being requested.
- Council discusses with staff non-conforming cul-de-sacs and previous and current cul-de-sac requirements. Parties discuss what the plans will be if request gets denied.
- Councilmember Paulsen motions to deny request. Seconded by Councilmember Sealy. No further comments or questions. Vote: All yea. Motion passes.**

**(45 Min. 00 Sec.)**

- **Item No. 4 Ordinance 2021-017: PCC 2-5 Appeal Authority Code Amendment:** City Council will consider and may take action on amending PCC 2-5 Appeal Authority; changing from a 3 member, with 2 alternate members appeal board, to an administrative appeal hearing officer. **This went before the Planning Commission with members of the Commission all voting to recommend this amendment to City Council for approval.** Public hearing was held September 22<sup>nd</sup>.

**(CODE REVIEW) (ORDINANCE)**

- Mayor Drew calls item number 4 and gives brief introduction and asks Skarlet Bankhead to give report.

- Skarlet Bankhead gives overview of code amendment request including its purpose and new structure and how it will help make things easier and more efficient.
- Ryan Snow comments on why the city is requesting the code be changed.
- Parties discuss the current format of the appeal authority and how things will change and what the pros and cons will be. Parties discuss the appeal procedure and responsibilities of the appeal council. Parties discuss the frequency of appeals and variances.
- Parties discuss the appeal fees, current process and the variance process and its differences.
- **Councilmember Kirk motions to approve Ordinance 2021-017 PCC 2-5 Appeal Authority Amendment. Seconded by Councilmember Speth. Vote: Councilmember Paulsen- Nay, remaining Councilmembers – All yea. Motion passes**

**(1 Hr. 10 Min. 15 Sec.)**

- **Item No. 5 Ordinance 2021-018: PCC 10-5 Sensitive Areas Code Amendment:** City Council will consider and may take action on amending PCC 10-5 Sensitive Areas; changing from a conditional use to reviews through the subdivision, development process, the building permit process, and engineering reviews. **This went before the Planning Commission with members of the Commission all voting to recommend this amendment to City Council for approval.** Public hearing was held September 22<sup>nd</sup>. [\(CODE REVIEW\)](#) [\(ORDINANCE\)](#)

- Mayor Drew calls item 5 and gives brief introduction.
- Skarlet Bankhead gives overview of staff report which includes the new additions and structure, its purpose and what the new amendment will mean and achieve.
- Skarlet Bankhead reviews with council the mis conception of conditional uses and the Administrative Land Use Authorities responsibilities.
- Ryan Snow adds additional comment to Skarlet’s review and the code amendment’s purpose.
- Skarlet Bankhead discusses examples of the current process and its problems and redundancies.
- Parties discuss possible scenarios of the current process and what the new process would entail.
- Parties discuss requirements, such as slopes, and other checks or reviews that are in place throughout the process. Parties discuss FEMA, the current geo-technical studies process and compaction testing.
- **Councilmember Kirk motions to approve ordinance 2021-018. Seconded by Councilmember Eck. No comments or questions. Vote: Councilmember Sealy – Nay, remaining Councilmembers – All Yea. Motion passes.**

**(1 Hr. 50 Min. 20 Sec.)**

- **Item No. 6 Ordinance 2021-013: PCC 10-8-9 Design Standards for Attached and Multi-Family Residential Development:** City Council will consider and may take action on amending PCC 10-8-9: Design standards for attached and multi-family residential development. **This was previously before the Planning Commission with members of the Commission all voting to recommend this amendment to City Council for approval.** \*This was brought before City Council on 7/21 and sent back to Planning Commission with recommendations. Public hearing was held June 9<sup>th</sup>.

[\(CODE REVIEW\)](#) [\(ORDINANCE\)](#)

- Mayor Drew calls item number 6 and gives a brief introduction.

- Skarlet Bankhead gives overview of staff report and the recent changes that have been made per the request of council and the planning commission.
- Parties discuss the issue of vinyl siding as an approved cover, driveway requirements and length, alleyways, cluster mailboxes, parcel space and increasing the requirement for open space.
- **Councilmember Sealy motions to approve ordinance 2021-013 with the following amendments: *On Item D. Development Standards in the table of contents be amended to include item “#10: Phasing” On Item D-3-a - Architectural Plan: To read: “all” building facades in the last sentence. On Item D-4 - Architectural Design Standards. Strike the last sentence “If the developer feels that.....approving those materials.” On Item D-4-b-i - strike “vinyl” and adjust to read “and/or block”. On Item D-4-d-vi - If the garage entrance abuts a street, road, or sidewalk, a driveway is required; and must be a minimum of 18 feet in length, measured from the street or road to the garage door. Where a sidewalk exists, it must be a minimum of 18 feet in length, measured from the interior sidewalk edge to the garage door. And strike “There is no driveway requirement, if the garage entrance abuts an alley.” On Item D-6-b-ii - The applicant shall provide open space equal to or greater than 25% of the overall project area. On Item D-10-b-i- to read “complete” rather than compete. Motion Seconded by Councilmember Eck. Vote: All Yea. Motion passes.***
- Parties discuss and agree to have the Planning Commission continue looking on how to improve the code.

**(2 Hr. 25 Min. 50 Sec.)**

- **Item No. 7 Council Discussion on Annexations, Zoning Assignments and Zoning Map:** City Council will discuss the city’s plans and processes for annexations, zoning assignments and the city zoning map.
- Mayor Drew calls item number 7 and gives a brief introduction.
- Ryan Snow discusses with council City plans, annexation process and future annexations, zoning assignments and city map.
- Mayor Drew opens the floor for further discussion and questions.
- Councilmember Sealy comments on zoning map, particularly the zoning of mixed-use development.
- Parties discuss the general plan and public hearing process and requirements. Mayor Drew comments on the history of parcels that are zoned as mixed-use.
- Parties continue discussing the process of zoning and the public hearing requirements.
- Kathleen Alder, Planning Commission Chair, comments on mixed-use parcels and their purpose.
- No further questions for comments, council moves on to next item.

**Agreements, Contracts, Bid Awards:**

**(2 Hr. 46 Min 30 Sec.)**

- **Item No. 8 Settlement Agreement:** City Council will discuss and may take action on approving a settlement agreement with David Anderson.
- John Drew calls item number 8.
- Ryan Snow gives a brief overview of the situation and the settlement agreement. Parties discuss the agreement, and its benefits to the city.

- **Councilmember Kirk motions to approve the agreement. Seconded by Councilmember Eck. Vote: All Yea. Motion passes.**

**(2 Hr. 53 Min 25 Sec.)**

- **Item No. 9 Land Purchase Agreement:** City Council will discuss and may take action on approving an agreement for the purchase of land from Mark Thompson.

- Mayor Drew calls item number 9.
- Ryan Snow gives overview of the land purchase agreement that is in the works with Mark Thompson. Discusses with council the details of the agreement and its conditions.
- Parties discuss conditions of the agreement.
- **Councilmember Speth motions to approve the agreement. Seconded by Councilmember Paulsen. Vote: All yea. Motion passes.**

**Plans and other Business:**

**(2 Hr. 58 Min. 20 Sec.)**

- **Item No. 10 PCC Chapter 4-1 Nuisances Amendment:** City Council will discuss and may consider taking action on moving forward with looking into and/or drafting amendments to Providence City Code Chapter 4-1 Nuisances. **(CURRENT CODE)** **(2016 PCC 4-1 Draft)**

- Mayor Drew calls item number 10 and gives brief introduction of the history of the amendment and its revisions. Recommends to council to continue this item for a later time so parties can go over the new amendments.
- **Councilmember Sealy motions to continue item 10. Seconded by Councilmember Kirk. Vote: All yea. Motion passes.**

**(3 Hr. 02 Min. 00 Sec.)**

- **Item No. 11 Resolution 033-2021 Certification of Authorized Individuals:** The Providence City Council will consider and may take action on a resolution authorizing Ryan Snow to act on behalf of Providence City PTIF accounts. **(RESOLUTION)**

- Mayor Drew calls item number 11.
- Ryan Snow give overview of resolution and its purpose. Ty Cameron informs council of the States request and that this is the resolution that they require to authorize individuals to manage the PTIF accounts.
- **Councilmember Speth motions to approve resolution 033-2021. Seconded by Councilmember Kirk. Vote: All yea. Motion passes.**

**(3 Hr. 04 Min. 40 Sec.)**

- **Item No. 12 Resolution 034-2021 Appointment of City Treasurer:** The Providence City Council will consider and may take action on a resolution appointing a city treasurer. **(RESOLUTION)**

- Mayor Drew calls item number 12.
- Ryan Snow gives overview of resolution, why a name was left out and what the responsibilities will entail.
- Parties discuss the amount of time the main treasurer’s responsibilities take up and the burden.
- Parties discuss the signing check process and responsibility.
- Parties discuss the salary of the position and the new hire.
- **Councilmember Eck motions to appoint Angie Olsen, the new hire, as the city treasurer. Seconded by Councilmember Kirk. Vote: Councilmember Sealy- abstains, remaining Councilmembers – All yea. Motion passes.**

**(3 Hr. 20 Min. 40 Sec.)**

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

- Rob Stapley gives public works staff report. Discusses with council the recent storm and tree issues and green waste problems. Parties discuss investing in a heavy-duty chipper. Parties discuss how better to resolve the tree and green waste issue in the future.
- Skarlet Bankhead gives staff report on land use and current applications and issues. Reports on car show from prior weekend. Informs council of plans for upcoming city tree lighting and new Christmas décor.
- Ty Cameron gives recorders report, updates council of election status.
- Ryan Snow gives city administration staff report and goes over the current city budget status with council. Parties discuss covid 19 relief money (American Relief Program), grant awards, master plans and Historic Preservation Commission plans for markers and their placement throughout the city.

**(4 Hr. 02 Min. 30 Sec.)**

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

- Councilmember Sealy gives her report. She has been helping with working on a grant for sidewalks. She has meet with the Blacksmith Fork Irrigation Board. Gives report on her recent ULCT conference attendance and getting Providence designated as a Healthy City.
- Councilmember Kirk gives her report. Informs that the youth council held dance and had a great turn out.
- Councilmember Paulsen has nothing to report.
- Councilmember Eck has nothing to report.
- Councilmember Speth gives his report. Informs council that he has met with the Historic Preservation Committee and discusses their financial needs to place historic markers around town and if the council or city can help.
- Mayor Drew gives his report. Discusses with council promoting or creating a neighbors helping neighbors program and putting it in the newsletter.

259 **Executive Session Motion**

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- 261 ➤ **Councilmember Paulsen motions to go into an executive session. Seconded by Councilmember Kirk. Vote: All**
- 262 **yea. Motion passes. Council goes into executive session. YouTube video recording stopped.**
- 263 ● Council exit executive session.
- 264 ➤ **Councilmember Kirk motions to adjourn council meeting as parties have finished their discussion from their**
- 265 **executive session. Seconded by Councilmember Sealy. Vote: All yea. Motion passes. Meeting adjourned.**
- 266 ● Next scheduled City council meeting will be November 17<sup>th</sup> 2021.
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270 Minutes prepared by Ty Cameron, City Recorder

271 Minutes approved by vote of council on \_\_\_\_ of \_\_\_\_\_ 2021

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277 John Drew, Mayor

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277 Ty Cameron, City Recorder