

1 **PROVIDENCE CITY COUNCIL MEETING MINUTES**

2 Wednesday February 16th, 2022, 6:00 PM

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

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5 To view the video recording account of City Council Meeting please view our YouTube video of the meeting that can be
6 found on Providence’s YouTube Channel: [City Council Meeting 2/16/2022 - YouTube](#) (Ctrl Click to follow link.)

7
8 **HR. MIN. SEC.** in **GREEN** above items are time stamps for the YouTube Video of the City Council Meeting.

9
10 **(9 MIN. 40 SEC.)**

11 **Opening Ceremony:**

12 Call to Order: Mayor Alder

13 Roll Call of City Council Members: Mayor Alder

14 Pledge of Allegiance: Council Member Nebeker.

15 Opening Remarks – Prayer: Rajan Zed

16
17 **Council Member Attendance:** Josh Paulsen (Virtually), Carrie Kirk, Kathleen Alder, Jeanell Sealy, Brent Speth, Jeff
18 Nebeker

19 **Staff Attendance:** Ryan Snow (City Manager), Rob Stapley (Public Works Director), Skarlet Bankhead (Land Use Director),
20 Ty Cameron (City Recorder).

- 21
- 22 • Mayor Alder called meeting to order and took attendance of the council members present. Indicated that
- 23 council member Paulsen was attending virtually as well as Mr. Rajan Zed who will be offering the prayer.
- 24 • Staff encountered some technical difficulties getting council member Paulsen and Mr. Rajan Zed to be
- 25 present virtually. Problems were resolved.
- 26 • Mr. Rajan Zed gave a background about himself and the Hindu prayer he would be giving tonight.
- 27 • Mr. Rajan Zed offered a prayer. Council thanked him for his prayer.
- 28

29 **Approval of the minutes:**

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31 **(19 MIN 0 SEC.)**

32 ➤ **Item No. 1 Approval of the Minutes:** The Providence City Council will consider for approval the minutes
33 of January 19th, 2022 . **(MINUTES)**

- 34
- 35 • Mayor Alder called item 1 and asked for a motion.
- 36

37 **Motion to approve the minutes of City Council meeting from January 19th, 2022 – Council Member Speth. 2nd –**
38 **Council Member Jeanell Sealy.**

39 **Vote:**

40 **Yea- Council Member Paulsen, Council Member Kirk, Council Member Sealy, Council Member Speth, Council**
41 **Member Nebeker.**

42 **Ney-**

43 **Abstained-**

44
45 **Motion Passes.**

46
47 **Public Comments:** Citizens may express their views to the City Council on issues within the City’s jurisdiction. The City
48 Council accepts comments: by email providencecityutah@gmail.com, and by text 435-752-9441.

49

- Mayor Alder opened the floor for public comment and indicated that if anyone had comments regarding an item on the agenda tonight that they wait until the item is called to make their comment.
- Ladd Kennington, who is a Providence City resident, indicated that he was running for County Council and commented on city government and what great work is being done.
- No further comments were posed, Mayor Alder closed the comment portion of the meeting.

Public Hearings:

(22 MIN. 45 SEC.)

➤ **Item No. 2 Providence City Transient Room Tax:** The Providence City Council will take questions and comments from the public regarding a proposed new city ordinance establishing a transient room tax for Providence City.

- Mayor Alder called item number 2, indicated that council discussed this item in their last meeting and approved it for a public hearing. Asked Ryan Snow (City Manager) to give a brief introduction to this tax.
- Ryan Snow discussed with council what this tax would do and its benefits to the city. Indicated that if the council was worried about it being seen as revenue tool, which he indicated it should not be seen as such, that they were welcome to discuss the tax rate or percentage. Ryan Snow discussed with council that this tax would be a way to know what is going on in the city regarding transient rooms or Airbnb's, and having a means to establish compliance with code.
- No further comments were made. Mayor Alder closed the public hearing.

Ordinances:

(26 MIN. 15 SEC.)

➤ **Item No. 3 Ordinance 01-2022 Transient Room Tax:** The Providence City Council will review, discuss and may take action on a proposed Providence City Ordinance establishing a Transient Room Tax.

(ORDINANCE 01-2022)

- Mayor Alder called item number 3, gave a brief introduction, and opened the floor to council for comment and questions.
- Parties discussed where the funds would go and how it would be collected. Staff indicated that funds would go into the city's general fund like its other taxes. The State would be responsible for collecting the tax with a portion of it being written back to the city.
- Parties discussed the tax, its overall perception and possible cost for all involved. Council Member Speth commented that the city has a responsibility to monitor what's going on in its city and that establishing this tax would be good management.
- Parties discussed current Airbnb's in the city and what this would mean for them.
- Parties discussed the overall process and business side of this tax implementation, as well as its benefits and possible liabilities.

Motion to approve Ordinance 01-2022 which will establish a transient room tax for Providence City. – Council Member Speth. 2nd – Council Member Josh Paulsen.

Vote:

Yea- Council Member Paulsen, Council Member Kirk, Council Member Sealy, Council Member Speth.

Ney- Council Member Nebeker.

Abstained-

98 **Motion Passes.**

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100
101
102 **Land Use:**

103
104 **(40 MIN. 40 SEC.)**

105 ➤ **Item No. 4 Resolution 001-2022 CELCO Boundary Line Adjustment w. Millville City:** The Providence
106 City Council will review, discuss, and may take action on a resolution stating the city's intent to allow for the
107 boundary line adjustment of parcel 03-036-0011, located in the general area of E 1250 S and Grandview Dr.

108 **(RESOLUTION) (ANALYSIS)**

- 109
- 110 • Mayor Alder called item number 4, gave a brief introduction, and indicated that Millville City has approved
- 111 their portion of this boundary line adjustment. Asked Ryan Snow to give an overview.
- 112 • Ryan Snow discussed with council the process and steps moving forward with this boundary line adjustment
- 113 should they approve it tonight. Ryan Snow indicated to council that tonight this resolution just allows for
- 114 the parties involved to look into how it would work and what issues would arise.
- 115 • Skarlet Bankhead (Land Use Director) reviewed with council the staff report or analysis. She indicated that
- 116 this is a new application, though it deals with the same property that was brought before council last year
- 117 and tabled to see what Millville would do.
- 118 • Parties discussed if there were any downsides to this as of right now. Staff indicated that there are no
- 119 downsides as council is just voting to allow the process to move forward, there will be many more meetings
- 120 and a final ordinance for the approval of the adjustment if both cities agree.
- 121 • Parties discussed feasibility study and what that would entail and show.
- 122 • Parties discussed legal challenges that could arise with Millville or the owners.
- 123 • Parties discussed the property challenges with its grading and what benefits there would be to the city in
- 124 general.
- 125 • Jeremy Jensen, representative, commented to council the history of the land or parcel and their ongoing
- 126 challenges with Millville. Indicated that Millville doesn't, at this time, have the infrastructure to allow
- 127 development in that area. Mr. Jensen discussed with council the previous contracts or agreements from
- 128 years back when they first tried to develop the land.
- 129 • Parties discussed traffic study and potential development plans.
- 130 • Parties discussed the 20 or so acres that is part of the parcel but is not being included in the adjustment and
- 131 why. It was stated that part of the parcel is being kept by Millville for possible future development if or
- 132 when they have the infrastructure to do so.
- 133 • Council summarized what the process is and what their action would mean tonight if it was approved.
- 134 • Parties discussed access to the area and general connectivity. Mr. Jensen indicated their plans to create a
- 135 horseshoe access to allow for the required two access points.
- 136 • Parties discussed connectivity into Millville, access requirements and traffic flow.
- 137 • Parties discussed what can be gravity feed in terms of sewer and water and what could not. Staff has
- 138 indicated that they would most likely only allow development in the areas that could be gravity feed.
- 139 • Council Member Kirk motioned to approve the resolution. No second, motion died.
- 140 • Parties discussed the current ongoing law suit the developer has with the City of Millville. Council Member
- 141 Speth commented that it may be best to just wait and see what happens with the lawsuit before moving
- 142 forward. Parties discussed the possibility of getting all of the parcel and not just what is being requested.
- 143

144 **Motion to reject resolution 001-2022. – Council Member Paulsen. 2nd – Brent Speth.**

145 **Vote:**

146 **Yea- Council Member Paulsen, Council Member Speth, Council Member Nebeker.**

147 **Ney- Council Member Kirk, Council Member Sealy,**

148 **Abstained-**

149
150 **Motion Passes**

151
152 **Agreements, Contracts, Bid Awards:**

153
154 **(1 HR. 52 MIN. 25 SEC.)**

155 ➤ **Item No. 5 Munifiber Wholesale Rates:** The Providence City Council will review, discuss, and may
156 approve the city's Muni fiber pricing rates. **(RATES OUTLINE – EXCEL)**

157 **(RATES OUTLINE – PDF)**

- 158
- 159 • Mayor Alder called item number 5 and asked Ryan Snow to give an overview.
- 160 • Ryan Snow indicated to council the current rates and services regarding the fiber project and its ongoing
- 161 connection services throughout the city.
- 162 • Parties discussed business and residential gig rates and what constitutes a business.
- 163 • Parties discussed the pricing of the rates. Council Member Sealy commented on the viability of offering 10 gig
- 164 and or the need for it. Parties discussed if 10 gig should be offered to residents or not.
- 165

166 **Motion to approve the business and residential rates of 2 & 10 gig. – Council Member Kirk. 2nd – Council Member**
167 **Paulsen.**

168 **Vote:**

169 **Yea- Council Member Paulsen, Council Member Speth, Council Member Kirk, Council Member Nebeker.**

170 **Ney- Council Member Sealy,**

171 **Abstained-**

172
173 **Motion Passes**

- 174
- 175 • Staff indicated that there is a second part to this rate proposal as it deals with the drop out option and the \$10 fee.
- 176 • Parties discussed the process of having residents opt out of fiber; it entails a signed statement from the resident.
- 177 Parties indicated that its most beneficial to have at least the conduit laid to the house even if they do not want fiber.
- 178 Such process would make it easier for everyone in the future if they do decide to hook up to the fiber network, with
- 179 the groundwork already laid.
- 180 • Parties discussed the 10\$ fee and the option or process of people opting out and other possibilities.
- 181 • Parties discussed their initial plans form the being, stating fiber would be seen as an infrastructure item and using a
- 182 utility model.
- 183 • Parties discussed if contractors were required to allow for fiber installation. Staff responded that there is no
- 184 ordinance in place, but that as public works inspects projects and developments, they are highly encouraging that
- 185 they include it.
- 186 • Council discussed why it needs to be changed and that it would be best to allow for their initial plans to proceed.
- 187 Staff responded that they are simply providing possible options.
- 188

189 **Motion to table this item until further reevaluation or more information becomes available.- Council Member Sealy.**
190 **2nd – Council Member Brent Speth.**

191 **Vote:**

192 **Yea- Council Member Paulsen, Council Member Speth, Council Member Kirk, Council Member Sealy, Council**
193 **Member Nebeker.**

194 Ney-
195 Abstained-

196
197 Motion Passes.

198
199 Plans and other Business:

200
201 (3 HR. 4 MIN. 5 SEC.)

- 202 ➤ Item No. 6 Providence City Council Goals & Assignments: The Providence City Council will review,
203 discuss and may take action on approving their goals and assignments for 2022.

204 [\(GOALS & ASSIGNMENTS – EXCEL\)](#) [\(GOALS & ASSIGNMENTS – PDF\)](#)

- 205
206 • Mayor Alder called item number 6 and gave a brief introduction.
207 • Council reviewed their goals and assignments. Mayor informed that if a council member ever feels like they have
208 too much to come talk with her to see what they can do.
209

210 **Motion to approve the Council’s goals and assignments - Council Member Kirk. 2nd – Brent Speth.**

211 **Vote:**

212 **Yea- Council Member Paulsen, Council Member Speth, Council Member Kirk, Council Member Sealy, Council**
213 **Member Nebeker.**

214 Ney-
215 Abstained-

216
217 (3 HR. 8 MIN. 35 SEC.)

218 **Staff Reports:** Items presented by Providence City Staff (including but not limited to: Public Works Director,
219 Administrative Services Director, City Recorder, and City Manager) will be presented as information only.
220

- 221 • Mayor Alder called for staff reports.
222 • Ty Cameron, City Recorder, reported to council that the Vineyard annexation that is currently in process was
223 objected to and is now in the hands of the County for further review. Discussed with council the city’s ongoing re-
224 codification of the city code and overall progress and next steps.
225 • Rob Stapley, Public Works Director, reported to council the city’s current projects and their development. Discussed
226 with council the Public Works budget and that they were on track.
227 • Skarlet Bankhead, Land Use and Recreation Director, gave an update on Historical Preservation Commission
228 projects and the 7 new plaques that will be placed through out the city in the coming months which will provide
229 information regarding Providence City’s history. Skarlet discussed with council the fun in the sun program and the
230 need for a new director and the ongoing subdivisions that are going up around town and there over all status.
231 • Ryan Snow, City Manager, discussed with council the overall update on the city’s fiber and water master plan.
232 Reviewed with council the city budget and the need for crossing guard substitutes.
233

234 (3 HR. 24 MIN. 25 SEC.)

235 **Council Reports:** Items presented by the City Council members will be presented as informational only; no formal action
236 will be taken.
237

- 238 • Mayor Alder called for council reports.
239 • Council member Nebeker discussed with council his assignments and what he has done so far.

- Council member Speth reported on his goals, involvement with the Spring Creek Water Board, and the vineyard annexation. Discussed with council having a city emergency plan and how to get the residents involved. Discussed with council a possible food pantry and a preparedness pamphlet.
- Council member Sealy reported to council her assignments and her involvement in the Healthy City Coalition, the city’s code review and fiber education videos she has help make to promote the fiber project.
- Council member Kirk reported to council what the Youth Council was doing and the youth conference. Informed council of the USU easter egg hunt, the city’s upcoming festival in August and the concerts in the park that are planned for this coming summer.
- Council member Paulsen reported to council his new assignments and being the liaison for the Historical Preservation Commission, his plans to work on all year long access to the deer trail and Providence Canyon.
- Mayor Alder reported to council her involvement with being a member of the chamber of commerce and her meeting with the Lt. Governor’s Office.

Motion to adjourn meeting. – council member Kirk. 2nd – Council member Sealy.

Yea- Council Member Paulsen, Council Member Kirk, Council Member Sealy, Council Member Speth, Council Member Nebeker.

**Ney-
Abstained-**

Motion Passes.

Meeting Adjourned

Minutes prepared by Ty Cameron, City Recorder.

Minutes approved by the City Council on the _____ of _____ 2022.

Kathleen Alder, Mayor

Ty Cameron, City Recorder