

PROVIDENCE CITY COUNCIL MEETING MINTUES

Wednesday June 15th, 2022, 6:00 PM

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

To view the video recording account of City Council meeting please view our YouTube video of the meeting that can be found on Providence's YouTube Channel: [City Council 6/15/2022 - YouTube](#)

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

Opening Ceremony:

Call to Order: Mayor Alder called meeting to order.

Roll Call of City Council Members: Mayor Alder took attendance of members present.

Council in Attendance: Mayor Alder, Council members Sealy, Kirk, Nebeker and Speth. Council member Paulsen arrived during agenda item # 9 via zoom.

City Staff in Attendance: City Manager Ryan Snow. Community Development Director Skarlet Bankhead, Public Works Director Rob Stapley and City Recorder Ty Cameron

Pledge of Allegiance: Council member Kirk

Opening Remarks/Prayer: Council member Nebeker

(2 MIN. 30 SEC.)

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

- Mayor Alder indicated that due to requests from the public, council reports will be heard at the beginning of the meeting instead of the end as it has been done previously.
- Mayor Alder called for council reports.
- Council member Kirk discussed one of her goals for the year which was to establish a sense of place and community for the city; and believes that the upcoming city celebration will help with that. She discussed the city celebration committee and all the work that they are doing for the celebration. Concerts in the park are starting back up with the first concert set for this coming Monday June 20th at 7 pm. There will also be a concert scheduled for July 25th and September 16th. She reported that the youth council application period was still open for any 8th through 12th graders who wanted to apply. Indicated that the youth council usually tries to do 1 activity a month. Council member Kirk asked to be excused for next month's council meeting as she will be out of town.
- Council member Sealy reported that the Blacksmith Fork Irrigation water supply was looking good. She commented on her involvement with the Housing Task Force. The school board is on break. She reported on council emails and concerns she has gotten from the citizens involving ATVs in the area, zoning, the Planning Commission, and animal concerns that have been brought to her attention. She commented on her involvement in the State Healthy Cities program and grant and that they are moving forward to get the program in place. She asked everyone to spread the word about the upcoming city celebration.
- Council member Speth gave an update on the Ev Thrope painting that the Historic Preservation Commission was working on obtaining and displaying somewhere here in the city offices; as well as the possibility of acquiring an old post office, assuming they can find a permanent place for it. Cache Valley Transit District is working on increasing ridership, more routes, and the fuel cost issue. He reported that the emergency management plan is under way and that citizens should soon be able to

47 get pamphlets and magnets showing resources and plans in case of an emergency. Spring Creek
 48 Irrigation company is working on an agreement for water shares that will hopefully benefit the city
 49 greatly.

- 50 • Council member Nebeker reported on his involvement with the Mosquito Abatement District and that
 51 they will be fogging the neighborhoods in the coming weeks. If residents don't want their property to
 52 be fogged there is a form that they can fill out. He reported on the recent Planning Commission
 53 meetings and reiterated the sentiments of most of the people who attend those meetings were against
 54 high density. Code codification is almost done and indicated that he will try to attend the emergency
 55 housing task force meeting that will be held this Friday.
- 56 • Mayor Alder commented on her involvement with the Chamber of Commerce Board. She indicated
 57 that Logan city will be ending their garbage collection contract with Providence and the other cities in
 58 the valley; and stated that the mayors are working on an RFP to try and identify a private hauler. She
 59 discussed with everyone that there are multiple issues to consider and how best to resolve them. She
 60 reviewed with everyone present the current road construction that is going on throughout the city and
 61 that the roads are looking and driving a lot better.
- 62 • Council discussed the garbage collection issue and possible future plans.

63 Approval of the minutes:

64 (25 MIN 40 SEC.)

- 65
- 66 ➤ Item No. 1 Approval of the Minutes: The Providence City Council will consider for approval the
 67 minutes of May 18th, 2022 . (MINUTES)

- 68
- 69
- 70 • Mayor Alder called item 1 and asked for a motion for the approval of the minutes.

71

72 **Motion to approve the City Council minutes of May 18th, 2022 – Council member Kirk. 2nd – Council**
 73 **member Speth.**

74 **Vote:**

75 **Yea – Council members Kirk, Sealy, Speth & Nebeker.**

76 **Ney-**

77 **Abstained –**

78 **Absent – Council member Paulsen.**

79

80 **Motion passes.**

81

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

- 84
- 85 • Mayor Alder opened the floor for public comment.
- 86 • Annette Drew took the stand and commented on a survey that was done by her husband regarding the
 87 wages of other council members here in the valley. Commented that she would like to see the council
 88 have smart, relevant and measurable goals.
- 89 • Kendall Pace took the stand and commented on the public hearing that was held by the Planning
 90 Commission regarding the rezone that is also on the agenda tonight. He referenced the opposition that

has been expressed by the public regarding the rezone. Mr. Pace commented on the city survey and indicated that the public or citizens of Providence, in his opinion, feel like they are not being heard.

- Vicky Holmgren took the stand and commented to the Council of the city being ‘top heavy’ and the current overall inflation everyone is seeing and its relation to the city budget.
- Silas Nebeker took the stand and referenced the previous comments that were made and lowering wages and questioned the need of a city manager.
- No further comments were made, Mayor Alder closed the public comment portion of the meeting.

Public Hearings:

(37 MIN. 35 SEC.)

➤ **Item No. 2 Providence City’s Proposed Final Budget for FYE 2023:** The Providence City Council will take comments and questions regarding the City’s proposed budget for this coming fiscal year. **(BUDGET REPORT)**

- Mayor Alder called item 2, gave a brief introduction and asked Ryan Snow to give an overview of the budget for this coming year.
- Ryan Snow indicated that the budget has been public for over 30 days now and that not much has changed since they reviewed the tentative budget over one month ago.
- Ryan Snow reviewed with council and the public how the budget is set up and the format. Indicated that this was a 5-year budget model and discussed the general areas of interest such as the salary adjustments, property taxes, sales tax trend and all the different funds the city has.
- Mayor Alder opened the floor for public comment.
- Laura Fisher took the stand and commented on the road widening project for canyon road and was opposed to having it widened.
- Council and staff discussed the budget and trails and pathway projects regarding Ms. Fisher comments.
- Parties discussed the grant that was applied for in 2019, which was not approved or granted. Council commented on keeping the project on the budget to allow for any grants that are available in the coming years to be able to be applied to the project.
- No further comments. Mayor Alder closed the public hearing for item 2.

(50 MIN. 20 SEC.)

➤ **Item No. 3 Providence City’s FYE 2022 Budget Adjustments:** The Providence City Council will take comments and questions regarding the City’s proposed adjustments to the City’s FYE 2022 Budget.

- Mayor Alder called item number 3 and asked Ryan Snow to give the council details of the budget adjustments for FYE 2022.
- Ryan Snow discussed with the Council the adjustments needed to balance the 2022 FYE budget, indicating that only a few adjustments were needed and that overall, everything looked good. Ryan reviewed with council the line items that needed to be adjusted which included taxes to and from the county and sanitation revenue and expense.
- Mayor Alder opened the floor for comment and questions.

- No comments or questions were posed. Mayor Alder closed the public hearing for item 3.

Resolutions/Ordinances:

(53 MIN. 55 SEC.)

➤ **Item No. 4 Ordinance 05-2022 Partial Rezone of Parcel 03-002-0007:** The Providence City Council will discuss and may take action on a request to rezone a section of parcel 03-002-0007 generally located at 420 S SR 165. Applicants are requesting that it be rezoned from Commercial Highway to Multi-Family High. Planning Commission held a public hearing on May 25th and recommended to the Council via motion that they deny the rezone. **(ORDIN. 05-2022)**

(REZONE ANALYSIS)

- Mayor Alder called item number 4, gave a brief introduction and asked Skarlet Bankhead to give an overview of the application.
- Skarlet Bankhead reviewed with the council the applicants request and the parcel that was seeking to be rezoned from Commercial Highway to Multi-Family High. She discussed with council the difference between the two zones. Ms. Bankhead referenced the staff report which included the findings of fact, conclusions of law and terms and conditions. Indicated that staff were following the state and city codes regarding the process and procedures and referenced the city’s general and master plans for this area and how it related to the applicants request. She mentioned that there were sensitive areas in this development and the design standard requirements the developer would have to follow if approved.
- Craig Champlain, applicant, took the stand and commented on his request and the history of the area and why they were requesting a rezone. He discussed with the council potential plans for the area if it does get rezoned and what it would look like. Mr. Champlain referenced Hyde Park city and their lack of commercial areas and the demand for housing and the current housing market. He commented on the road that would be developed and the benefit it would bring to the surrounding area. Parties discussed where the road would be.
- Council member Kirk commented on the public hearing that was held before the Planning Commission regarding this application and the opposition that was expressed by the citizens who attended. She referenced Prop 1 and high-density housing, commented that it seemed like a good idea but that it was bad timing.
- Council member Nebeker commented on the public hearing regarding this rezone and the comments that were expressed by the citizens who were against it.
- Council member Sealy appreciated the comments from the public hearing and questioned if there was a way to make public hearings less thematic and more palatable through code amendments.
- Mayor Alder commented on the Planning Commission recommendation and the Councils current options. Council reiterated the publics concern or opposition to high density housing.

Motion to deny Ordinance 05-2022, the request to rezone parcel 03-002-0007– Council member Sealy. 2nd – Council member Speth.

Vote:

Yea – Council members Kirk, Sealy, Speth & Nebeker.

Ney-

177 **Abstained –**
178 **Absent – Council member Paulsen.**

179
180 **Motion passes, ordinance denied**

181
182 **(1 HR. 33 MIN. 15 SEC.)**

183 ➤ **Item No. 5 Resolutions 009-2022 & 010-2022 Planning Commission Alternates:** The
184 Providence City Council will discuss and may take action on the appointment of Shelly Nazer and Robert
185 Washburn as Planning Commission Member Alternates. **(RES 009-2022 NAZER)** & **(RES**
186 **010-2022 WASHBURN)**

- 187
- 188 • Mayor Alder called item 5, gave a brief introduction, and introduced the candidates who have been
- 189 nominated to fill the 2 alternative seats on the Planning Commission. She asked them to come up and
- 190 give a brief comment to the council.
- 191 • Shelly Nazer took the stand and discussed with the council her reasons for applying and her
- 192 qualifications and experience.
- 193 • Council member Kirk thanked the candidates for their willingness to serve.
- 194 • Parties discussed the duties and responsibilities of the Planning Commission and what Ms. Nazer
- 195 thought about PUD roads vs public roads. Parties discussed design standards and the city code.
- 196 • Bob Washburn took the podium and reviewed with council why he applied, his connection to the
- 197 valley and what he has seen in other cities and states regarding these types of commissions.
- 198 • Council asked Mr. Washburn what he thought about private roads and high density. Mr. Washburn
- 199 commented on his experience with high density having lived in such an area.
- 200 • Mayor Alder called for a motion.
- 201

202 **Motion to approve resolution 009-2022 & 010-2022 appointing Shelly Nazer and Bob Washburn and**
203 **Planning Commission alternates. – Council member Nebeker. 2nd – Council member Sealy.**

204 **Vote:**

205 **Yea – Council members Kirk, Sealy, Speth & Nebeker.**

206 **Ney-**

207 **Abstained –**

208 **Absent – Council member Paulsen.**

209
210 **Motion passes.**

211
212 **(1 HR. 50 MIN. 50 SEC.)**

213 ➤ **Item No. 6 Resolution 011-2022 – Certified Tax Rate:** The Providence City Council will
214 consider for adoption a resolution establishing the certified tax rate. **(RES 011-2022)**

- 215
- 216 • Mayor Alder called item 6, gave a brief introduction and asked Ryan Snow to introduce the certified
- 217 tax rate for the coming fiscal year.

- Ryan Snow discussed with the council the current rate and how the county calculates the rate and what it’s based on and what it’s for. He indicated that the city is not raising or lowering rate this year and recommends they accept the County’s rate.
- Mayor Alder called for a motion.

Motion to approve to approve the certified tax rate. – Council member Speth. 2nd – Council member Kirk.

Vote:

Yea – Council members Kirk, Sealy, Speth & Nebeker.

Ney-

Abstained –

Absent – Council member Paulsen.

Motion passes.

(1 HR. 54 MIN. 55 SEC.)

➤ **Item No. 7 Resolution 007-2022 – Final Budgets FYE 2023:** The Providence City Council will consider for adoption a resolution approving the FYE 2023 final Budgets for all funds. Approval of the final budget includes the wage increase of the Mayor, Council and Staff.

(RES 007-2022)

- Mayor Alder called item 7, indicated that the public hearing was had at the start of the meeting and called for a motion from council before discussion.
- **Council member Kirk motioned to approve the final budget for FYE 2023. 2nd – Council member Sealy.**
- Mayor Alder called for discussion regarding any changes or questions the council had regarding the budget.
- Council member Nebeker commented on the pay increase for council members and asked what everyone thought about the increase per their previous conversation last meeting.
- Council member Sealy commented that she would be willing to forgo the increase for council but would like to see an increase in the Planning Commissions wages.
- Council member Nebeker asked if the council should scratch the widening of the canyon road that was commented on earlier by a resident who lived in the area. Council member Kirk indicated that she uses that road almost daily and would like to see a walking or bike path. Council member Sealy commented on the grant application that they applied for a few years ago and what it would have gone towards general road development not just widening the road, had they been awarded the grant. Council discussed making the road safer and keeping it in their budget for future plans and funding. Council indicated that having it on their budget plans would allow them to seek grant money, even though it may never happen or not happen for 5 to 10 years.
- Laura Fisher, resident, commented on the dugway and her residential area which would be a part of the road widening development.
- Council member Sealy commented on the park and trail plans and asked if the Cattle Corral improvement of the park and the basketball court should be seen as one project. Council discussed the

261 parks and trails plans as laid out in the budget. Ryan Snow discussed with the Council that this is a
 262 projected future budget for projects that would be approved or could be changed during the year the
 263 project is to be considered.

- 264 • Council discussed a bike lane on 300 S and the possible grants.
- 265 • Council member Sealy indicated that she would amend her previous motion to include what the
 266 council has recently discussed.

267
 268 **Motion to approve resolution 007-2022 the FYE 2023 final budgets with the following changes. Council**
 269 **will forgo their wage increase of 5%. Planning Commissions wage will increase by \$10 per meeting. Any**
 270 **difference, to keep the budget balanced, will be adjusted via a transfer to the capital projects fund. –**
 271 **Council member Kirk. 2nd – Council member Sealy.**

272 **Vote:**

273 **Yea – Council members Kirk, Sealy, Speth & Nebeker.**

274 **Ney-**

275 **Abstained –**

276 **Absent – Council member Paulsen.**

277
 278 **Motion passes.**

279
 280 **(2 HR. 08 MIN. 10 SEC.)**

- 281 ➤ **Item No. 8 Resolution 008-2022 FYE 2022 Budget Adjustments:** The Providence City
 282 Council will consider for approval a resolution adjusting the city's FYE 2022 Budget. **(RES 008-2022)**

- 284 • Mayor Alder called item 8, indicated that the public hearing was previously had earlier during this
 285 meeting and called for a motion.
- 286 • Council discussed the 2022 budget and it's accuracy and thanked Ryan Snow and staff for all that they
 287 have done and the progress the city has made this past year.

288
 289 **Motion to approve resolution 008-2022 FYE Budget Adjustments– Council member Speth. 2nd – Council**
 290 **member Sealy.**

291 **Vote:**

292 **Yea – Council members Kirk, Sealy, Speth & Nebeker.**

293 **Ney-**

294 **Abstained –**

295 **Absent – Council member Paulsen.**

296
 297 **Motion passes.**

298
 299 **(2 HR. 10 MIN. 25 SEC.)**

- 300 ➤ **Item No. 9 Resolution 006-2022 Municipal Boundary Line Adjustment:** The Providence
 301 City Council will consider and may take action on a resolution stating the City's intent to adjust a common
 302 boundary between Providence City and Millville City located in the general area of 100 N 400 E Millville.
 303 Parcels 03-036-0011 & 03-036-0008. **(RES 006-2022)** **(APPLICATION)**

304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346

- Mayor Alder called item 9 gave a brief introduction and asked Skarlet Bankhead to give an update on the request.
- Skarlet Bankhead clarified that this resolution is the council declaring their intent to consider the adjustment. She Indicated that the City of Millville have but stipulations on their intent regarding the development and road access between Millville and Providence.
- Hal Christensen, applicant/engineer, took the stand and commented on their request and their intentions for the area.
- Skarlet Bankhead reviewed with council the process and procedures if they approve the resolution tonight. She indicated that a public hearing would still be required, and council would have the final say.
- Parties discussed and clarified the resolution and what their ‘intent’ would mean.
- Council member Nebeker reviewed with the council a comment that Millville had made regarding the application.
- Council member Sealy commented on the sewer impact fee and asked if an interlocal agreement could be made between the cities. Ryan Snow responded that it could be possible but that it would be a ‘sticky wicket’.
- Parties discussed gravity flow and lift stations that the area would possibly need. Parties discussed complications and red flags. Council discussed previous meetings had regarding this request.
- Council member Sealy asked for more information regarding the conditions that Millville put forth in their intent.
- Skarlet Bankhead responded that this is the first time she has seen something like this and that usually its always straight forward. Parties discussed the conditions and what they would mean for Providence.
- Daniel Grange, Millville Council Member, took the stand and indicated that he was not representing the City of Millville tonight but was just here as a Millville resident. Mr. Grange commented on the road that intersects the two cities and that it is a single lane road and would not be adequate for the traffic increase that this development would bring.
- Parties discussed connectivity and the feedback made during Millville city’s council meeting regarding this application.
- Skarlet Bankhead commented that the developers would have to follow the cities standards and codes. Parties discussed the widening standards and requirements
- Council member Speth commented on the sewer and road issues. Parties discussed the infrastructure for the area and what services it currently has and what services it would need. Parties discussed water pressure for the area.
- Council member Sealy commented on the resolution and that it was just the council’s intent to move forward and allow staff to figure out what the issues are. Council member Kirk suggested on working with Millville to work out these issues.
- Mr. Christensen commented on widening the roads and the current conceptual plans for the development.
- Parties discussed snow plowing the area and how it would look or be achieved and jersey barriers that would be placed on the road to stop traffic.
- Parties discussed the current services that Millville has for the area.
- Mayor Alder read an emailed comment from a Millville resident on the record.

- Council member Speth motioned to give consideration only to the area that can be gravity feed into Providence. Parties discussed motion on the table. No second, motion died.
- Mayor Alder called for another motion.

Motion to approve resolution 006-2022 Municipal Boundary Line Adjustment. – Council member Kirk. 2nd – Council member Sealy.

Vote:

Yea – Council members Kirk & Sealy.

Ney-Council members Speth, Nebeker & Paulsen.

Abstained –

Absent –

Motion carried, resolution was denied.

Study Items:

(2 HR. 55 MIN. 40 SEC)

- **Item No. 10 Providence City’s Water Master Plan (Draft):** The Providence City Council will review and discuss the City’s first draft or presentation of the city’s Water Master Plan. **(WATER MASTER PLAN)**

- Mayor Alder called item 10, gave a brief introduction and asked Ryan Snow to give an overview of the master plan.
- Ryan Snow indicated that Steven Wood, from Sunrise Engineering, is here to discuss the current draft of the city’s Water Master Plan with the council.
- Steven Wood took the stand and reiterated that this is just a draft and asked Ryan and council when they would like to have the final draft. Ryan stated they would like to see the final draft delivered to them by July 13th. Mr. Woods responded that if they would like to have the final draft by the 13th if they could get their comments in to him by July 5th or 6th that would give him enough time to have everything ready for the next City Council meeting on July 20th.
- Mr. Wood reviewed with the council the current draft of the water master plan reporting on the general topics of Providence City’s population growth and connections versus Utah’s average connections with cities of the same population. He commented on the importance of understanding the city’s population growth and its current and future water connections. He reviewed with the council the cities daily water uses and the health of the cities drinking water system.
- Parties discussed meter data that was used, the city’s water sources and water rights. Parties discussed the cities current water storage facilities, tank zones and pressure.
- The council asked for clarification on tank zones and the recommendations that Sunrise is making regarding their future water needs.
- Parties discussed the placement of future wells and water usage versus growth.
- Ryan Snow commented on zone 1 tank, the recommendations from Sunrise Engineering and the variables that come into play.
- Council member Kirk commented on recommendations and how they are listed.

- Parties discussed possible well sites and the number one recommendation that Sunrise has for the city. Ryan Snow commented on well plans for the future and what has been budgeted. Parties discussed new wells and methods for finding locations for new wells.
- Mr. Wood reviewed with the council the cities fire flow capacity and current pressures. Parties discussed the current maps and graphs as presented in the draft and their best options moving forward to fulfill the recommendations that have been discussed. Parties discussed the southside developments of Providence, the boundary line adjustment issues, future projects, and general priorities.
- Parties discussed impact fees, cash flows and user rates. Parties discussed water use overages and their impact on the numbers and how this could change or look without those overages. Parties discussed water conservation efforts, emergency situations and scenarios. Parties commented on fiber conversion for their water system.
- Council thanked and complimented Mr. Wood on his hard work on this master plan.

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.

- Staff indicated that they would forgo their staff reports to save time.

Motion to enter executive session– Council member Sealy. 2nd – Council member Kirk.

Vote:

Yea – Council members Kirk, Sealy, Speth, Paulsen & Nebeker.

Ney-

Abstained –

Absent –

Motion passes, Council enter executive session.

Executive Session Notice: The Providence City Council may enter into a closed session to discuss pending or reasonably imminent litigation as allowed by Utah Code 52-4-205(1)(c). The Providence City Council may enter into a closed session to discuss professional competence or other factors allowed by Utah Code 52-4-205(1)(a). The Providence City Council may enter into a closed session to discuss land acquisition or the sale of real property Utah Code 52-4-205(1) (d) and (e)

Motion to exit executive session. – Council member Kirk. 2nd – Council member Sealy.

Vote:

Yea – Council members Kirk, Sealy, Speth, Paulsen & Nebeker.

Ney-

Abstained –

Absent –

Motion passes. Council exits executive session.

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

434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450

Vote:
Yea – Council members Kirk, Sealy, Speth, Paulsen & Nebeker.
Ney-
Abstained –
Absent –

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