

1 **PROVIDENCE CITY COUNCIL MEETING MINUTES**

2 Wednesday October 19th, 2022, 6:00 PM

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

4
5 To view the video recording account of the City Council meeting please visit our YouTube Channel.
6 Providence's YouTube Channel Link: [Providence City Council 10/19/2022 - YouTube](#)

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

10
11 **Opening Ceremony:**

12 Call to Order: Mayor Alder called meeting to order.

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

14 Council in attendance: Mayor Alder, Council members Sealy, Paulsen, Kirk & Nebeker.

15 Council excused: Council member Speth.

16 City Staff in attendance: City Manager Ryan Snow, Community Development Director Skarlet
17 Bankhead (Via Zoom), Public Works Director Rob Stapley, and City Recorder Ty Cameron.

18 Pledge of Allegiance: Council member Kirk

19 Opening Remarks/Prayer: Council member Nebeker

20
21 **3 MIN. 40 SEC.**

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

24
25 Council Member Sealy:

- 26
- 27 • Reported on the ongoing progress and her involvement with the Healthy Cities Coalition, and the
28 recent retreat they had in Salt Lake City.
 - 29 • Attended the ULCT conference this past week and commented on the trainings she attended.
 - 30 • She has attended the recent School District meetings and mentioned they have been discussing
31 school bus safety concerns. He has also attended the Library Board meetings and the Blacksmith
32 Fork Irrigation meetings.
 - 33 • Indicated she has been fielding calls from residents regarding their issues and concerns, and notes
34 that some residents are not happy with the Fiber construction that has made a bit of a mess around
35 their houses.

36
37 Council Member Paulsen:

- 38
- 39 • Commented that he also attended the ULCT conference this year and attended some good
40 waterwise irrigation and landscaping seminars and would like the city to look into helping the
41 residents with xeriscaping.
 - 42 • Indicated that he attended an urban trails excursion while at the conference and discussed the
43 benefits of urban trails with safety, longevity, and transportation. Reported that the Cache County
44 Trails meeting was cancelled.

- 45 • Reported that he has seen some trash up Providence Canyon recently and that they should try
46 and work on cleaning it up before it snows.
- 47 • He has talked with some residents who are expressing concerns about the unsightly fiber
48 construction cuts in the road and getting assurance that those will be cleared up when completed.
49 Staff indicated that yes, they will be paved over once construction is done.

50

51 Council Member Nebeker:

52

- 53 • Reported that the Planning Commission is working on some amendments regarding the zoning
54 names and the moderate-income housing report the city must turn into the State.
- 55 • Indicated that the report is regarding how the city plans to accommodate or provide moderate
56 income housing.
- 57 • Commented on the importance of reaching out to our local State representatives with issues and
58 concerns regarding State requirements like these.
- 59 • Parties discussed reported ADUs and how to reach out to the public to get a more accurate
60 numbers regarding how many ADUs are in the city to include in our report.
- 61 • He reported that some residents have concerns about some roads that are deteriorating due to
62 water and showed a picture of the road a resident has provided him. Also commented on a
63 dilapidated house the residents would like torn down.
- 64 • Discussed the use of removable speed bumps for some streets that have some speeding issues.

65

66 Council Member Kirk:

67

- 68 • Reported on her attendance at the ULCT conference and networking with other Council Members
69 from other cities and getting ideas on how to make our city better. Talked about getting input on
70 how other cities deal with interlocal agreements regarding the city's recent waste removal issues
71 and the proposal that is on the agenda tonight.
- 72 • Commented on setting more defined and better goals in the coming year for the Council and the
73 city.
- 74 • Commented on the States housing and development issues and concerns.
- 75 • Indicated that she would like to see the monthly fiber updates more readily available to the
76 residents to review.
- 77 • She discussed the recent public hearing that was held before the Planning Commission regarding
78 development in area and would like to see residents input be considered by developers and
79 making sure residents are made more aware of what's going on in the city, she referenced the
80 potential baseball field and team coming to Providence.
- 81 • Commented on the tennis and pickleball courts and the discussions that have taken place
82 regarding them. Relayed to staff that one of the sound barriers may be cracking and to investigate
83 it.
- 84 • Reported that the Youth Council will be having their Fall Ball this Friday at Zollinger Park and
85 that they will be doing the Christmas Tree lighting on December 1st.

86

87

88 **Approval of the minutes:**

89

90 **27 MIN 50 SEC.**

91 ➤ **Item No. 1 Approval of the Minutes:** The Providence City Council will consider for
 92 approval the minutes of September 21st, 2022 . **(MINUTES)**

93

94 • Mayor Alder called for the approval of the minutes.

95 • Council member Sealy indicated a correction needed on line 367 with the word Hallow which
 96 should be Hollow.

97

98 **Motion to approve the minutes of September 21, 2022, with correction– Council member Paulsen.**
 99 **2nd - Council member Sealy**

100 **Vote:**

101 **Yea- Council members Sealy, Paulsen, Kirk & Nebeker.**

102 **Ney-**

103 **Abstained-**

104 **Absent- Council member Speth.**

105

106 **Motion passes, minutes approved.**

107

108 **28 MIN. 45 SEC.**

109 **Public Comments:** Citizens may express their views to the City Council on issues within the City’s
 110 jurisdiction. The City Council accepts comments: by email providencecityutah@gmail.com, and by text
 111 435-752-9441.

112

113 • Mayor Alder opened the floor for public comment.

114 • Neil Varner commented and asked if the city was aware of the construction mess near the assisted
 115 living and condos on 200 N. Staff responded that they are working with the contractors and will
 116 talk with them. Mr. Varner commented on the rock trucks and mess that is being created due to
 117 the construction.

118 • Jan Arnell commented that Strata is doing a fabulous job with the fiber construction. She noted
 119 that they are courteous and informative. She commented on the city survey and newsletter and
 120 indicated she liked it when every department had a blip in the newsletter telling the residents
 121 what they were working on. Ms. Arnell commented on the improved road conditions and gave
 122 the staff and city kudos for all their hard work.

123

124 **Presentations/Reports:**

125

126 **34 MIN. 10 SEC.**

127 ➤ **Item No. 2 CAPSA Presentation:** October is Domestic Violence Awareness Month.
 128 CAPSA to present to the Council and city their ongoing efforts to combat domestic violence.

129

- 130 • Mayor Alder called item 2, gave a brief introduction, and invited CAPSA to the podium to
 131 present.
- 132 • Sarah Fitzgerald, CAPSA representative, thanked Council for allowing her and CAPSA to
 133 present tonight.
- 134 • Ms. Fitzgerald commented on the history of CAPSA in the valley and recalled a meeting they
 135 had with law enforcement discussing the idea of how things would be if CAPSA didn't exist.
- 136 • Ms. Fitzgerald reviewed with everyone the yearly statistics of abuse in the valley and the number
 137 of individuals and families that CAPSA has been able to help.
- 138 • She discussed the numbers and statistics regarding the city of Providence and indicated that in
 139 the past year they have received 75 calls from Providence City residents regarding domestic
 140 violence and have assisted 35 clients who are from Providence.
- 141 • She discussed the resources that are available to people and families going through domestic
 142 violence.
- 143 • Council asked about donations. Ms. Fitzgerald responded that they take donations and have a list
 144 of items on their website that they collect for families and individuals in need.
- 145 • Council thanked CAPSA for the hard work they do and resources they provide.
- 146 • For more information on how CAPSA can help, what resources are available or to donate, please
 147 visit their website found here: [CAPSA – We believe you | We can help - CAPSA](#)
- 148

149 **Public Hearings:**

150

151 **39 MIN. 35 SEC.**

- 152 ➤ **Item No. 3 Vineyard North Phase Annexation:** The Providence City Council will
 153 take comments and questions regarding the request from Visionary Homes LLC to annex
 154 parcels 02-004-0001 & 02-004-0002 generally located in the area of E 600 S & 1000 E and
 155 consisting of an acreage of 20.87 +/-.
- 156
- 157 • Mayor Alder called item 3, gave a brief introduction and opened the floor for public comment.
- 158 • Jan Arnell commented on the zoning for the area and discussed the SFH and SFM zones.
 159 Indicated that the overall sentiments were that the residents were ok with the annexation but did
 160 not like the SFH zoning designation.
- 161 • Kendall Pace commented and asked the Council to think about the overall benefits for all those
 162 involved regarding this annexation and zoning. He commented on the city changing the zone
 163 designation names and asked the Council to deny the annexation.
- 164 • Natalie Pace asked about the amenities location and making sure it wasn't up against their
 165 property. Mayor Alder indicated that tonight we are just reviewing the annexation and zoning
 166 assignment and that the actual plat map will come later if approved.
- 167 • Parties discussed the annexation agreement and what it can and cannot include. Parties
 168 discussed the amenities.
- 169 • Noel Cooley indicated that she was not against the annexation but was against the zoning.
- 170 • Melissa Clegg commented on the open space for the development and recommended that the
 171 city approve traditional or medium housing and not SFH.

- 172 • Jon Jenkins, discussed with Council the initial application from back in 2018 that was before
 173 River Heights City Council and the proposals that were made that eventually fell through so the
 174 owners went to Providence. Commented on the SFH zone, the recent referendum regarding the
 175 previous annexation and the cities annexation code. Commented on current development plans
 176 and the density. Recommended that the annexation be approved but that the zone designation
 177 be agricultural. Parties discussed access points and protected road strips.
- 178 • Cindy Schaub commented that she was ok with the annexation but not with the zoning
 179 assignment. She recommended that the housing density be lower.
- 180 • Parties discussed housing density and traffic flow.
- 181 • Barbara Moon discussed with Council the zoning for mobile homes and SFH density.
 182 Suggested SFR or traditional.
- 183 • Melissa Clegg commented on zone density and the proposal to change the zoning designation
 184 names and abbreviations.
- 185 • Vicki Holmgren commented on the referendum and high-density development being too
 186 cramped.
- 187 • Sherrell Eames asked if the Council had reviewed the Planning Commission’s public hearing
 188 regarding the annexation and zoning and the comments the residents made during that meeting;
 189 particularly one involving an issue with emergency transport not being able to get through due
 190 to cars on the road.
- 191 • Council indicated that they had watched the meeting and were aware of the comments that
 192 were made. Parties discussed private roads versus city roads.
- 193 • Mayor Alder closed the public hearing.
- 194

195 **Resolutions/Ordinances:**

196

197 **1 HR. 14 MIN. 00 SEC.**

- 198 ➤ **Item No. 4 Ordinance 07-2022 & Resolution 015-2022 Vineyard North Phase**
 199 **Annexation:** The Providence City Council will review, discuss, and may take action on an
 200 ordinance and resolution approving the annexation and annexation agreement of parcels 02-004-
 201 0001 & 02-004-0002 from Visionary Homes LLC. ([ORDIN. 07-2022](#)) & ([RES. 015-
 202 2022 ANNEX. AGREEMENT](#)) & ([74 LOT CONCEPT PLAN](#))
- 203
- 204 • Mayor Alder called item number 4, gave a brief introduction and asked Ryan Snow to give an
 205 overview of the agreement.
- 206 • Ryan Snow reviewed with the Council the annexation agreement indicating the agreement binds
 207 the developers to no more than 74 homes. Discussed with Council the lot sizes, frontages and
 208 other differences and similarities between SFM and SFH.
- 209 • Parties discussed the lot sizes and what can be built. Indicated only houses will be or can be built
 210 on the lots.
- 211 • Dallas Nicoll, Vineyard representative, commented on the initial application when the zone was
 212 LCR and how they had planned for 202 units. He discussed with the Council the current plans
 213 for the 74 lots and that the zoning being mentioned was the difference between 5 or 6 homes

- 214 which wouldn't have a big impact. Indicated with SFH they have more room to work with. He
 215 commented on the amenities and open space and their plans to provide those amenities as they
 216 promised from the beginning.
- 217 • Mr. Nicoll commented on the previous meetings he has had with residents and other city officials
 218 both from Providence and River Heights and mentioned that they all seemed to be on board with
 219 the 74 lots.
 - 220 • Mr. Nicoll commented on Vineyards involvement with the Sauerkraut Days City Celebration and
 221 how most people expressed that they were not a fan of their previous plans with the 202 units but
 222 were ok with the new plans for the 74 lots.
 - 223 • Council member Kirk commented and concurred that most people who attended Vineyards booth
 224 at the city celebration were ok with the 74-lot plan. She asked about bigger lots and driveways
 225 up against the road.
 - 226 • Council member Sealy asked about the protected road strip on 600 S. Dallas responded that they
 227 are unaware of the strip but are willing to make it work and do whatever is necessary.
 - 228 • Parties discussed the current Vineyard development and its density. Parties discussed the initial
 229 plans for the area back in 2018.
 - 230 • Parties discussed the annexation agreement and differences between SFH and SFM zones
 - 231 • Skarlet Bankhead commented on the lot sizes and references the Brookside Subdivision of an
 232 example of SFH. She indicated that the LCR zone was part of the general plan for the area which
 233 is why it was granted to Vineyard in the first development.
 - 234 • Ms. Bankhead indicates that the Council should approve the annexation agreement before they
 235 approve the ordinance granting the annexation.
 - 236 • Parties discussed the next steps regarding the approval of the annexation agreement.
 - 237 • Council member Paulsen motioned to approve the annexation agreement with the condition that
 238 a statement be put in the agreement indicating the developers commitment to complete the
 239 amenities such as the pool, recreation space and clubhouse. Seconded by Council member Kirk
 - 240 • Mayor Alder called for discussion.
 - 241 • Council member Paulsen commented on the history of this annexation and all the work that has
 242 gone into to get it to this point. Indicated that the initial plans at the beginning of the application
 243 had 202 units, narrow roads, condos and townhomes. He stated that the changes and compromises
 244 that have been made by all the parties to come to this 74-lot plan seems to be ok with the majority
 245 of the city. Indicated that this agreement felt like a win for all those involved.
 - 246 • Council asked about the cities annexation code and making sure everything has been completed
 247 to get to this point, that all steps have been taken. Staff indicated that yes, the Planning
 248 Commission has held their public hearings regarding the zone assignment and have made their
 249 recommendation. Staff indicated that it is within proper procedure to approve the annexation with
 250 a new zone assignment that does not currently match the general plan. Staff comment that the
 251 annexation and zone assignment can run concurrently for approval.
 - 252 • Council member Sealy asked about the walking trail on 300 E and having its completion be an
 253 additional condition with the agreement per Council member Paulsen's motion.
 - 254 • Council member Paulsen amended his original motion to include that the walking trail on 300 E
 255 be completed and stated in the agreement. Seconded by Council member Kirk.

- 256 • Council member Kirk commented on the issues and concerns that have been raised and that the
 257 City Council is doing the best they can for the city and its residents. She indicated that they care
 258 about representing the residents the best they can, and that they do listen to the issues and concerns
 259 that are brought to them.
- 260 • Mayor Alder commented on the housing cost, lot sizes and providing places for people to live.
 261 She indicated that she and Council have reached out to the residents to get their ideas and
 262 opinions.
- 263 • Council member Sealy commented that a lot of things have changed since the initial filing of the
 264 annexation 3 years ago; and commented on the LCR zone and new design standards.

265

266 **Motion to approve Resolution 015-2022, the annexation agreement between Providence City and**
 267 **Vineyard homes with the conditions that a statement be added to the agreement indicating that**
 268 **the developers will complete the following amenities: pool, recreation space, club house and**
 269 **completion of the walking trail on 300 E. – Council member Paulsen. 2nd- Council member Kirk**
 270 **Vote:**

271 **Yea- Council members Sealy, Paulsen & Kirk**

272 **Ney- Council member Nebeker.**

273 **Abstained-**

274 **Absent- Council member Speth.**

275

276 **Motion passes, agreement shall be signed and complied with by all parties.**

277

- 278 • Mayor Alder called for a motion regarding the annexation ordinance.
- 279 • Council member Paulsen motioned to approve Ordinance 07-2022, an ordinance approving the
 280 annexation of parcels 02-004-0001 & 02-004-0002. 2nd – Council member Kirk
- 281 • Mayor Alder called for discussion.
- 282 • Council member Nebeker asked Council what they thought of the comments that were made
 283 tonight during the public hearing regarding this annexation.
- 284 • Council member Sealy commented on the annexation agreement and all the adjustments and
 285 compromises that have been made to get to this point. She commented on the Planning
 286 Commission recommendation and the public hearing that was held a few weeks ago and that
 287 most people left that meeting ok with the 74-lot plan.
- 288 • Council member Paulsen talked about the benefits of the agreement and how agreements like
 289 these are not typical.
- 290 • Parties discussed the SFM zoning and driveways coming out on collective roads and the issues
 291 those pose. Parties discussed setbacks and frontages.

292

293 **Motion to approve Ordinance 07-2022, an ordinance approving the annexation of parcels 02-004-**
 294 **0001 & 02-004-0002 with the zone designation of Single-Family High. – Council member Paulsen.**
 295 **2nd- Council member Kirk.**

296 **Vote:**

297 **Yea- Council members Sealy, Paulsen & Kirk**

298 **Ney- Council member Nebeker.**

299 **Abstained-**

300 **Absent- Council member Speth.**

301

302 **Motion passes. Parcels 02-004-0001 & 02-004-0002 will be annexed into Providence City with the**
 303 **zone designation of Single-Family High.**

304 **Plans and Other Business:**

305

306 **2 HR. 27 MIN 35 SEC.**

307 ➤ **Item No. 5 Interlocal Cache Waste Consortium:** The Providence City Council will
 308 review, discuss, and may take action on their involvement with an interlocal agreement with
 309 Cache Waste Consortium regarding the city's waste removal management. **(REDLINED**
 310 **AGREEMENT)**

311

312 • Mayor Alder called item 5, gave a brief introduction and overview of the proposal and asked
 313 Ryan Snow give an overview of what has recently been discussed regarding the agreement.

314 • Ryan Snow indicated that the attached agreement was the same agreement they saw last time but
 315 this agreement contains his and the attorneys comments and redlines on what they would like
 316 fixed or answered. He discussed with the Council some of the major issues with the contract and
 317 indicated that no new contract has been drafted yet.

318 • Ryan Snow discussed with the Council the exit clause and other options the Council has such as
 319 creating their own RFP or establishing their own city run waste management enterprise.

320 • Parties discussed the legislative bill dealing with the issue and timeline. Ryan reiterated that no
 321 changes have been made to the agreement and that they just added side comments and redlined
 322 sentences.

323 • Council member Kirk commented on the item and that it was her idea to put it on the agenda
 324 with the support of Council member Sealy. She discussed with Council the talks she had last
 325 week with other ULCT members regarding agreements like these and indicated that the majority
 326 had nothing good to say about them and thinks the Council needs to decide whether they are in
 327 or out with this Consortium.

328 • Parties discussed exit clauses, liabilities, and assets.

329 • Council member Sealy commented on exploring all their options and asked if they must decide
 330 now or if they can wait to see what they come up with regarding their own numbers.

331 • Parties discussed cost analysis for creating their own waste removal versus contracting with a
 332 hauler. Parties discussed the pros and cons of the Consortium and their other options. Parties
 333 discussed services that would be provided and added costs.

334 • Council member Kirk motioned to exit the Cache Waste Consortium and move in the direction
 335 of the city doing their own RFP or doing waste management on their own. 2nd – Josh Paulsen.

336 • Mayor Alder commented on the Consortium, smaller cities and possible future issues.

337 • Parties discussed the County's involvement with the Consortium and possible long-term
 338 repercussions. Parties talked about staying with the Consortium for the time being while also
 339 putting out their own RFP.

340 • Mayor Alder commented on the purpose of the Consortium and process, indicating it would be
 341 best to let them know now what Providence plans to do.

342

343 **Motion to exit Cache Waste Consortium and move in the direction of the city doing their own RFP**
 344 **or managing waste removal in-house – Council member Kirk. 2nd – Council member Paulsen.**

345 **Vote:**

346 **Yea- Council members Sealy, Paulsen, Nebeker & Kirk**

347 **Ney-**

348 **Abstained-**

349 **Absent- Council member Speth.**

350

351 **Motion passes. Mayor Alder will inform the Consortium of the city's plans to do their own RFP**
 352 **or manage their own waste removal.**

353

354 **3 HR. 24 MIN. 06 SEC.**

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

359

- 360 • Mayor Alder called for staff reports.

361

362 **Rob Stapley:**

363

- 364 • Reported that the Public Works Department were getting the plows ready for the coming winter
 365 and that they may be out and about this weekend.
- 366 • Gave an update on 100 S and indicated that they should be laying pavement in the next few days
 367 so long as the weather holds out and reported that a lot of progress has been made on that project.
- 368 • Commented that the dew tank was 100% complete and the Cemetery building was ready to go
 369 vertical.
- 370 • Reported that a rubber bladder has been placed on Reed's tank for protection.
- 371 • Council asked about leaf collection this year. Rob indicated that staff would be collecting leaves
 372 this year but may be looking into modifying the services as it puts a strain on the depart because
 373 of time constraints and issues that always arise. Council commented that it is a huge service for
 374 the residents.

375

376 **Ty Cameron:**

377

- 378 • Reported that the codification is officially complete and that the new code is online.
- 379 • Indicated that staff is moving forward with a few amendments now that the new code is live.
- 380 • Reviewed with Council upcoming public hearings and what they can expect for their meeting in
 381 November.

382

383 **Ryan Snow:**

384

- 385 • Reported on the current housing market and housing stock and over approval.

- 386 • Indicated that the finished tank ended on a good note and though there were some issues through
 387 out the process everything worked out.
- 388 • Commented that some projects were behind schedule but were being managed.
- 389 • Reported that another pond cabinet for the fiber installation has been lit up and that they are
 390 making great process with that project. Commented on the fiber survey that was done and are
 391 working with residents to better understand their issues.
- 392 • City Council asked about dangling wires that residents have been seeing by their houses
 393 regarding the fiber installation. Ryan responded that every house is set to get a box so that those
 394 wires will be covered and once they sign up for fiber the installer will take care of those.
- 395 • Parties discussed the installation process and what residents can expect.

396
 397

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

399 **Vote:**

400 **Yea- Council members Sealy, Paulsen, Nebeker & Kirk**

401 **Ney-**

402 **Abstained-**

403 **Absent- Council member Speth.**

404

405 **Motion passes, meeting adjourned.**

406

407 Next Meeting November 16th

408

409 Minutes prepared by Ty Cameron, City Recorder

410 Minutes approved by vote of Council on _____ day of _____, 2022

411

412

413

414

415

416

417

418

419 _____
 Mayor Kathleen W. Alder

 Ty Cameron, City Recorder