

1 **PROVIDENCE CITY COUNCIL MINUTES**

2 **July 27, 2010**

3 **Providence City Office Building**

4 **15 South Main Providence, UT**

5
6 **Joint Workshop:** The Providence City Council and Planning Commission will hold a joint workshop to discuss proposed
7 amendments to Title 10 Chapter 4 Section 4 Mixed Use District.

8 **Attendance:** Council: R Liechty, D Astle, B Bagley, D Calderwood, D Low, J Russell

9 Planning Commission: G Busch, S Flammer, R Gustaveson, R Sneddon, C Kirk

10 **Excused:** L Frank, D Briel

11
12 S Bankhead explained to the Council and the Commission the reason for this joint workshop. K Hawkins asked if the 40%
13 requirement could be reduced for retail. He doesn't understand where the 40% came from. She told the Council and
14 Commission that the 40% was a number that Wendy Wimmer, Randy Eck and Skarlet Bankhead came up with. If they would
15 like to change the number that is not a problem. The reason we are here tonight is to look at this number.

16 D Astle asked if Amsource was looking for a bigger scope. Can he do 40% residential by itself and then do the other? There
17 needs to be a balance here. He doesn't feel like the 40-40-20% is a bad number.

18 S Flammer said there was an individual who wanted to put high end apartments behind Maceys. That is when the
19 Commission started looking at mixed use.

20 S Bankhead said K Hawkins is not the first developer to approach the City with concerns. K Hawkins has brought a planner,
21 Troy Herold to talk to the City about these ideas.

22 R Sneddon said that we are here to make compromises.

23 K Hawkins said the talk was to reduce the 40% retail. He wants the retail to be successful.

24 He went through the handouts and explained where he got his numbers and ideas. He talked about the rest of the Maceys
25 Center with Gold's Gym coming in. He talked about traffic counts and the ability for retailers to survive. He explained that
26 when Spring Creek Parkway goes through behind Maceys there will not be enough traffic to sustain retailers.

27 T Herold explained how Envision Utah came up with their traffic counts.

28 K Hawkins said that retailers have standard numbers for every person and household that they spend in retail. It is about
29 \$4,000. Based on the demand there is too much retail space in Providence. For the amount of space built out right now you
30 need more people. You are over built.

31 D Astle asked why Wal-Mart would bring a second store here.

32 K Hawkins said that is market share. They assume they will take business away from other retailers.

33 M Pierce asked if they ran it at another radius.

34 K Hawkins said they ran it at 10 miles. The numbers are still bad. You don't have the critical mass of people. South of 400
35 North in Logan is the half way mark.

36 D Astle said the only major shopping businesses in the valley are in Logan.

37 K Hawkins explained the difference between the 5 mile radius and the 10 mile radius. He went over the zoning map that the
38 City has and told the Council and the Commission that retail will land on Hwy 165. He doesn't feel like 4.6 acres is enough
39 to do mixed use. He feels like there will be a gap between the Gold's Gym and the mixed use zone. Retail is driven by sales
40 tax.

41 T Herold is in commercial retail development. He talked about the land behind Maceys. He explained how mixed use works
42 in Salt Lake City. He believes that there are fundamental flaws in the mixed use ordinance. He feels like high density housing
43 would work quite nicely in this area. He believes work, play and live would work nicely here. Horizontal would work nicely
44 in this area.

45 B Bagley asked about the restrictions that Maceys has with Amsource.

46 K Hawkins said the restrictions are for 300 feet.

47 M Pierce said the traffic models project 17,000 cars on Spring Creek Parkway when it is extended completely out to the
48 South.

49 T Herold said the concern might not be sales tax. Property tax that you receive from a home is different than what you
50 receive from multi-family. Multi-family is more profitable.

51 K Hawkins said Spring Creek Parkway will never be Hwy 165. There is still a million square feet of property on the west
52 side of Hwy 165.

53 S Bankhead said that Spring Creek Parkway is believed to have higher traffic counts in the future.

54 D Astle said he believes these traffic counts need to be taken with a grain of salt.

55 K Hawkins said that Cache Valley is over built. Hwy 165 is built and there is plenty of room on the west side of the road.

1 R Liechty said a company came to the Council a few years ago and wanted to put mixed use behind Maceys. He feels like the
2 Commission and the Council needs to look at the mixed use again. He wants the Commission to meet again and send the
3 Council a recommendation.

4 S Bankhead said that there is another scenario that was done and she feels like the traffic counts on Spring Creek Parkway are
5 way to low. She would like to study this more.

6
7 Call to Order: Mayor Liechty
8 Roll Call of City Council Members: Mayor Liechty
9 Attendance: D Astle, D Low, B Bagley, D Calderwood, J Russell
10 Excused:
11 Pledge of Allegiance: Mayor Liechty
12 Motivational Thought: J Russell

13
14 **APPROVAL OF THE MINUTES:**

15 **Item No. 1.** The Providence City Council will approve the minutes from July 13, 2010.

16 **Motion to approve the minutes from July 13, 2010 with the following changes: D Astle, B Bagley second**

17 Page 2 – Line 39 – make sure it sounds like a compliment.

18 Line 28 – north along 100 East.

19 Page 3 – Line 21 – showed an example of the proposed street signs, the Council approved them.

20 Line 23 – round-a-bout design on 400 East and Canyon Road.

21 Line 25 – at the intersection of approximately Spring Creek Parkway and 100 North. It could be a qualifying project.

22 Line 31 & 32 – opting out of the lease across the street. He has talked to some of the businesses in the City.

23 **Vote: Yea: D Astle, D Low, B Bagley, D Calderwood**

24 **Nay: None**

25 **Abstain: J Russell**

26 **Excused: None**

27
28 **PUBLIC COMMENTS:**

29 S Eames thanked the City staff for the upkeep of the cemetery.

30
31 **BUSINESS ITEMS:**

32 **Item No. 1. Discussion:** The Providence City Council will discuss a proposal from Wells Fargo for investment management.
33 Brandon Hodge works with municipalities. He talked to the Council about bringing investment options to the City. These will
34 be short term corporate obligations. All are A rated or better. The rating is based on the risk factor. There is no commission
35 involved or annual fees. They pay semi-annually with an accrued interest.

36 J Russell said this is a simple program. If the City has money that is liquid we probably should look into this.

37 B Hodge left the Council information on the different options that are available.

38
39 **Item No. 2. Ordinance No. 007-2010:** The Providence City Council will consider for adoption an ordinance amending
40 Providence City Code Title 10 Zoning, Chapter 8 Area Regulations, by adding Section 7 Site Requirements for Seasonal,
41 Semi-Permanent and Temporary Business Facilities.

42 S Bankhead reminded the Council that they asked the staff for this ordinance. Tony's Grove was the driving factor behind
43 this. She explained that the site plan is what is being looked at here.

44 S Bankhead suggested adding a definition for an unimproved site.

45 **Motion to continue to August 10th for clarification of terms: D Astle, J Russell second**

46 **Vote: Yea: D Astle, B Bagley, D Calderwood, D Low, J Russell**

47 **Nay: None**

48 **Abstain: None**

49 **Excused: None**

50
51 **Item No. 3. Discussion:** The Providence City Council will discuss proposed changes to Providence City Code Title 7 Public
52 Ways and Property, by adding Chapter 7 Parks and City Owned Buildings. The purpose of this Chapter is to establish rules
53 and regulations to provide for the safe and peaceful use of City owned buildings, park lands and trails; for the education and
54 recreation of the public; for the protection of the property, facilities and natural resources and for the safety and general
55 welfare of the public.

56 S Bankhead told the Council that right after the Splash Pad opened D Low was concerned about the clean air act and smoking
57 near the City's buildings. There is nothing in our ordinances that regulates the use of our parks. There are policies in place
58 but no ordinances.

1 B Bagley went through and made some minor changes. He asked if a smoking area was created.
2 S Bankhead said we do not want a smoking area. She asked D Low if he wanted to create the hours of operation.
3 D Low said maybe there should be one day of quiet but should we dictate when families can go to the parks.
4 D Astle said he believes that the hours of the splash pad works well for the City.
5 D Astle said service animals need to be allowed in the Parks.
6 D Astle suggested defining what a tobacco use/smoke free zone is.
7

8 **Item No. 4. Discussion:** The Providence City Council will discuss proposed changes to Providence City Code Title 7 Public
9 Ways and Property by amending Chapter 4 Cemetery Regulations by prohibiting alcohol and creating a tobacco use and
10 smoke free zone in the Cemetery.

11 This ordinance has been included in the discussion with item no. 3.

12 R Eck said staff is in the process of drafting headstone regulations.
13

14 **STAFF REPORTS:**

15 S Bankhead told the Council that they need to think about Spring Creek Parkway and Gateway Drive. It probably should be
16 renamed. Businesses need to be notified.

17 D Astle would like to get some feedback from the businesses before we do this.

18 S Bankhead suggested if the Council is serious about the 100 North round-a-bout let R Eck come up with a design before we
19 put it out to bid. She let the Council know that an Italian Ice store will be coming in next to the Little Caesars. Logan City has
20 increased our sewer rates. They put a surcharge on their rates to use for capital improvements. The other cities do not agree
21 with this. Logan City has the valley between a rock and a hard place.

22 D Calderwood feels like we need to look into different options.

23 S Bankhead said the valley cities told Logan City to create a Sewer Improvement District. She will do some homework on
24 this. Larry Andher from Nibley City would be willing to come and talk to the Council about the sewer problem.

25 R Eck strongly suggested the Mayor and a Councilmember talk to Logan City before they do anything else.

26 R Liechty said he is more than willing to talk to Logan City but he believes that they will do whatever they want because they
27 can.

28 S Bankhead will do some number crunching to see what the rates will look like.

29 S Bankhead said the 4x4 Soccer and Kickball will start the end of August. School will be starting soon. The CERT training
30 will be held in the elementary school gym. We are still looking at the Farmer's Market during the week.

31 She explained how the property taxes work with the State.

32 S Bankhead said that there are workers to finish the trail up the Canyon but the County can't get the easement signed in time
33 to do the project before winter sets in.

34 R Eck told the Council that the Historic Preservation Committee wants to put up bigger signs. He feels like there is such a
35 thing as sign pollution. There will be 168 signs that say Historic District.

36 D Astle said that they can put up 4 signs at the entrances to the Historic District and they are required to be a certain size. The
37 committee has to decide where they want the 4 signs.

38 R Eck wants the Council to know that he has a problem with bigger signs.

39 D Astle suggested checking with the State of Utah who issued the grant and find out how big the signs are required to be. We
40 need to comply with the contract.

41 R Eck said there are several dead trees in town. Does the Council care if the property owner takes out a dead tree that belongs
42 to the City?

43 The Council said they are OK with this.

44 R Eck asked if anyone has noticed the flashing light on the stop sign on 100 North and Main. This was necessary because no
45 one seems to see the stop sign.

46 At Hillcrest Subdivision the City owns property. He would like to allow the Hanson's to plow the property, seed it with grass
47 and feed the elk in the winter. This would prevent the weeds from growing on this property.

48 The water project on 100 East started this week. Chip Seal will be started tomorrow. It will be sealed August 2nd. Losing the
49 conference room across the street will definitely affect Public Works. The furniture belongs to the City and needs to be put
50 somewhere.

51 R Eck talked about the sidewalk in front of the Alder's on 100 East.
52

53 **COUNCIL REPORTS:**

54 D Low asked where we were on the website.

55 S Bankhead said we are waiting on the web company.

56 D Low would like to have a couple hundred dollars to put music and public announcements at the Splash Pad. He would like
57 for the Council to give him an amount to work with.

58 S Bankhead said we get quite a few complaints from the ball park when we play music.

1 J Russell doesn't feel like we need music there.
2 D Astle doesn't like the idea of music either. He doesn't feel like it will work for the residents.
3 R Liechty feels like the buck stops here. He believes that there are other things that the money needs to be spent on.
4 D Low said he would donate the money himself.
5 J Russell does like the idea of public announcements.
6 D Astle said he just doesn't want it to impact the neighbors.
7 D Low asked if he came up with the money and it doesn't impact the neighbors can he go ahead with it.
8 The Council said to look into it.
9 D Calderwood would like to put in a public service announcement reminding the citizens to be aware of scams. He attended
10 the Historic Preservation Committee meeting. He let the Council know what was discussed. He also would like the Council
11 to review the hunting/trapping ordinance draft that he handed out. He would like for it to be a discussion at the next meeting.
12 R Liechty told the Council that CERT training will start August 26th. He would like to have a Councilman be involved in this
13 training. He met with the Stake Presidents and asked them to get their people involved.
14 R Liechty asked about Trent Rasmussen. There is a fund raiser at Texas Roadhouse on August 2nd.
15 He told the Council that there is a problem with two citizens in town accusing other citizens of stealing their irrigation water.
16 This is getting out of hand.
17 R Eck said that there is a certain understanding between the irrigation companies and the City.
18 D Astle asked for permission to go to the ULGT fall conference in SLC.

19
20 **Motion to adjourn: D Low, D Calderwood second**
21 **Vote: Yea: B Bagley, D Low, D Astle, D Calderwood, J Russell**
22 **Nay: None**
23 **Abstain: None**
24 **Excused: None**

25
26 Meeting adjourned at 8:30 p.m.
27 Minutes taken and prepared by Terri Lewis

28
29
30
31 _____
32 Ronald Liechty, Mayor

Skarlet Bankhead, City Recorder