

1 **PROVIDENCE CITY COUNCIL MINUTES**

2 **March 13, 2012**

3 **Providence City Office Building**

4 **15 South Main Providence, UT**

5

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

12

13 **APPROVAL OF THE MINUTES:**

14 The Providence City Council will approve the minutes from February 14, 2012.

15 **Motion to approve the minutes with the following changes: R Call, D Calderwood second**

16 Page 1 – Line 47 – negative findings

17 Page 3 – Line 28 – Proposed mortuary going in.

18 **Vote: Yea: B Bagley, D Astle, D Calderwood, R Call J Russell**

19 **Nay: None**

20 **Abstain: None**

21 **Excused: None**

22

23 **PUBLIC COMMENTS:**

24 None

25

26 **BUSINESS ITEMS:**

27 **Item No. 1. Proclamation – April 2012 as Child Abuse Prevention Month:** Diane Behl from the Child and Family Support Center will make a short presentation regarding Child Abuse Prevention Month and play a short (6 minute) DVD. D Behl thanked the Council for all the support that they have given this center. She went through the different services that the support center offers. She talked about the different ways that they get the word out about their services. She discussed the funding that they get from the State and additional grants that they are eligible for. They also receive charitable contributions.

33 **Motion to adopt the proclamation: D Calderwood, D Astle second**

34 **Vote: Yea: D Astle, B Bagley, D Calderwood, R Call, J Russell**

35 **Nay: None**

36 **Abstain: None**

37 **Excused: None**

38

39 **Item No. 2. Ordinance 005-2012:** The Providence City Council will consider for adoption an ordinance changing the zone of a 9.95 acre parcel located generally at 420 West 100 North from Agricultural to Commercial General District (CGD) 6.78 acres and Single Family Residential (SFR) 3.17 acres; requested by Morris Poole.

42 **Motion to approve: B Bagley, D Calderwood second**

43 Morris Poole said he wants to build an orthodontic office and then have other professional buildings in the area. The church owns the 3.17 acres which needs to be rezoned Single Family Residential because they will have less than 5 acres and the church isn't allowed in Commercial General District.

46 R Call asked if the property is for sell at this time.

47 M Poole said it is under contract depending on the new zone. When this land is rezoned he is required to purchase it.

48 R Call asked how M Poole felt about the round-about.

49 M Poole said they are fine with the round-about.

50 B Bagley is concerned about allowing more non-revenue businesses. He doesn't want this to be a business park.

51 M Poole said the Church believes that this property will create a good buffer from the retail area. They have been looking at this for over a year. They want this to draw people to the area and to the City's retail.

53 S Bankhead reminded the Council that this is Commercial General District. There are no restrictions with this zone. The Planning Commission believes that this is a good place for this zone.

55 D Astle asked how many parcels there will be.

56 M Poole said they are hoping for 3 or 4 other parcels around the school and the Church.

1 D Calderwood asked how many feet are owned by Amsource on the east side of Maceys.

2 S Bankhead said about 90 to 140 feet.

3 M Poole said they have not talked to Amsource about their property.

4 R Call said he is not against this rezone but he wants to look at the round-about and the exchange of property by the owners
5 in the area.

6 M Poole said the Church is aware of the round-about and he knows that he will be required to finish part of the road.

7 R Liechty said he just wants to find out how much the property needed for the round-about will cost the City.

8 M Poole said they don't want to be held up by the City, he knows the City will need property for the round-about. He
9 believes the rezone and the round-about are two different things.

10 R Call feels like the rezone and the round-about are the same thing.

11 R Liechty asked if M Poole could meet with staff and discuss the cost of purchasing the property needed for the round-about.

12 M Poole said it is the City's round-about and they can put it where ever they want and he will work with them.

13 D Astle said he doesn't feel like M Poole can do much with his parcel until it is decided where the round-about is going.

14 R Call said staff will meet with M Poole to work out the details on the round-about.

15 S Bankhead said the Planning Commission recommended that the City Council approve the rezone to Commercial General
16 District.

17 J Russell said the Council needs to make sure all the t's are crossed and the i's dotted.

18 D Astle said he believes the round-about will increase the value of the properties.

19 **Motion to move to the March 27th meeting to allow for more information on the round-about property: J Russell,**

20 **R Call second**

21 **Vote: Yea: D Astle, B Bagley, D Calderwood, R Call, J Russell**

22 **Nay: None**

23 **Abstain: None**

24 **Excused: None**

25
26 **Item No. 3. Request:** The Providence City Historic Preservation Commission is requesting the City Council consider
27 adding an Intensive Level Survey for the quarry in Providence Canyon to the CLG Grant request.

28 Karl Seethaler said they would like to add this quarry survey to the grant request. They would like to have an industrial
29 archeologist do some work at the quarry.

30 Jay Hicken said the State wants this done. The quarry has had a real impact on Providence City. He went over the cost of the
31 survey. The City would be required to pay half. The quarry has affected so many people in this town and the valley.

32 D Calderwood asked if the money comes back to the City.

33 S Bankhead said it is a reimbursable grant.

34 J Hicken explained how an intensive level survey works. It is automatically done at a national level. It is a documented
35 history of the quarry. This quarry has had a great impact on the City. He is asking the Council if they can find \$900. He
36 believes that it won't be a problem coming up with the \$900 in kind.

37 **Motion to accept this request in the amount of the \$1800: J Russell, D Astle second**

38 **Vote: Yea: D Astle, B Bagley, D Calderwood, R Call, J Russell**

39 **Nay: None**

40 **Abstain: None**

41 **Excused: None**

42
43 **Item No. 4. Ordinance No. 004-2012:** The Providence City Council will consider for adoption an ordinance amending
44 Providence City Code Title 7 Chapters 8, 9 and 10 Storm Water Regulations.

45 **Motion to approve: R Call, D Astle second**

46 S Bankhead explained to the Council that the ordinance they have in front of them is with the changes requested.

47 D Astle asked about illicit discharges. Does the discharge keep homeowners from washing their driveways and sidewalks.

48 R Eck said there is a list of about 20 things that they don't consider illicit discharge.

49 D Astle asked how this is controlled.

50 R Eck said education is the key. Salt dissolves, sand doesn't. The Committee is meeting the bare minimum with the State.

51 We are trying to meet the State mandate.

52 R Liechty said the State wants it more severe.

53 D Astle asked about stacking top soil, etc. on the right of way. The top soil creates sediment that washes into the gutters. He
54 is concerned if you're going to make a law the City has to be able to enforce it.

55 **Vote: Yea: D Astle, B Bagley, D Calderwood, R Call, J Russell**

56 **Nay: None**

57 **Abstain: None**

58 **Excused: None**

1 **Item No. 5. Resolution 12-006:** The Providence City Council will consider for adoption a resolution allowing the use of a
2 modified road profile on Canyon Road east of 400 East and on 400 East south of Canyon Road.
3 **Motion to approve: R Call, B Bagley second**
4 R Call wants to utilize 5 feet of right of way on Canyon Road, widen the road and make a biking/walking path. If we build a
5 profile that allows people to walk/bike on the side of the road it is greener. We need to look at the future and think about
6 fewer pavements for cars and more walking/biking paths.
7 R Liechty asked about the width of the curb wall.
8 Gary Knighton said a typical width is 6 inches. He drew an example on the board.
9 D Astle asked if there is a 66 foot right of way up Canyon Road.
10 D Calderwood said the County says that is correct.
11 D Calderwood said part of 400 East has curb, gutter and sidewalk and the other part doesn't. This could open the door for
12 developers to not put in curb, gutter and sidewalk in this area. Storm water isn't being controlled on Canyon Road at this
13 time. There are several lots that this will affect if they subdivide. They won't want to do curb, gutter and sidewalk. This could
14 be setting a precedent.
15 R Call said if we could require builders to do this profile we would be much better off as a City. These decisions we're
16 making are long term.
17 D Calderwood asked the cost difference for the two projects.
18 G Knighton explained the difference.
19 R Call said the cost hasn't been determined yet.
20 S Bankhead said she met with R Call and D Calderwood and talked about doing the round-about, 400 East or Canyon Road.
21 S Bankhead said R Call would like to use the profile on 400 East and Canyon Road.
22 R Call said he believes the intersection will have to be modified no matter what else is done. He doesn't think that any
23 property will have to be acquired.
24 S Bankhead said the City has the right of way but we don't own the property.
25 D Calderwood wants to know how much it will cost to do 400 East and Canyon Road.
26 G Knighton said you can't just put your head in the sand and say storm water is going to take care of itself. Also, you can
27 control access to property better with curb and gutter.
28 R Call said putting in the curb requires you to take care of the storm water. He doesn't think it's better to allow cars and
29 pedestrians to walk on the road with the vehicles.
30 G Knighton said storm water is a requirement by the State. We have to take care of it. The more asphalt you have the more
31 problems you have.
32 R Call said this profile allows for walkers and bikers. It doesn't prevent storm water collection. We need to try to make the
33 road more serviceable.
34 D Calderwood asked about the distance of the bike path.
35 S Bankhead said you might have to have a bike path on each side. Maybe one is a bike path and pedestrian on one side and
36 just a bike path on the other side. It is strongly discouraged for bikes going against the traffic flow. There are ways to share
37 roads. It is strongly encouraged that you consider non-motorized uses.
38 R Call said there are bikers and then there are bikers.
39 D Calderwood feels like there are too many unanswered questions for the Canyon Road, 400 East project. He wants to look
40 at this and get some different ideas.
41 G Knighton said they can come up with a cost for whichever profile you want.
42 B Bagley thinks Canyon Road would be more conducive for this profile.
43 Laura Fisher asked if the Council knew they made sidewalks that are more permeable.
44 D Astle said he can see merit on Canyon Road. Will this open Pandora's Box for the whole City?
45 S Bankhead said this resolution would limit the exposure to the rest of the City. If you would like to make this resolution
46 stronger we can do that. There will always be developers that will push the limits.
47 R Liechty says the ordinances are the rules.
48 D Astle asked about the cost for Canyon Road.
49 G Knighton said he could have that rather quickly if this is the profile they want to go with.
50 D Calderwood said folks complain about gravel being pushed off into their yards. This profile won't prevent that.
51 S Bankhead said this profile is different than the other streets. You will want to make sure that the path is able to be accessed.
52 G Knighton said he would recommend the Council put a swell past the curb for the water to run into.
53 **Motion to continue this until next meeting for the Engineer to come with more information: D Astle, R Call second**
54 **Vote: Yea: D Astle, B Bagley, D Calderwood, R Call, J Russell**
55 **Nay: None**
56 **Abstain: None**
57 **Excused: None**
58

1 **Item No. 6. Resolution 12-007:** The Providence City Council will consider for adoption a resolution modifying the
2 Providence City Council Bylaws by changing the start time for City Council meeting to 5:30 p.m.

3 **Motion to approve: J Russell, D Astle second**

4 B Bagley asked to be reminded why we are changing the time.

5 D Calderwood said he feels like the Council needs to represent the citizens. He thinks 5:30 is too early.

6 J Russell said he wanted to move it to 5:00 p.m. He just felt like it would keep the Council from being rushed. He is ok with
7 5:30 p.m.

8 D Astle said he is also concerned about representing the citizens.

9 The Council discussed the pros and cons of changing the time.

10 R Call said if it ain't broke, don't fix it. He wants to stay with 6:00 p.m.

11 **Vote: Yea: J Russell**

12 **Nay: D Astle, B Bagley, D Calderwood, R Call**

13 **Abstain: None**

14 **Excused: None**

15
16 **STAFF REPORTS:**

17 S Bankhead read a letter from Blaine Zollinger thanking the Council for their decision on 400 East and Canyon Road.

18 Kathleen Alder reported on the highest and best uses for the Maceys/Amsource development.

19 B Bagley explained that he talked to In-N-Out Burger and why they won't come this far north. He suggested she contact The
20 Brown Bear restaurant. He also reported that Sonic was looking at coming south.

21 K Alder would like to set up a meeting with B Bagley and the Mayor to discuss this development.

22 B Bagley asked what the problem is with Amsource.

23 K Alder said she didn't know. She's trying to get to the bottom of it.

24 S Bankhead reported that the Planning Commission is studying a cell tower ordinance. If we don't have regulations they can
25 do anything they want. This is to protect the City. There will be a budget hearing on March 27th. She reported on the Youth
26 Council Leadership Conference. She told the Council that baseball/softball sign-ups end March 22nd. She explained about the
27 senior citizens dinner at the Old Rock Church. She talked about the Founders Day Celebration in April. She told the Council
28 that she would like to have a property acquisition team, Council Members involved in the Center Street landscaping plan and
29 we need an employee appeal board that have 2 Council Members on it.

30 Property acquisition – R Call and B Bagley

31 Landscaping Plan – J Russell

32 Employee Appeal Board – D Astle and D Calderwood

33 She reported that D Byington retired. The City isn't hiring anyone to take his place full time. They will hire temporary help.

34 Public Works will be hiring 3 summer employees. R Eck wants to know if the Council would like to handle the sand and
35 sand bags differently.

36
37 **COUNCIL REPORTS:**

38 D Calderwood reported on the DRC and the Planning Commission meeting.

39 B Bagley reported on the Tax Commission report. He explained that Blake Parker is working with Cricket concerning cell
40 towers. He cautioned the City to put them where the City wants them to go. He asked for permission to attend the ULCT
41 Conference in St. George.

42 J Russell reported that he is meeting on Thursday for the City Celebration.

43 D Astle reported that he and R Call are working on the personal policy. He requested a list of the capital projects and where
44 the City is at with them. He would like to go to St. George for ULCT Conference also.

45 R Call reported on the personal policy. He talked about the Planning Commission meeting. He suggested moving quickly to
46 decide how to use the road impact fees. He would like to look at new road profiles.

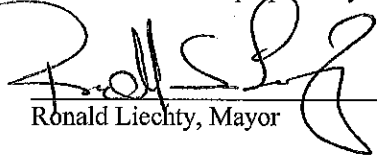
47 S Bankhead told the Council that staff sends e-mails to citizens who request a copy of the agenda. If the Council doesn't want
48 to allow this anymore we will stop. This will be added to the next meeting agenda.

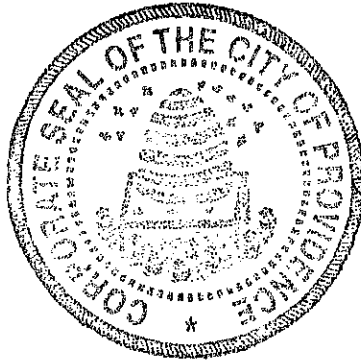
49 R Liechty talked about a letter asking about freedom of religion. He reported on the Rural Water Conference. He asked for a
50 date for the retreat. The Council decided on Wednesday, March 28th at 11:00 a.m.

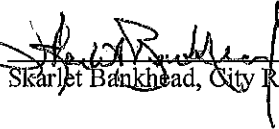
51 He asked if the Council really wants a message from the Mayor. The Council would like one.

1 **Motion to adjourn: R Call, D Calderwood second**
2 **Vote: Yea: B Bagley, D Astle, D Calderwood, R Call, J Russell**
3 **Nay: None**
4 **Abstain: None**
5 **Excused: None**
6

7 Meeting adjourned at 9:15 p.m.
8 Minutes taken and prepared by Terri Lewis

9
10 
11 _____
12 Ronald Liechty, Mayor





Skarlet Bankhead, City Recorder

City Council Meeting

March 13, 2012

Please Sign In

Name

City of Residence

DAVE TURNER

PROVIDENCE

Diane Behl

Logan, UT representing Child & Family Support Center

Morris N. Poole

Logan, UT

GARY KNIGHTON

PROVIDENCE

Jay Hicker

PPPC

Morris Poole

Providence

John Hubbard

Providence UT

Karl Seethaler

Providence

Keith Thompson

||

Sharell Edms

Providence

~~Mark~~

North Logan

Kathleen Alder

Providence

Lucretia Fisher