

1 **PROVIDENCE CITY COUNCIL MINUTES**

2 **October 23, 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 Calderwood, R Call, J Russell, B Bagley, D Astle

9 Excused:

10 Pledge of Allegiance:

Mayor Liechty

11
12 **PUBLIC COMMENTS:**

13 John Drew talked to the Council about the fire issue. He told the Council that on Saturday night there were about 8 people up
14 in the Highlands with a fire going. He called the fire department and they came up and put it out. He also talked about
15 making sauerkraut. He talked to the Health Department and you can never call anything homemade again. Sauerkraut is
16 considered a dangerous food. You might be able to make enough for a dinner. He will report back with more information
17 when he has it.

18
19 **DISCUSSION OF THE MINUTES:**

20 Page 1 – Line 28 – irrigation water

21 Line 40 – 300 East

22 Page 2 – Line 51 – J Russell second

23 Page 2 – Line 11 – his brother-in-law

24 D Calderwood asked if an exception was made concerning the Steve Baugh subdivision.

25 S Bankhead explained the way an exception works.

26 B Bagley reminded the Council that the ordinance was going back to Planning.

27 Page 3 – Line 26&27 – talked about the possibility of a new school coming into Millville.

28 There will be 3 sets of minutes to review next week.

29
30 **BUSINESS ITEMS:**

31 **Item No. 1. Resolution 12-025:** The Providence City Council will consider for adoption a resolution approving the
32 development agreement for Sunrise Acres 2 Subdivision, a 6-lot residential subdivision located at approximately 620 South
33 300 West.

34 **Motion to approve: B Bagley, D Astle second**

35 R Eck and G Knighton went through the construction drawings and made 3 changes to the development agreement. She went
36 through the changes.

37 D Cox said he is working with the Irrigation Company on piping the ditch. If the canal company is willing to release their
38 easement he would like to work with them.

39 R Eck said this is with the canal company not the homeowners on lots 4, 5 & 6.

40 D Cox said shouldn't he work with the canal company concerning this. Where is the City's position on this?

41 R Eck this puts un-do pressure on a homeowner to be required to pipe the canal. The City is the one who gets the complaints
42 not the canal company.

43 D Cox said he wants to keep his options open when it comes to the canal company.

44 R Eck said this canal is 6 feet wide and the canal company put in an 18" pipe. The City doesn't have a say in this. If we leave
45 it to the homeowners they can do whatever they want.

46 D Cox talked about the easement for the canal. The access is where the pipe runs. If the developer does this he will own the
47 canal. He is only asking for a rider that says the canal company has the ability to change the easement requirements. This is
48 something the canal company has engineered and they own the rights to the canal. This is their right to pipe the canal.

49 S Bankhead said the easement is recorded with the plat. She suggested getting council from the City's attorney.

50 D Astle said the developer has to honor the 10 foot easement.

51 D Cox wants it to say unless the canal company alters any easement requirements this is the canal company's

2 R Eck said the City owns a lot of shares in this canal. The City does have a stake in this.

3 D Cox said every canal owner has a stake in this.

4 R Call said we need to make sure the subdivisions are safe and an open canal may be hazardous.

55 S Bankhead said we need to check with the City attorney to make sure the wording doesn't conflict with the plat and the
56 development agreement before the City records.

1 D Cox said the canal company said pipe it and the canal company will forgo the easement.
2 R Call said they already have an easement to maintain the pipe. They are willing to give up 10 feet.
3 J Russell said leave the development agreement as is.
4 D Cox said this is a non-issue. He doesn't want it to become one. In the event the canal easement changes he will sign the
5 contract.
6 R Liechty said several times the canal company has asked the City to take over the canal. Does the City want the 10 foot
7 easement if we take over the canal down the road?
8 D Cox said the easement on the north side is 30 feet. The canal company has said they will vacate some of the easement.
9 They don't need the 30 feet.
10 R Call said the pipe will be put in when the homes are built. Let's make that part of the agreement.
11 S Bankhead said if this is being required we need to see construction drawing changes.
12 D Cox said he is fine with the way it reads. This easement is a canal company easement.
13 D Astle said that is correct.
14 R Liechty said he doesn't agree with that. The City has a ten foot easement for irrigation purposes and maintenance.
15 D Astle said the development agreement needs to show the owner as Sunrise Acres 2 and Dan Cox the developer. Also on lot
16 1 we need to show the ditch needs to be taken care of by the owner also.
17 D Cox and R Eck discussed the detention pond.
18 D Calderwood talked about water shares.
19 D Astle discussed the cul-de-sac.
20 B Bagley asked about the different bonds that are required.
21 S Bankhead said the ordinance gives them options for the different bonds.
22 D Astle wants to make sure the letter of credit doesn't slip through the cracks. Make sure the details are accurate.
23 **Vote: Yea: D Astle, B Bagley, J Russell, D Calderwood, R Call**
24 **Nay: None**
25 **Abstain: None**
26 **Excused: None**

27
28 **The Council took a 5 minute recess.**
29

30 **Item No. 2. Ordinance No. 016-2012:** The Providence City Council will consider for adoption an ordinance amending
31 Providence City Code Title 10 Zoning Regulations, Chapter 1, Section 4 Definitions including but not limited to: Accessory
32 Buildings, Main Building and Business Use General, Low Impact and Medium Impact.
33 **Motion to continue until the next meeting: R Call, J Russell second**
34 **Vote: Yea: D Calderwood, J Russell, B Bagley, D Astle, R Call**
35 **Nay: None**
36 **Abstain: None**
37 **Excused: None**
38

39 **STAFF REPORTS:**

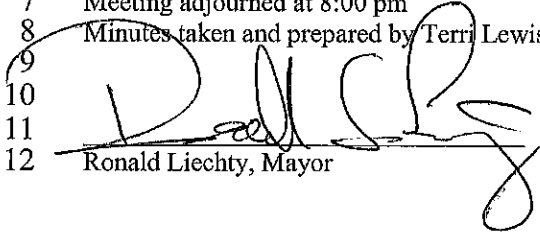
40 S Bankhead told the Council that the auditors are in house.
41 B Bagley asked about problems with the snow.
42 R Eck said the busiest time at the splash pad would have cost \$500 if the City had paid for the water. He also discussed the
43 cemetery regulations concerning height of tombstones.
44 R Eck discussed the tree removal in the City.
45 S Bankhead reported on the Sauerkraut Dinner.
46

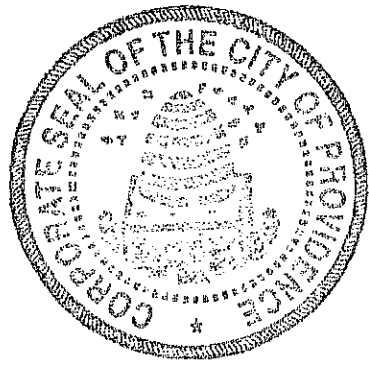
47 **COUNCIL REPORTS:**

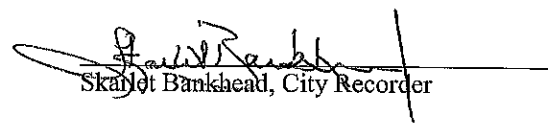
48 B Bagley reported that there are a couple of businesses interested in pads at the Maceys site. He also thought the Car Show
49 and dinner went really well.
50 D Astle talked about a request for a park on 400 South. He reported on the meeting with Zion's Bank.
51 R Call would like to pay off the City bonds. He also thought the Dinner and Car Show went well.
52 J Russell has nothing new.
53 D Calderwood has nothing new.
54 R Liechty talked to the Council about adding on to the office building.
55 R Call and J Russell want to think about adding on to the office building.
56
57
58

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

7 Meeting adjourned at 8:00 pm
8 Minutes taken and prepared by Terri Lewis
9

10 
11
12 Ronald Liechty, Mayor




Skanjet Bankhead, City Recorder

City Council Meeting

October 23, 2012

Please Sign In

Name

City of Residence

Dani Hayes

Logan

VAN COX

CACHE COUNTY.

JOHN DREW

PROVIDENCE