

1 **PROVIDENCE CITY COUNCIL MEETING MINUTES**

2 **June 23, 2015 6:00 p.m.**

3 **15 South Main, Providence UT**

4
5 Call to Order: Mayor Calderwood
6 Roll Call of City Council Members: Mayor Calderwood
7 Attendance: Bill Bagley, Jeff Baldwin, Ralph Call, John Drew, John Russell
8 Pledge of Allegiance: Mayor Calderwood
9

10 **Approval of the minutes**

11 **Item No. 1.** The Providence City Council will consider approval of the minutes of June 9, 2015 City Council meeting.

12 **Motion to approve the minutes with the following changes: J Baldwin, second – B Bagley**

- 13
 - Page 2, line 22 – 24 instead of several
 - Page 6, top add Stan Checketts name in ().

14
15 **Vote: Yea: B Bagley, J Baldwin, R Call, J Drew**
16 **Nay: None**
17 **Abstained: J Russell**
18 **Excused: None**
19

20 **Public Comments:** Citizens may appear before the City Council to express their views on issues within the City’s
21 jurisdiction. Comments will be addressed to the Council. Remarks are limited to 3 minutes per person. The total
22 time allotted to public comment is 15 minutes The City Council may act on an item, if it arose subsequent to the
23 posting of this agenda and the City Council determines that an emergency exists.

- 24
 - J Baldwin asked R Eck if he’d had an opportunity to speak with the power company about the power pole
25 that was damaged a few weeks ago. R Eck said he had called them, but has not yet heard back from them.

26 Item No. 2 was discussed before the public hearing.

27 **Item No. 2. Resolution 019-2015:** The Providence City Council will consider for adoption a resolution accepting the
28 certified tax rate for Tax Year 2015.

29 **Motion to adopt Resolution 019-2015: J Russell, second – J Baldwin**

- 30
 - S Bankhead reviewed the tax rate for tax year 2015. She asked the Council to accept the certified tax
31 rate.
 - R Call commented that the rates don’t actually go down because property valuations always go up.
32 He also feels there should be a tax increase to compensate for the monies used to purchase the new
33 city office building.

34
35 **Vote: Yea: B Bagley, J Baldwin, J Drew, J Russell**
36 **Nay: R Call**
37 **Abstained: None**
38 **Excused: None**

39 **Public Hearing 6:15 pm:** Prior to approving the final adjustments 2015 Budgets for all Funds (General, Capital
40 Project, Water, Sewer, and Storm Water), the City Council is holding a public hearing. The purpose of the public
41 hearing is to provide an opportunity for anyone interested to comment on the proposed budgets before action is
42 taken. The City Council invites you to attend the hearing in order to offer your comments.

- 43
 - No public comments.

44 **Business Items:**

45 **Item No. 1. Resolution 020-2015:** The Providence City Council will consider for adoption a resolution approving the
46 final adjustments for 2015 Budgets for all funds (General, Capital Project, Water, Sewer, and Storm Water).

47 **Motion to approve Resolution 020-2015: J Baldwin, second – B Bagley**

- 48
 - S Bankhead reviewed the final adjustments for the Council. Asked for \$10,000 to be moved from
49 Community Development to Administration for attorney fees. Fuel costs were down, but sanitation costs
50 did not quite cover what was used so would like to move \$10,000 from Public Works Department to
51 Administration for sanitation fees. Bid on sewer project - asking to take \$82,000 from prior year revenue
52 budget and moving it to sewer construction/capital outlay line item for Hwy. 165 utility line project.

53 **Vote: Yea: B Bagley, J Baldwin, J Drew, J Russell**

1 **Nay:** **R Call**
2 **Abstained:** **None**
3 **Excused:** **None**

4 **Item No. 3. Resolution 021-2015:** The Providence City Council will consider for adoption a resolution amending the
5 Providence City Personnel Policy Section 9 Retirement, by classifying appointed officials as full-time.

6 **Motion to adopt Resolution 021-2015: J Baldwin, second – B Bagley**

- 7 • S Bankhead said the audit is requiring this classification for elected officials and appointed officials. There
8 are three appointed officials that work full-time so the auditor suggested all appointed officials be
9 classified as full-time.
- 10 • J Russell asked what potential there is for other employees to be classified in this way.
- 11 • S Bankhead said if appointed officials are not compensated, they do not have to be classified as full-time.
12 If they are paid a stipend, they need to be classified as full-time. This includes Planning Commission and
13 Historical Preservation Commission.
- 14 • J Russell also said these appointments do not necessarily cover all duties. Some of the duties could be
15 divided up and then could be given to a part-time person.
- 16 • S Bankhead said this item could be continued and she can further investigate with the insurance
17 representative.
- 18 • J Drew asked if there was any kind of monetary burden associated with this. S Bankhead said not any
19 more than what already exists.

20 **Motion to continue: J Baldwin, second – J Russell**

21 **Vote: Yea:** **B Bagley, J Baldwin, R Call, J Drew, J Russell**
22 **Nay:** **None**
23 **Abstained:** **None**
24 **Excused:** **None**

25 **Item No. 4. Resolution 022-2015:** The Providence City Council will consider for adoption a resolution selecting an
26 auditor for the 2015 – 2019 Audits.

27 **Motion to adopt Resolution 022-2015: J Russell, second – J Drew**

- 28 • S Bankhead explained why this is before the Council.
- 29 • J Drew asked if anyone had checked with the State of Utah to make sure the companies that submitted
30 bids are bona-fide firms.
- 31 • J Russell said he would like to make sure the companies are in good standing with the State of Utah and
32 also check references of past clients.

33 **Motion to accept bid from Aycok, Miles and Associates, pending confirmation from the state they are in good**
34 **standing and references are checked. J Russell, second – R Call**

35 **Vote: Yea:** **B Bagley, J Baldwin, R Call, J Drew, J Russell**
36 **Nay:** **None**
37 **Abstained:** **None**
38 **Excused:** **None**

39 **Item No. 5. Ordinance No. 2015-016:** The Providence City Council will consider for adoption an ordinance
40 amending Providence City Code 10-8-5: Commercial Zoned Districts; Site Development and 10-8-6: Parking
41 Regulations.

42 **Motion to approve Ordinance No. 2015-016: J Baldwin, second – B Bagley**

- 43 • S Bankhead said the Planning Commission has spent a lot of time on this. This information was given to
44 the Council at a late date and she suggested this be continued in order to give the Council time to review.

45 **Motion to continue Ordinance No. 2015-016 to next meeting: J Drew, second – R Call**

46 **Vote: Yea:** **B Bagley, J Baldwin, R Call, J Drew, J Russell**
47 **Nay:** **None**
48 **Abstained:** **None**
49 **Excused:** **None**

50 **Staff Reports:** Items presented by Providence City Staff will be presented as information only.

51 R Eck:

- 52 • J Baldwin asked if boring on Hwy 165 had started yet. R Eck said no. Kings did withdraw.

- 1 • J Drew asked about the weeds and the hot dry weather that is coming.
- 2 • R Eck said right now the Fire Marshall handles complaints for weeds that are considered fire fuel on
- 3 private property and sends a letter to the person who the complaint is registered against. The City has
- 4 been mowing the shoulders of the roads and other City properties to try and set an example for residents.
- 5 • R Call asked if R Eck had heard of any fire concerns for the 4th of July. He asked if other communities could
- 6 be contacted to see what actions they may be considering for the 4th of July.
- 7 • J Russell suggested following what the state recommends.
- 8 • R Call felt the 4th might be fine, but the 24th could be an issue.
- 9 • R Eck asked the Council if they had thought about outdoor culinary water restrictions before the
- 10 community is in trouble. He said many cities on the Wasatch Front have gone to stage 2 water
- 11 conservation methods.
- 12 • R Call felt like the community needed to practice better water habits. People using irrigation water have
- 13 to water when they get their turn, but that is different than using culinary water.
- 14 • S Bankhead said a resolution could be put together for culinary water use for next meeting. Information
- 15 can be posted in the paper and on the website. It can be included in the newsletter. Radio public service
- 16 announcements can be made. A banner at the ball park was suggested. Hours would be included –
- 17 outdoor culinary water use from 8 pm to 8 am.
- 18 • J Russell asked about Hampshire Park water.
- 19 • R Eck said the park has been watered for two weeks. Residents are not connected to that source yet.

20 S Bankhead:

- 21 • Submitted financial statement ending May 31. She is working with the county on the elections. Still have
- 22 seven candidates. Primary elections are on August 11. Ballots should be in the mail in about three weeks.

23 **Council Reports:** Items presented by the City Council members will be presented as informational only; no formal
 24 action will be taken. The City Council may act on an item, if it arose subsequent to the posting of this agenda and
 25 the City Council determines that an emergency exists.

- 26 • B Bagley said he would like to have the gentleman come and talk to the Council again about the
- 27 emergency broadcast system.
- 28 • J Drew :
- 29 ○ At the request of Laura Fisher and Bob Bissland, he has gone to the Sheriff to discuss noise and
- 30 vehicle issues. The Sheriff prefers to cite for muffler violations rather than noise and suggested J
- 31 Drew talk to Kevin Fife. He has done that and Kevin said the noise ordinance addresses more of a
- 32 stationary violation. K Fife said multiple occasions with vehicle violations need to be identified
- 33 and then citizens need to be willing to testify.
- 34 ○ Dr. Nummer has contacted J Drew regarding the justice court system in Providence. He would
- 35 like to be on the agenda to discuss his concerns with the Council. John suggested he get talking
- 36 points together and contact the Mayor.
- 37 ○ The seller had been asked to provide a warranty in the purchase agreement for the new office
- 38 building. Mayor said no warranty was required. J Drew feels there was not adequate time to
- 39 review the purchase agreement and it shouldn't have been on the agenda.
- 40 ○ State Code, Title 10-8-2 Municipal Gov't Acquiring Real Property. He read paragraph 2.E that
- 41 mentions a study before a public hearing for acquisition of real property by a municipality. He
- 42 feels the state code was not followed in acquiring the new city building.
- 43 • R Call suggested moving the July 28th meeting to July 21st in order to accommodate the developers for the
- 44 Stan Checketts' property. Depending on how the publishing schedule works it could be done, but there is
- 45 a possibility that it will have to stay on the 28th. If there are no protests by July 13th then it can be moved
- 46 to the 21st.
- 47 • J Russell attended Historic Preservation Commission meeting. They are working on a monument for the
- 48 school bell. Chalene McGrath is stepping down as chairman so more people are needed for that
- 49 Commission.
- 50 • J Baldwin – no comment.
- 51 • Mayor Calderwood:
- 52 ○ Attended CMPO meeting last week. No actions were taken.

- 1 ○ Gave a condensed copy of the House Bill concerning “gas tax” to each council member
- 2 previously. Attended Mayor’s dinner last Saturday. Utah League of Cities and Towns gave a
- 3 presentation on how to allocate money based on the tax. If the county goes for the sales tax
- 4 increase, then it has to be addressed. If the county does not have an increase then there is
- 5 nothing to discuss.
- 6 ○ Draft for the Waste Water Agreement with Logan was approved by the seven Mayor’s which will
- 7 be presented to Council at next meeting for approval.
- 8 ○ Nibley is no longer interested in being a part of the Hyrum/Nibley/Providence inter-local. Last
- 9 Friday Mayor and Skarlet talked to David Zook about sitting down with Hyrum to professionally
- 10 inform the other Mayors.
- 11 ○ S Bankhead said the agreement being discussed is just for treatment. There is a separate
- 12 agreement that deals with collection.
- 13 ○ Department of Water Quality meets tomorrow and Mayor feels the \$70 million will be loaned to
- 14 Logan with the draft agreement as compromise.
- 15 ○ Mayor and staff are studying the “collection” portion (treatment) of our cost with Logan
- 16 wastewater for a better understanding of how that all works.
- 17 ○ Owner of property at 200 West had a court appearance and asked for a two week extension,
- 18 which was granted.
- 19 ○ The City closed on the building on Gateway Drive last week.

20 No executive session.

21 **Motion to adjourn: J Drew, second – R Call**

22 **Vote: Yea: B Bagley, J Baldwin, R Call, J Drew, J Russell**
 23 **Nay: None**
 24 **Abstained: None**
 25 **Excused: None**

26 Meeting adjourned at 7:40 pm.
 27 Minutes recorded and prepared by C Craven.

32 _____
 33 Don W. Calderwood, Mayor

 Skarlet Bankhead, City Recorder