

1 **PROVIDENCE CITY COUNCIL MEETING AGENDA**
2 **January 23, 2018 6:00 PM**
3 **Providence City Office Building, 164 North Gateway Drive, Providence UT**
4

5 Opening Ceremony:

- 6 Call to Order: Mayor Drew
7 Roll Call of City Council Members: Mayor Drew
8 • Kirk Allen, Jeff Baldwin, Kristina Eck, Dennis Giles, Roy Sneddon
9 Pledge of Allegiance: Mayor Drew
10 Opening Remarks – Prayer: Chad Checketts
11

12 **Approval of the minutes**

13 **Item No. 1.** The Providence City Council will consider approval of the minutes of January 9, 2018.

14 **Motion to approve the minutes for January 9, 2018 – J Baldwin, second R Sneddon**

15 **Vote:**

16 **Yea: K Allen, J Baldwin, K Eck, D Giles, R Sneddon**

17 **Nay: None**

18 **Abstained: None**

19 **Excused: None**

20 **Corrections:**

- 21 • Page 2 line 21 projects
22 • Page 4 line 24 shares ~~they hold~~ held in Blacksmith
23 • Page 5 line 3 tour of their secondary irrigation system.
24 • Page 6 line 29 why have two employees have on site.
25 • Page 7 line 43 should to look to the future
26 • Page 10 line 15 ~~Mayor Drew suggested the discussion~~

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

- 32 • Rowan Cecil clarified the Council approved the January 9, 2018 minutes.
33 • Sharlie Gallup asked about a couple of changes to the boundary descriptions. C Galen read
34 portions of a letter written to River Heights City from River Heights Planning Commission
35 Member Cindy Schaub.

36 *As a private citizen of River Heights, I am not in favor of the Chugg property being annexed into*
37 *River Height for development purposes, regardless of who the developer might be. I do not*
38 *believe the land is suitable for development due to its high water table. River Heights City may be*
39 *caught in the middle or bear the brunt of any future lawsuits that may arise due to water issues*
40 *affecting any home built upon it. Realizing buyer beware is the first line of defense and written*
41 *notification on recorded plats reiterating that as well, it could be River Heights City absorbing*
42 *any negative actions. Residents having grown up in the area recall playing in water knee deep in*
43 *the middle of the property. Other residents in the area share similar recollections. Homeowners*
44 *in the development directly north of this property have had flooding in basements as recently as*
45 *this year.*

46 *In the event the land is annexed and built upon my other concerns and thoughts include the*
47 *increase in traffic, possibility of traffic lights and costs, the safety of children walking to the*
48 *school and crossing the streets, and Spring Creek's natural habitat endangered.*

- From River Heights General Plan, she reiterated, Spring Creek is a natural drainage for most of River Heights and Providence. S Galen felt any kind of development, especially condensed development, would have negative impacts on the land because of the proximity to Spring Creek and the high water table.
- Ruth Ann Nelson, a crossing guard in River Heights, expressed concern about additional accesses onto 600 South. She felt 600 South was already a very busy road. If Providence City does annex the property, she requested no accesses onto 600 South. She felt it would be greatly appreciated by the residents in the area.
- Chad Checketts thanked the Council for the opportunity to sign up for notifications. He felt this would be a wonderful addition. Mayor Drew reported about 160 people have signed up in the short time the system has been available.

Business Items:

Item No.1. Discussion – Streets (Pavement Management System): The Providence City Council will discuss the plan for pavement management. (added 01/22/2018)

- Mayor Drew introduced Jason Hamblin. J Hamblin and Trent Peterson are the two employees in the Street Department. Mayor Drew gave the Council a draft of a PowerPoint he is preparing for the coming Mayor’s Town Hall.
- Mayor Drew reported during the Mayor’s Town Hall on February 3, he will discuss streets in general and specifically the Utah Local Technical Assistance Program (LTAP) report. This report evaluated our streets, every city block, 40 some miles and 330 city blocks. He felt the \$3,900 cost for the LTAP report was a bargain.
- Mayor Drew explained, as part of the evaluation, each street was assigned Remaining Service Life (RSL). The report recommends waiting until the RSL is zero before replacing the street. Not one City street had RSL of zero. The appearance of a road is not an indication of the RSL. A road may be rough on the surface, have bumps and cracks, but that does not necessarily mean the road is in poor condition. Improving the appearance of the road does not necessarily add to the life of the road. RSL is based on the structural integrity. The report recommends the City spend money for maintenance on the good roads.
- Mayor Drew reported the City has made a conscious decision to allow RSL of some roads to deteriorate to zero before replacing. Expected life of pavement without maintenance treatments is 20 years. In Providence, 0% of the paved street life is at a zero condition, 4% are in poor condition. The report includes a comparison to street conditions in other cities and recommends types of treatments to extend service life. The report also estimates cost for the recommended treatments. The road system is valued at \$120,000,000. Mayor Drew reported this is the City’s single biggest asset.
- Mayor Drew felt it was important that City staff stay up-to-date with training. Mayor Drew explained the City budgeted to receive about \$290,000 in Class C (road tax) money. The report recommends the City spend \$400,000 on annual maintenance. This means the City will look to resources in addition to the Class C money to cover annual maintenance costs.

Item No. 2. Resolution 003-2018 Resolution: The Providence City Council will consider for adoption a resolution authorizing the Mayor to sign the Amended Interlocal Agreement Creating Regional Wastewater Treatment Rate Committee dated June 19, 2017, adding River Heights City to the Rate Committee.

- Mayor Drew explained this agreement is solely to add River Heights City as a Rate Committee Member. Mayor Drew explained River Heights approached the Committee. The Committee agreed to add River Heights City, but formal acknowledgement from each member city is required.
- J Baldwin asked if they were joining as a listening ear or a voting member. Mayor Drew

1 explained River Heights City would be joining as a voting member.

2 **Motion to approve Resolution 003-2018 amending the Interlocal Agreement by adding River Heights –**
3 **K Allen, second – K Eck**

4 **Vote:**

5 **Yea: K Allen, J Baldwin, K Eck, D Giles, R Sneddon**

6 **Nay: None**

7 **Abstained: None**

8 **Excused: None**

9 Discussion prior to vote:

- 10 • R Sneddon stated he had some tangential concerns. He expressed concern with the method of
11 apportioning cost. He realized the City had very few votes. He explained the population basis of
12 proportioning does not match the contributions of the past. In his opinion, Nibley City sending
13 3.8% with a population of 7.5% is an anomaly; Smithfield 12.2% of the population and 6.3% of
14 contribution is far out of line. Logan appears to provide more money than they should based on
15 their population; River Heights does not provide enough, based on population. He felt the cost
16 allocation should be dealt with; and he felt it should be based on volume of wastewater and
17 Biological Oxygen Demand (BOD).
- 18 • J Baldwin asked for clarification of the contribution percentage, is it the volume of influent. R
19 Sneddon explained the contribution base on population should roughly track to volume. If there
20 is influent or someone pumping ground water into the sewer, it will not track; you have a
21 contribution that is not associated with population. He explained this does not include BOD.
- 22 • Mayor Drew explained the calculation is to determine the voting percentage. Influent
23 percentage is the basis for each member city's voting percentage.
- 24 • R Sneddon felt there needed to be a "track". The more we send in wastewater, the more votes
25 we get. Mayor Drew reported Logan City and North Logan City both appear to have infiltration
26 problems. Mayor Drew stated the City is going to handle the infiltration. Smithfield and Nibley
27 have very little infiltration.
- 28 • J Baldwin felt the City's large volume was due to the way the wastewater was metered. He felt if
29 the system had excessive leaking, we would see other impacts.
- 30 • R Sneddon explained in the agreement, it is the individual cities that are responsible for the
31 measurement.
- 32 • Mayor Drew reported the engineers in Logan City have made a conscious decision to measure
33 volume only, not BOD.

34 **Item No. 3. Resolution 004-2018 Annexation Petition – Further Consideration:** The Providence City
35 Council will consider for adoption a resolution accepting for further consideration a petition for
36 annexation for Parcel 02-004-0003, a 17 (+/-) acre parcel adjacent to the north boundary of Providence
37 City, generally located at 517 North 300 East.

38 **Motion to approve Resolution 004-2018 – K Eck, second – K Allen**

39 **Vote:**

40 **Yea: K Allen, J Baldwin, K Eck, D Giles, R Sneddon**

41 **Nay: None**

42 **Abstained: None**

43 **Excused: None**

44 Discussion prior to vote:

- 45 • K Eck disclosed her husband works for the developer.
- 46 • Mayor Drew explained the Council is not annexing at this time. The Council is considering if the
47 staff devote the time to study the petition. S Bankhead explained if the Council does not act, the
48 petition would automatically move to the accepted for further consideration status. However, if
49 the Council has no intent of annexing the property at this time, they can deny the annexation at

1 this point and there would be no further action.

- 2 • S Bankhead also explained the petition applies to one parcel that is a little over 18 acres.
- 3 • J Baldwin felt we should explore the petition.
- 4 • K Eck ask why the reduced size of the parcel. C Winder explained this parcel fits within the
- 5 annexation policy plan. They do intend to petition annexation for two other parcels. However,
- 6 those parcels are not in the City's annexation policy plan. The City would have to amend the
- 7 annexation policy plan to include the additional area. Then the developers will file a petition for
- 8 annexation for approximately 20 more acres.
- 9 • The annexation process is a lengthy one and other parties are involved. The vote is to accept or
- 10 deny the application. Accepting does not annex the property; and does not in any way tie the
- 11 City's hands.
- 12 • K Eck asked about the petition filed with River Heights City. C Winder explained they have
- 13 withdrawn their petition with River Heights.
- 14 • K Allen felt the City should do some proactive things to control streets, housing options, etc. or
- 15 someone else will. He felt it important to study the petition and the impacts to the City. The
- 16 Council should consider the traffic, wetlands, etc. He strongly felt the petition should be
- 17 considered.
- 18 • R Sneddon felt the boundary along Spring Creek Parkway was very important to the City. He was
- 19 also in favor of further considering the petition.
- 20 • K Eck agreed with K Allen that this property should be explored. She asked about the design
- 21 standards. She felt the City needed to be proactive with the design standards. She felt the
- 22 standards should be vague enough that the City has some say. She did not feel the Council were
- 23 the experts on design, but wanted something in place.
- 24 • J Baldwin did not want the standards to be overly burdensome. He reported the Planning
- 25 Commission is looking at writing what we do not want, rather than making a large document of
- 26 allowed design.
- 27 • C Winder felt the life cycle ordinance the City is considering would cover standards. He
- 28 explained it is a fine balance; one where developers feel they can work with the standards and
- 29 the City feels safe that it will receive a good product.
- 30 • An audience member asked why the developer pulled the petition from River Heights. Mayor
- 31 Drew suggested they talk with the developer after the meeting.
- 32 • L Fisher wanted to know why the developer withdrew the petition from River Heights City.
- 33 Sharell Eames asked one of the Council Members to ask C Winder why the developer withdrew
- 34 from River Heights.
- 35 • Mayor Drew asked if C Winder would like to respond as to why the petition was withdrawn from
- 36 River Heights City. C Winder explained initially when they engaged in discussions with River
- 37 Heights City (pre-petition), they [River Heights City] appeared willing to collaborate with the
- 38 developer. Once the petition for annexation was filed, the nature of the discussions changed
- 39 from collaboration to control. The developers withdrew the petition.
- 40 • R Sneddon explained he has no other contact with C Winder than that as a developer presenting
- 41 development plans. As he has listened to the ideas, R Sneddon feels Providence has many places
- 42 that are becoming more and more difficult to develop. He felt the City was at a turning point
- 43 with the nature of development, acre (more or less) lots may be in the past. He felt C Winder
- 44 and his group had a positive vision for the future. He felt the quality of the presentations by the
- 45 developer has put the developer on the spot as to the high expectations of the City Council for a
- 46 quality development.
- 47 • S Gallup stated she felt Providence would run into the same issues with the developer wanting
- 48 control. She cautioned the Council about the developer wanting control.
- 49 • Mayor Drew explained he is a business owner that has worked with many business owners. He

1 explained the developer is a business owner. The developer is prepared to invest a large amount
2 of money and it is reasonable for them to expect a positive return on their investment. He could
3 understand the developer's position and their reason for withdrawing the petition from River
4 Heights City.

- 5 • R Nielsen explained that from the very first meeting, River Heights citizens and River Heights
6 City, did not want townhomes. It was not about building quality.

7 **Item No. 4. Resolution 005-2018 Real Estate Purchase Contract for Land**: The Providence City Council
8 will consider for approval a Real Estate Purchase Contract for Land between Providence City and
9 Checketts Farms LLC for the purchase of 1.5 (+/-) acres of property and associated easements for the
10 purpose of acquiring land for a future water reservoir.

11 **Motion to approve Resolution 005-2018 – K Allen, second – D Giles**

12 **Motion to amend the motion to include Council Woman Eck's request to include the price of the
13 option – K Allen, second – J Baldwin**

14 **Vote:**

15 **Yea: K Allen, J Baldwin, D Giles, R Sneddon**

16 **Nay: None**

17 **Abstained: K Eck**

18 **Excused: None**

19 Discussion prior to vote:

- 20 • J Baldwin felt the City should look at all options for reservoir location. He would like to see a cost
21 evaluation of each piece.
- 22 • J Drew explained that several months ago the Council directed the staff to make an offer for the
23 property.
- 24 • K Allen felt many discussions took place regarding the locations and needs for a reservoir over
25 the past two or three months. He remembered discussions of the positive features of this site.
- 26 • J Baldwin knew the location was under consideration; he was not aware of the City Engineer
27 saying this is the best spot.
- 28 • Mayor Drew explained the Council held those discussions. The staff made the offer after the
29 Council discussed options. One of the reasons for this reservoir is that it will serve Water Zone 2,
30 freeing up capacity in Water Zone 3.
- 31 • K Allen felt the offer should be approved. He felt the price per acre was a great price. He felt this
32 would give the City opportunities to work with other developers as well. He felt the offer was
33 well done.
- 34 • Mayor Drew explained the Checketts Farm location works with the current system better than
35 the S Checketts location.
- 36 • R Stapley explained there are pros and cons to both locations. Connecting with the existing
37 water system is better on the Checketts Farm location than the S Checketts location. R Stapley
38 explained the property acquired from S Checketts during the Little Baldy Subdivision process
39 was large enough for the reservoir, but not enough for the construction easements. R Stapley
40 explained existing pipeline sizes would need to increase to fill a reservoir on the S Checketts
41 location. He explained the current shunt line would gravity feed the proposed reservoir on the
42 Checketts Farm location without "bottle-necking" in four-inch pipes. The "Deer Fence Line" is a
43 secondary feed. It is something that is desirable, but not necessary.
- 44 • R Sneddon asked about cost for 1,200 feet of new asphalt. R Stapley estimated approximately
45 \$150,000. The estimate to build the reservoir is \$1,500,000. R Sneddon felt this [Checketts Farm
46 location] was a good investment, particularly with the price of the property.
- 47 • D Giles felt the Council had discussed the options many times and should move forward with the
48 offer.
- 49 • K Eck felt she was too new to the discussions may abstain.

- 1 • Mayor Drew explained the property owner countered a previous offer with a request of the City
2 to purchase the entire parcel. The Council did not feel they wanted the entire parcel. Mayor
3 Drew and staff met with C Checketts and his brother, Curtis. Mayor Drew explained one of the
4 stipulations, the City will commission a geo-tech survey of the location, and the results must be
5 favorable for the purchase to proceed. The City agreed to put in a sewer line (not to be installed
6 until the City knows where development will go), at a cost of about \$5,000 - \$8,000. We also
7 discussed an option to acquire an additional ½ acre if the City decides to install a well at the
8 location. The option offer is \$22,500 for the ½ acre; the option will be a 6-month option.
- 9 • C Checketts explained the entire property is up for sale, they would like to be as flexible as they
10 can. If another party makes an offer, the offer may affect the option. However, if no other offers
11 impact the option, they would be willing to renew the option.
- 12 • K Eck asked about the access to the reservoir. S Bankhead explained Rocky Mountain Power
13 used the small access road on C Checketts property. It is not the drive on the Danny Macfarlane
14 property. R Stapley explained the offer does include a temporary easement for access. S
15 Bankhead explained another developer to the north is considering a development that would
16 provide access.
- 17 • R Stapley reported the pre-work for the Geo-Tech survey could start in a week. The actual data
18 gathering would take 3 – 5 weeks, then about 30 days to produce the report.
- 19 • J Baldwin clarified the survey would be done while the property is under contract. He also asked
20 about the 200 N 300 East well location. R Stapley explained the 200 N 300 East well location
21 might not be the best location for connectivity to a reservoir because of piping costs. R Stapley
22 suggested a test well near the proposed reservoir location. If the test well proves good, locating
23 a well near the reservoir would be advantageous.
- 24 • Mayor Drew explained again the “Deer Fence line” is optional not necessary.
- 25 • J Baldwin explained he expected a formal presentation and an analysis on the two locations
26 from the City Engineer.

27 **Item No. 5. Discussion – Budget Review:** The Providence City Council will discuss the December 31,
28 2017 financial reports compared to the budget. (added 01/22/2018)

- 29 • Mayor Drew reviewed the December financial statements. He explained he would like to discuss
30 the breakdown of the money in the bank. Most of the City operations (streets, finance, records,
31 recreation, parks, and justice court) are accounted for in the General Fund. He explained the
32 General Fund does have restricted money: impact fees, cemetery, and Class C money.
- 33 • Mayor Drew explained the Enterprise Funds: Water, Sewer, and Storm Water. In the Enterprise
34 Funds, the City charges a monthly fee for using the service. We set aside a portion of the
35 monthly fee for capital improvements (pipelines, storm water mitigation, etc.). We do not do
36 that for roads. The Class C money amount does not fund the total \$400,000 for street
37 maintenance. In general, we will follow the maintenance treatment the LTAP survey
38 recommends and track the maintenance using our IWorq program. It will require diligence and
39 analysis to plan for money for annual street maintenance.
- 40 • Mayor Drew explained the IWorq program allows the City to track everything from dog licenses
41 to manholes.
- 42 • Mayor Drew explained the money in the Capital Project Fund is reserved for projects in streets,
43 parks, cemetery, etc. He explained the Capital Project Fund is in a negative right now. We are
44 submitting a reimbursement request to the County for the Gateway Drive Project that included
45 the 100 South roundabout. We anticipate receiving about \$1,149,000
- 46 • He also explained the restricted money: perpetual care for cemetery, impact fees for streets,
47 and impact fees for parks. Of the \$2,300,000, over \$900,000 is restricted.
- 48 • Mayor Drew stated the General Fund budget is roughly \$3,400,000 per year. He asked the City
49 Council what they thought was a reasonable amount of money to have on hand in the General

1 Fund; supply for how many months, years. He stated he did not know if there was an answer;
2 but we have about 6.4 months' supply of money that is not restricted.

- 3 • K Allen felt the City should carry the most the law allows.
- 4 • Mayor Drew reported that from the \$1,800,000 of discretionary money in the General Fund, we
5 pay wages, salaries, general expenses, equipment, as well as street maintenance. When we
6 consider street improvements, we also consider what is under the surface. Do the water pipes
7 and/or services need replaced?
- 8 • S Bankhead explained the General Fund must maintain a balance between 5% and 25% of the
9 annual revenue. Balances in excess of the 25% should be transferred into the Capital Project
10 Fund for use for future projects and purchases that the City has identified.
- 11 • Brent Fresz asked about the revenue to expense stream. Mayor Drew explained it fluctuates. He
12 used the example of our liability insurance. We make an annual payment, so even though we
13 are six months into the year, the insurance expense line item is at 100%.
- 14 • Mayor Drew reported the City has a large adjustment we will need to consider for next year; the
15 fire contract is increasing from about \$54,000 per year to \$300,000 per year. This General Fund
16 item must be addressed. The contract is for essentially three elements: fire suppression,
17 emergency services (EMS), and fire prevention (inspections and education). He felt there was
18 much homework to do.
- 19 • Mayor Drew explained during the budget process this year, he will review each department and
20 review them with the Council. The Mayor and staff will do the homework, but the Council will
21 make the decision.
- 22 • Mayor Drew explained we set money aside in the enterprise funds for replacement. The staff
23 will use the information in the IWork program to calculate replacement costs. S Bankhead
24 explained another concept to consider is how to pay for improvements. Does the City want to
25 self-fund or bond for large projects?
- 26 • B Fresz felt bond market you pay interest, self-funding you earn interest.
- 27 • Mayor Drew discussed property tax revenue in relation to sales tax revenue. S Bankhead
28 explained the property tax is a more dependable revenue stream than sales tax. Changes in the
29 economy affect the sales tax. Mayor Drew felt the Council needed to be sensitive as to how
30 quickly the discretionary money can evaporate if there is a downturn in the economy.
- 31 • K Eck appreciated the education and discussion.

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

33 S Bankhead:

- 34 • The City Council received the Providence City Investment Policy.
- 35 • If the Council would like more detail information on a budget item, reports are available that list
36 the detail.
- 37 • The Planning Commission would like to have a joint workshop with Council and staff to discuss
38 the goals and objectives in the general plan draft. The workshop was scheduled for Tuesday,
39 February 6 at 7:00 p.m.
- 40 • The City reviews the Affordable Housing Plan during the even years. S Bankhead will work with
41 Bear River Association of Governments (BRAG) to get the demographic information for the plan.

42 R Stapley:

- 43 • The easements for the Baur Avenue project are recorded. The City Engineer is working on the
44 final design. This will upgrade the waterline in 500 South from 100 East to Main Street, in Main
45 Street from 500 South to Baur Avenue, and Baur Avenue to the south end.

46
47 **Council Reports:** Items presented by the City Council members will be presented as informational only;
48 no formal action will be taken. The City Council may act on an item, if it arose subsequent to the posting

1 of this agenda and the City Council determines that an emergency exists.

- 2 • J Baldwin felt the City was doing a good job in preparing for developments and annexation.
- 3 • K Allen felt the Council should address the issue of mayor pro-tem. K Allen suggest a future
- 4 discussion on council assignments.
- 5 • D Giles – no additional report
- 6 • K Eck reported parks committee has had many people call. The Committee will meet prior to the
- 7 next council meeting. She would like the Committee to advise City staff on parks. She asked
- 8 about the 400 South Main Park. She expressed concern about the state of the area, and wanted
- 9 to know about the bids. Mayor Drew explained the City asked for bids, but only received one. R
- 10 Stapley explained the park is unfinished. J Baldwin explained he made a proposal about a year
- 11 ago. Mayor Drew explained it was a Council decision. Mayor Drew felt we should get citizen
- 12 input on park development. He explained he would highlight a park in the newsletter.
- 13 • R Sneddon – no additional report.
- 14 • Mayor Drew explained the mayor position is what you make of it. We have had reports of a
- 15 woman with over 100 cats. We will explore the options for the fire contract.

16 Mayor pro-tem discussion:

- 17 • K Allen nominated J Baldwin, D Giles second, no other nomination.
- 18 Vote: Yea – K Allen, J Baldwin, J Drew, K Eck, D Giles, R Sneddon
- 19 The Council selected J Baldwin as the Mayor Pro-Tem

20
21 **Executive Session Notice:**

22 The Providence City Council may enter into a closed session to discuss pending or reasonably imminent

23 litigation as allowed by Utah Code 52-4-205(1)(c).

24 The Providence City Council may enter into a closed session to discuss professional competence or other

25 factors allowed by Utah Code 52-4-205(1)(a).

26 The Providence City Council may enter into a closed session to discuss land acquisition or the sale of real

27 property Utah Code 52-4-205(1) (d) and (e).

- 28 • The Council did not hold an executive session.

29
30 **Motion to adjourn – K Eck, second – J Baldwin**

31 **Yea: K Allen, J Baldwin, K Eck, D Giles, R Sneddon**

32 **Nay: None**

33 **Abstained: None**

34 **Excused: None**

35
36 Meeting adjourned at 9:00 p.m.

37 Minutes prepared by S Bankhead

38
39 **Minutes approved on February 13, 2018.**

40
41
42 _____
43 John Drew, Mayor

Skarlet Bankhead, City Recorder