

1 **Providence City Council Meeting**
2 **164 North Gateway Drive, Providence UT**
3 **August 22, 2017 6:00 p.m.**

4
5 **Opening Ceremony:**

- 6 Call to Order: John Drew, acting as Mayor Pro-Tem
- 7 • J Drew reported the Mayor is on his way back from Salt Lake City. As Mayor Pro-Tem, J Drew will
 - 8 chair the meeting in the Mayor's absence.
- 9 Roll Call of City Council Members: John Drew
- 10 Attendance: Kirk Allen, Jeff Baldwin, John Drew, Dennis Giles, Roy Sneddon
- 11 Excused: Mayor Calderwood (arrived at approximately 7:00 PM)
- 12 Pledge of Allegiance: J Drew
- 13 Opening Remarks – Prayer: Julie H. Terrill

14 **2017 Primary Election Canvass:** The Providence City Council, acting as the Board of Canvassers, will canvass the
15 votes of the 2017 Primary Election.
16 Skarlet Bankhead presented the results of the 2017 Primary Election. The primary election was to reduce the
17 mayor candidates from three to two.

- 18 • Candidates / Votes as of August 15, 2017:
 - 19 ○ John Drew /527, Kirk Allen / 521, Brent Larsen / 48 total votes counted 1.096
- 20 • Votes received from August 16 – August 22, 2017 (1 provisional and 56 absentee; 4 ballots were
- 21 postmarked on 8/15/2017 or later and could not be counted; 45 ballots could not be verified and
- 22 could not be counted):
 - 23 ○ J Drew / 17, K Allen / 10, B Larsen / 0
- 24 • Candidates / Votes as of August 22, 2017:
 - 25 ○ John Drew / 544, Kirk Allen / 531, Brent Larsen / 48. Total votes cast 1,123.
- 26 • Candidates John Drew and Kirk Allen will move on to the November election. Brent Larsen has been
- 27 eliminated.
- 28 • 3,391 active voters, overall turn-out 28%

29 **Motion to approve the Canvass for the 2017 Primary Election – J Baldwin, second – R Sneddon**

30 **Vote:**

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

32 **Nay: None**

33 **Approval of the minutes:**

34 **Item No. 1.** The Providence City Council will consider approval of the minutes of August 8, 2017.

- 35 • The August 8, 2017 minutes were not available for approval.

36 **Item No. 2.** The Providence City Council will consider for approval the minutes of August 15, 2017.

37 **Motion to approve the minutes of August 15, 2017 – J Baldwin, second – K Allen**

38 Corrections: None

39 **Vote:**

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

41 **Nay: None**

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

- 46 • Erica Palte: E Palte stated she came here as a summer citizen, loved it, and moved here. She thanked the
- 47 Council for the superb snow removal service. She would like to have a forum where people can be
- 48 educated about the candidates. E Palte asked about the protocol for stray dogs. She also commented that

1 there were only two dog parks in the area. She ran a rescue shelter in Johannesburg; and volunteered to
2 help if the City decided to build a dog park.

- 3 • Brianna Wood: B Wood spoke to Item No. 4. She encouraged the Council to approve the Providence
4 Heights development. She sold her home in Providence in hopes of building in the Providence Heights
5 development. Her family is currently living in an apartment and would like to get into their new home as
6 quickly as possible.
- 7 • Dennis Zollinger: D Zollinger felt there should be an item for the Spring Creek Parkway discussion on
8 tonight's agenda. He is very concerned that the road was not built when the charter school went it. The
9 Council explained the money for this project has not been put in the budget.
- 10 • Meghan Young. M Young spoke to Item No. 6. She has serious concerns with the way the developer is
11 trying to develop the lot. This is within 1,000 feet of both schools. There is an extreme amount of traffic.
12 She does not feel there is a plan for the traffic. She is not happy that the impact fees have not been
13 addressed in twenty years. She feels the proposed development will increase traffic, crime, and
14 transients. She is concerned the development will not look good in 10-years. She expressed that there
15 needed to be a buffer between single-family and multi-family high density. She felt a buffer would be
16 green space, a road, building setbacks.
- 17 • Michael Taylor. M Taylor spoke on Item No. 6. He felt there were different stages of life that meant
18 different housing types. He felt the project location made sense because it is within walking distance to
19 parks, schools, and commercial.
- 20 • Jake Ferguson. J Ferguson spoke to Item No. 6. He currently lives in Mendon. He explained his background
21 is from Wyoming. He explained his view has changed over the years. There has to be housing types for all
22 people. He felt the development would be a great addition to the area.
- 23 • Maddison Ferguson. M Ferguson explained she is going to school and looking for a home. She felt
24 townhomes would be a good option.
- 25 • Trevor Booth. T Booth spoke to Item 6. He felt density in certain spots could be beneficial. He has family
26 members that live in Hidden Creek. He does not feel it is transient or crime ridden; he felt it was a positive
27 addition to the area. He also expressed appreciation for the City Council.
- 28 • Adam Oxenbien. A Oxenbien spoke to Item No. 6. He stated he lives in Logan, going to school, and
29 currently in a 4-plex. Housing is very expensive. He works in Providence. He felt townhomes would help
30 someone in his situation get into something affordable and be part of the community.
- 31 • Audience members asked if it was appropriate for people that do not live in Providence to comment. S
32 Bankhead explained that public comment is for the public in general. It is up to the city council as to the
33 weight they give the comments.

34 **Public Hearing(s):**

35 **6:15 PM – Budget Adjustments:** Prior to making adjustments to the 2018 Budgets, the City Council is holding a
36 public hearing. The purpose of the public hearing is to provide an opportunity for anyone interested to comment
37 on the adjustments before actions is taken. The City Council invites you to attend the hearing in order to offer your
38 comments.

39 **Motion to open the public hearing for budget adjustments – K Allen, second – D Giles**

40 **Vote:**

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

42 **Nay: None**

43 S Bankhead reviewed the proposed changes:

- 44 • Budget Adjustments for the 2018 General Fund (GF)
 - 45 ○ Increasing the GF Revenue: Charges for Services – Soccer/Kickball Registration from \$700 to
 - 46 \$3,300 (\$2,600 increase based on actual receipts for a new flag football program);
 - 47 ○ Prior Year Excess from \$0 to \$9,500 (\$9,500 increase from the Library Savings Account for
 - 48 building improvements on the building located at 15 North Main, Providence);
 - 49 ○ Increasing GF Expense: Administration – Library from \$25,000 to \$34,500 (\$9,500 increase);

- Increasing GF Expense Finance & Records – Recreation – Soccer/Kickball-Recreation from \$700 to \$3,300 (a \$2,600 increase)
- Total GF Revenue Increase \$12,100
Total GF Expense Increase \$12,100

- Budget Adjustments for the 2018 Capital Project Fund (CPF)
 - A revenue increase is not required. The 2018 CPF budget has revenue (\$415,000) that has not been allocated to an expense item.
 - Increasing CPF Expense: Administration – Capital Purchases from \$0 to \$30,000 for the audio/video system for the city council room.
 - Increasing CPF Expense: PW Administration – Construction Improvements: from \$0 to \$75,000 for the addition to the salt building.
 - Increasing CPF Expense: Streets Division – Capital Purchases: from \$0 to \$190,000 for the purchase of a truck fully fitted with a snowplow/sander, etc.
- Total CPF Expense Increase: \$295,000
Balance of Unallocated Revenue: \$120,000
- Budget Adjustments for the 2018 Sewer Fund (SF)
 - Increasing SF Non-Operating Income – Prior Year Money from \$0 to \$30,000 (a \$30,000 increase)
 - Increasing SF Expense – Professional & Technical Services from \$35,000 to \$65,000 (a \$30,000 increase for videoing the sewer lines).

K Allen clarified that the money (except for the recreation money) was allocated in the 2017 Budget Year for these items, but was not spent. We are now allocating the money for the items in to the 2018 Budget

- Heather Hansen suggested instead of contracting for sewer camera services, perhaps the city should purchase a camera and do the work ourselves. Rob Stapley and Mayor Calderwood explained the city does have a camera, but would like the project completed quicker. J Baldwin also explained the cost of doing in in-house vs. contracting was about sixes. Contracting along with continuing in-house is more efficient.
- Kristina Eck expressed concern about the minutes being slow to be posted. She asked if the Council would consider video recording the meeting and publishing the video on the website or You Tube. S Bankhead explained the City is considering it, with eventually live streaming.
- R Sneddon asked R Stapley to comment on infiltration. R Stapley explained that infiltration adds to the cost of wastewater treatment. Per capita, Providence has a higher treatment flow than the other cities. It is important to determine what is causing the high flow. The City has videoed about two-thirds of the city and has found some infiltration leaks, that we have since repaired. There is still more work to be done.

Motion to close the public hearing – J Baldwin, second – J Drew

Vote:

Yea: K Allen, J Baldwin, J Drew, D Giles, R Sneddon

Nay: None

Business Items:

Item No. 1. Resolution 038-2017 Budget Adjustment: The Providence City Council will consider for adoption a resolution adjusting the 2018 Budget for the General Fund, Capital Project Fund, and Sewer Fund.

Motion to approved Resolution 038-2017 adjusting the 2018 Budget for the General Fund, Capital Project Fund, and Sewer Fund – K Allen, second – R Sneddon

Motion to amend the motion to 0 - \$75,000 for the salt building addition, making the total capital project fund adjustment \$295,000 – K Allen, second – J Drew

Vote:

Yea: K Allen, J Baldwin, J Drew, D Giles, R Sneddon

Nay: None

Item No. 2. Resolution 039-2017 Bid Award: The Providence City Council will consider for adoption a resolution awarding the bid for the Salt Shed Addition.

1 **Motion to approve Resolution 039-2017 awarding the bid for the Salt Shed Addition – J Baldwin, second – D**
2 **Giles**

- 3 • See discussion notes below the vote.

4 **Vote:**

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

6 **Nay: None**

- 7 • **Discussion:** J Baldwin reported he read everything and did not see any reason to not go with the low bid.

8 **Item No. 3. Resolution 040-2017 Development Agreement:** The Providence City Council will consider for adoption
9 a resolution approving the Development and Public Improvement Installation Agreement for Providence Gateway
10 Phase 1. A residential multi-family subdivision, containing 25 townhomes, located at approximately 425 West 100
11 South.

- 12 • S Bankhead reported the Developer requested this item be pulled from the agenda.

13 **Item No. 4. Resolution 032-2017 Development Agreement:** The Providence City Council will consider for adoption
14 a resolution approving the Development and Public Improvement Installation Agreement for the Providence
15 Heights Subdivision Phase 1, a 13-lot phase of a residential subdivision, located at approximately 900 South 400
16 East.

17 **Motion to approve Resolution 032-2017 resolution approving the Development and Public Improvement**
18 **Installation Agreement for the Providence Heights Subdivision Phase 1, a 13-lot phase of a residential**
19 **subdivision, located at approximately 900 South 400 East – K Allen, second – J Baldwin**

- 20 • See discussion notes below the vote.

21 **Motion to continue – J Baldwin, second – R Sneddon**

22 **Vote:**

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

24 **Nay: None**

- 25 • **Discussion:**

- 26 ○ J Baldwin felt there should be dates for completion of the irrigation water mitigation.
- 27 ○ S Bankhead reported City Staff, Spring Creek Water Company (SCWC), and representatives for
28 the Developer met. SCWC will not indemnify the City; they will not sign the agreement as
29 written. It was also the understanding of staff that enlarging the pond and installing a head gate
30 further upstream were temporary solutions. S Bankhead reported that George Dines, who also
31 attended the meeting, explained in the meeting that the Edgewood Lateral would handle the
32 additional water from the Bullock Lateral; the head gate and larger pond is now a permanent
33 solution. People will have to go turn the head gate, people will have to be responsible for the
34 water.
- 35 ○ S Bankhead reported she, Mayor Calderwood, Max Pierce, and Rob Stapley spoke with City
36 Attorney, Craig Smith. C Smith will provide the City with wording for the development agreement
37 and the final plat. An additional suggestion is that the current pond be reduced to the original
38 size and used for storm water; the irrigation water would be directed to a separate pond
39 designed for the irrigation water.
- 40 ○ J Baldwin was concerned that SCWC would not indemnify the City.
- 41 ○ It was explained that the water currently runs across property involved in all phases. Matt
42 Nielsen, representative for the Developer, explained the water can run into the pond in the
43 southwest corner. The head gate will reduce the continual flow, as long as the users are
44 responsible for their water. The water will no longer flow down the gutter; with the head gate,
45 the water will be directed into the Edgewood Lateral.
- 46 ○ J Drew reported current water users have expressed concern to him that they cannot use all the
47 water they are allocated. He also reported another property owner has expressed an interest in
48 using the irrigation water. J Drew suggested a pipeline that allowed other property owners to use
49 the water. J Drew explained he has lived on this lateral and the plan presented will not work.

- 1 ○ R Sneddon suggested, for the future, the City consider a code amendment that would require
- 2 developers to solve the problem for their respective developments.
- 3 ○ Sharell Eames, SCWC Treasurer, reported the SCWC Board has not voted on an agreement.
- 4 ○ Mayor Calderwood suggested action be continued until we hear from the city attorney.

5 **Item No. 5. Resolution 041-2017 General Plan Amendment:** The Providence City Council will consider for adoption
6 a resolution amending the Transportation Corridors element of the Providence City General Plan and Master Plan
7 Sheet No. 1 Transportation Corridor Plan.

8 **Motion to approve Resolution 041-2017 amending the Transportation Corridors element of the Providence City**
9 **General Plan and Master Plan Sheet No. 1 Transportation Corridor Plan – J Baldwin, second – R Sneddon.**

- 10 • See discussion notes below the vote.

11 **Vote:**

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

13 **Nay: None**

- 14 • **Discussion:**

- 15 ○ S Bankhead explained the request is for changes south of 1000 South; not all changes shown on
- 16 the map. The Planning Commission is still working on additional changes. This request is to
- 17 change 600 East from 1000 South to Hillsborough Drive from a collector to a regular residential
- 18 street, and removing the connection of 1250 South between Hidden View Drive and
- 19 Hillsborough. The request also includes changes in the text to match the map.

20 **Item No. 6. Resolution 042-2017 Release of Notice of Violation:** The Providence City Council will consider for
21 adoption a resolution approving a Release of Notice of Violation of City Zoning and Planning Board and Notice of
22 Restriction and Lien recorded July 8, 1985.

23 **Motion to approve Resolution 042-2017 resolution approving a Release of Notice of Violation of City Zoning and**
24 **Planning Board and Notice of Restriction and Lien recorded July 8, 1985 – K Allen, second – J Drew**

- 25 • See discussion notes below the vote.

26 **Vote:**

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

28 **Nay: None**

- 29 • **Discussion:**

- 30 ○ S Bankhead explained it was common, a long time ago, for the City to encumber lots for
- 31 improvement security. The City put liens on some of the lots in the Hillsborough Subdivision. The
- 32 improvement were installed, but the liens were not removed.
- 33 ○ The requirements of the lien were either met or no longer valid.

34 **Item No. 7. Ordinance 2017-011 Rezone:** The Providence City Council will consider for adoption an ordinance
35 approving a proposed rezone from Single-Family Traditional (SFT) to Multi-Family High (MFH) for Parcel No. 02-
36 093-0028, a 2.03 acre parcel located at 196 West 100 North.

37 **Motion to adopt Ordinance 2017-011 an ordinance approving a proposed rezone from Single-Family Traditional**
38 **(SFT) to Multi-Family High (MFH) for Parcel No. 02-093-0028, a 2.03 acre parcel located at 196 West 100 North –**
39 **J Baldwin, second – R Sneddon**

- 40 • See discussion notes below the vote.

41 **Vote:**

42 **Yea: K Allen, R Sneddon**

43 **Nay: J Baldwin, J Drew, D Giles**

- 44 • **Discussion:**

- 45 ○ Gene Ashton, Developer, spoke in favor of the rezone. He explained this is an affordable housing
- 46 project, not a low-income project. He recognizes there will be some extra traffic He does not feel
- 47 the traffic will create gridlock. They have changed the design to incorporate more green space.
- 48 They will also have a HOA that will keep the property in good condition.

- 1 ○ Heather Hansen did not feel any of the people that have supported the development will be
2 directly impacted by the development. She explained the Hidden Creek development is a lower
3 density. She felt Hidden Creek was not remotely an example of this development. She felt
4 allowing an 800% increase of density was egregious. She did not think it fair to ask this
5 neighborhood to take on another multi-family development. Her solution was that multi-family
6 be blended into neighborhoods. She also felt design standards need to be put in place for multi-
7 family developments. She requested a moratorium on multi-family until the design standards are
8 in place. She also reminded the Council the Planning Commission recommended denying the
9 request.
- 10 ○ Danny Macfarlane, Design Engineer for the development, expressed concern about some
11 statements that had been made about this multi-family development and the type of people that
12 would live there. He reported he had talked with people that live in townhomes in Providence,
13 Hidden Creek: 73% owner occupied- \$51,000 median income 14% retirees, 44% single-women
14 professionals including various managers and account reps. They also looked at Cottage Creek:
15 88% owner occupied, \$73,000 average salary, 25% retirees, professionals – associate dean,
16 software development, software engineer and other professionals. Other Providence citizens
17 have supported the project. He would welcome townhomes and the type of people that live in
18 them in his backyard. He also explained the entrance onto 200 West was put as far to the south
19 as possible to avoid the intersection congestion.
- 20 ○ Kristina Eck commented that she felt for the home that the lights would impact. However, there
21 were some things she did not agree with. She did not feel that it would bring more crime, not
22 transient – CCR could require owner occupied. She has three married daughters that have not
23 been able to find houses - but each has been able to find a townhome. Most townhomes do not
24 have 2-car garages; a two-car garage is a great feature. K Eck also suggested a dog park. She felt
25 traffic could be opened to help with traffic congestion at the 200 W 100 N intersection.
- 26 ○ Jake Young knows Mr. Macfarlane. As a planner, he looks at the big picture. Cache Valley doubles
27 population about every 30-years. This type of project could save about 6 acres of farm ground,
28 when compared to single-family property. His starter home was a townhome. The location is in
29 walking distance of parks, movie theaters, schools, and public transit. There are very few homes
30 in Providence that are listed for under \$250,000. The current Providence crime rate is 1.22 per
31 1,000.
- 32 ○ Alyse Crockett expressed concern about the large increase in density. She expressed appreciation
33 for D Macfarlane's changes to the original design. She wants to keep her space and big yards.
34 She also expressed concern of irrigation water flooding the area.
- 35 ○ Sharell Eames agreed with Alyse Crockett's comments.
- 36 ○ Carol Wilde explained she and her brother are the co-owners of the property. She has been to
37 the meeting and listened to the arguments. She felt crime, traffic, etc. were city issues, not issues
38 for the owner or developer. She informed the council that about 20 years ago the City
39 approached her father to put a post office on the property.
- 40 ○ Jared Fitzgerald explained he is frustrated and angry. He read from the City's zoning code. He felt
41 an 800% increase in population in this area was almost negligence. He felt crime and traffic
42 would increase to the level of negligence. This rezone is in direct conflict with the City's general
43 plan. He understands getting the most out of the property. He worries over his property value if
44 the rezone occurs. He felt the opinions of those directly affected should be given weight. He
45 expressed concern about comments in previous meetings that this has happened before, that
46 this is an improvement over current property, that the neighbors are narrow-minded. The
47 Planning Commission recommended denial – what is the purpose of this. Something needs to go
48 there, but this development is a lot in a little space.

- 1 ○ Boyd Hansen expressed concern about snow removal within the development. He felt there
2 would be unintended consequences of changing the zone – traffic, congestion, danger to
3 children. He was concerned about fire access. He felt because 200 West is a county road, it could
4 present problems.
- 5 ○ Hank Lund felt there were many ways to look at the situation. He felt improvements in the area
6 should be discussed with the neighborhood. He expressed concern about precedent for
7 additional rezones. He did not feel people had the right to sell property for the highest value; the
8 right is to defend the neighborhood.
- 9 ○ Curtis Crockett is not against townhomes, but is against townhomes in this area. The townhomes
10 will destroy the feel of the current neighborhood. He felt it would cause problems for future
11 property sales. He expressed concern that the traffic is already a problem.
- 12 ○ Ashton Young is against the rezone. He moved to the neighborhood because it was single-family
13 and had lots of space. He was concerned about the number of tenants that could live in a unit.
14 He was also concerned that the owners are asking \$500,000 for 2-acres. Traffic is another
15 concern; particularly left hand turns and the cyclist and pedestrian traffic. The rezone does not
16 feel right.
- 17 ○ Mayor Calderwood explained there are ordinances in place on the number of tenants. The city
18 does not have an owner occupant agreement.
- 19 ○ Colton England is a tenant on the property. He felt there were lots of affordable places to live in
20 Providence.

21 • **Council discussion:**

- 22 ○ J Baldwin has listened to the comments and recognizes the developer’s efforts to address
23 concern. He felt diversity in housing was important for the city, both single-family and multi-
24 family. He felt multi-family should be dispersed throughout the City. He felt townhomes were a
25 less expensive option to home ownership and provided a place for people that do not want the
26 maintenance of a single-family lot. He felt homeowner associations managed very well. He felt a
27 key issue was design standards; good standards will protect the community. The location is very
28 good: parks, schools, bus access. He felt the traffic congestion at the intersection needs to be
29 fixed regardless of this development; this project will not make a noticeable difference.
- 30 ○ K Allen asked people to think about what they would do with the property if they were in the
31 situation of the current property owners. At one time, this was farm area and houses were built,
32 changing the area. K Allen express concern about J Fitzgerald’s letter indicating the council may
33 see some financial benefit from the rezone. He explained he is trying to make the best decision
34 for the City of Providence. He agreed with J Baldwin that the intersection is a big problem
35 regardless of the rezone. K Allen encouraged people to run for office if they think the city is going
36 awry.
- 37 ○ R Sneddon reported he visited 8 condominium developments around the City. He felt the HOA
38 maintenance exceeded that of the single-family properties. He noticed parking was spotty. This
39 development has the parking interior and out of view. He felt these two acres was at a point of
40 inflection – it could go up or down. He felt this development would help it go up. He also felt that
41 the traffic problem is already a problem – not related to the development. He felt Zollinger Park
42 was a noisy park, not one he would like to live near. He felt this development would improve
43 everyone’s position. He suggested all the residents in the block go together, buy the lot, sell for
44 single-family and see how it turns out.
- 45 ○ J Drew grew up in California. J Drew commented on civility – the more civil you are, the better
46 received by those you are talking to. J Drew discussed Envision Utah and the idea of “infill”,
47 giving owners some flexibility. He explained the city needs to accommodate affordable housing.
48 Townhomes make sense for many people and they are not necessarily income related. Envision
49 Utah and Envision Cache Valley is going to have to be taken into consideration with the city’s

1 general plans. He does not think this will increase crime. He has not seen cars on blocks in HOA
2 areas, but has seen many in single-family homes. In speaking with realtors, there is a shortage of
3 affordable housing. In the future, there will be more people, more traffic, more change. He
4 expressed appreciation to D Macfarlane for trying to address the neighborhood concerns. He
5 also encouraged the audience to consider public service.

- 6 ○ D Giles explained he is a building inspector. Development like this, in the right area is great. He is
7 considering if it is right for Providence, does it fit the needs of the people, does it fit moderate
8 income.
- 9 ○ Design standards would need to be in place to make sure the development as shown would be
10 built as shown.
- 11 ○ J Baldwin voted nay because design standards were not in place.

12 **Item No. 8. City Attorney Selection:** The Providence City Council will select a law firm or individual to provide city
13 attorney services on a contract basis.

- 14 ● J Baldwin felt there were positive responses from Cowdell Woolley. He felt they had the least potential for
15 conflict.
- 16 ● R Sneddon felt the contract rather than hourly was a positive thing.
- 17 ● J Drew felt that each of the firms would probably be the best for several different issues in the City. He
18 liked Cowdell Woolley because they were out of town.
- 19 ● D Giles liked Cowdell Woolley. Less potential for conflict and they are proactive in their legal advice.
- 20 ● K Allen felt there are many attorneys in the Valley that are top notch and as good as any out of the area.
21 He discussed conflict of interest. He felt the attorneys and firms involved would not get themselves in a
22 conflict of interest situation. He liked working with Miles Jensen. He also reported Kevin Fife was
23 considered for District Court Judge. K Allen recommended Olson and Hoggan.
- 24 ● Mayor Calderwood preferred the council select a local firm.

25 Motion to accept Cowdell Woolley – J Baldwin, second – J Drew

26 **Vote:**

27 **Yea: J Baldwin, J Drew, D Giles, R Sneddon**

28 **Nay: K Allen**

29 **Item No. 9. Discussion:** The Providence City Council will discuss the city code regarding parking lot lights with
30 emphasis on the CCID School parking lot.

- 31 ● Mayor Calderwood felt the Council should know the state code on parking lot lights for schools.
- 32 ● J Baldwin and K Allen expressed appreciation for comments in an email from Andrew Stromness. J
33 Baldwin did not see any reason that the school could not control the lights. He felt the City should
34 intervene and mandate that the lights be shut off during the night.
- 35 ● J Drew felt not having timers and leaving lights on 24/7 made any sense.
- 36 ● J Baldwin felt 24/7 parking lots lights in this situation was a nuisance.
- 37 ● J Drew felt the school management should come to a meeting to talk about the school operation, the
38 rules they impose, and concerns from the neighbors.
- 39 ● K Allen reported he knows many of the school board members.
- 40 ● The City has a light ordinance, but it is for commercial.
- 41 ● S Bankhead and R Stapley reported the new lights at the baseball field had to run 24 hours prior to use.
- 42 ● A Stromness reported the school did have a 24 hour burn in period prior to the 27/7 hours. A Stromness
43 stated his wife spoke with Laura Banda, the Director, about shields.
- 44 ● Mayor Calderwood reported he visited the area at night and felt there is a problem for one, maybe two
45 homes. Mayor Calderwood wanted to check the state code and to see if the City's commercial code could
46 apply, or if it qualifies as a nuisance under our code.
- 47 ● D Giles reported he spoke with the building inspector for the school. The lights in the parking lot were on
48 the original plan, the illumination can be turned down.

- 1 • K Allen felt it was important to consider extending Spring Creek Parkway.
- 2 • J Drew felt once the road is opened, everyone from the east, by design, will use this road.
- 3 • Mayor Calderwood explained the engineers are still looking at the design.
- 4 • Dennis Zollinger is concerned about the large mountain of dirt. Mayor Calderwood said the City is
- 5 considering it.

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

- 7 • S Bankhead reviewed the RAPZ project. The City was awarded \$130,000. We have followed the plan,
- 8 \$82,500. \$15,000 – concrete, dirt, and landscaping – \$40,000, fencing – \$25,000, fence cap, wind screen,
- 9 and benches – \$2,600. The goal was to have everything done before school, but we didn't quite make it.
- 10 Sheyler Gunnell and Trudy Wilson discussed the gates. We have tried to be conservative; some of the
- 11 items have been difficult to get multiple quotes on because of the specialty of the items. S Bankhead
- 12 reviewed pricing for bleachers, which would be an additional \$10,000. Looking through pricing catalogs,
- 13 the best price is from B&S Sports. S Bankhead explained this would be for one large set and one small set.
- 14 We are hoping to get the lights with the 2018 grant application. J Baldwin felt it was a reasonable price.
- 15 • S Bankhead explained the USU Homecoming game is at 2:30 p.m.; so Ocktoberkraut was moved to
- 16 October 7. USU has a home game that day as well. She expressed concern about the dinner attendance.
- 17 She suggested using the food truck rather than having the dinner. She explained the dinner attendance
- 18 has continually reduced since the City was not able to make and sell sauerkraut. J Baldwin and K Allen
- 19 liked the lunch idea.
- 20 • Rob Stapley reviewed ballpark numbers for roto-milling. Johnson's estimated 300 South from SR 165 to
- 21 approximately 400 West at \$53,000. To do 100 West from 500 South to 100 North would be in the range
- 22 of \$270,000 (about \$45,000/block). The water main is good for the 6 blocks, there may be about half of
- 23 the services that will need to be replaced, and we may want to look at storm culverts at the intersections.
- 24 R Stapley feels this is a good approach for the downtown area. We will look for soft spots. J Drew asked if
- 25 400 South could have been done this way. R Stapley explained there were other factors involved with 400
- 26 South. R Stapley also felt 200 South would be a great project, but it would involve a water main project.
- 27 Improving 100 West may help with traffic on 200 West. R Stapley felt opening the Gateway Drive
- 28 roundabout will also help the 200 West congestion. Opening 100 South was briefly discussed. R Stapley
- 29 felt when the Ironwood Development asphalts their portion of 100 South, that may be the time to
- 30 seriously discuss opening the road.
- 31 • R Stapley reported the 800 South park is still in the landscape design, but is coming along. One of the
- 32 options we have is to get precast concrete restrooms. By getting the restrooms ourselves and then have
- 33 the contractor install it, may save the City some money. To get the pricing, we may need to purchase now
- 34 and have the factory hold the restroom for the winter. J Baldwin felt it was a good idea.
- 35 • R Stapley reported all the I&Is found this year have been repaired. We found a few areas, but not big
- 36 volume items.
- 37 • K Allen expressed appreciation for the work the Public Works Department has accomplished this year.
- 38 • R Stapley explained the contractor that cleans the sewer lines may be able to come in November, if we
- 39 could house his equipment. Unfortunately, we do not have the space. Twin D feels the best time to look
- 40 for the leaks is in March or April.

41
42 **Council Reports:** Items presented by the City Council members will be presented as informational only; no formal

43 action will be taken. The City Council may act on an item, if it arose subsequent to the posting of this agenda and

44 the City Council determines that an emergency exists.

- 45 • Mayor Calderwood reported the City closed on the building on Friday, August 18. After the fees were
- 46 deducted, the City received about \$252,000.
- 47 • D Giles – no report for this evening.

- 1 • J Drew reported Ryan Frandsen is interested in getting the irrigation water. J Drew felt people should look
- 2 at secondary water.
- 3 • R Sneddon – no report for this evening.
- 4 • K Allen – no report for this evening.
- 5 • J Baldwin complemented the work on the softball diamond. He felt they did a fantastic job.
- 6 • J Baldwin felt the city needs to decide – do we want townhomes or not. If we do, we need to have design
- 7 standards. He felt design standards would help with some of the concerns.

Executive Session Notice:

The Providence City Council may enter into a closed session to discuss pending or reasonably imminent litigation as allowed by Utah Code 52-4-205(1)(c).

The Providence City Council may enter into a closed session to discuss professional competence or other factors allowed by Utah Code 52-4-205(1)(a).

The Providence City Council may enter into a closed session to discuss land acquisition or the sale of real property Utah Code 52-4-205(1) (d) and (e).

8
9 **Motion to enter a closed session K Allen second – R Sneddon**

10 **Vote:**

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

12 **Nay: None**

13 **Motion to close the closed session – J Baldwin, second – D Giles**

14 **Vote:**

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

16 **Nay: None**

17 The Council re-entered the open meeting.

18 **Motion to adjourn the meeting – J Baldwin, second – K Allen**

19 **Vote:**

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

21 **Nay: None**

22 Meeting adjourned approximately 10:35 p.m.

23

24 Minutes prepared by S Bankhead.

25

26

27 **Approved 09/12/2017**

28

29 Don W Calderwood, Mayor

Skarlet Bankhead, City Recorder