

1 **PROVIDENCE CITY COUNCIL MEETING**
2 **December 11, 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 Pledge of Allegiance: Mayor Drew
9 Opening Remarks – Prayer:
10

11 **Approval of the minutes**

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

13 **Motion to approve the minutes for November 13, 2018 – R Sneddon, second – D Giles**

14 **Vote:**

15 **Yea: K Eck, B Fresz, D Giles, R Sneddon, K Allen**

16 **Nay: None**

17 **Excused: None**

18 **Corrections:**

- 19 • Page 4 line 180 Hannig
- 20 • Page 5 line 234 general fund has restricted money

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

- 26 • James Brackner, former mayor of River Heights, wants to state on the record that he never agreed with
27 Providence to de-annex a portion of River Heights. He never discussed it with anyone. The only thing he
28 discussed was the possibility of annexing a two or three acre plot next to the cemetery that could be used
29 for additional cemetery plots.
- 30 • Neesha Perry, representing parents at Providence Elementary and the PTA, discussed the soccer goals at
31 Providence Elementary. She explained that the children helped raise money for the goals and were
32 excited to use them, but then soon after the goals were pushed to the side by the city. Her understanding
33 is that the city does not want soccer goals on the grass because it will ruin the grass. She also explained
34 that the children do not have much space to play, and asked about giving the children access to the
35 baseball diamond.
- 36 • Mayor Drew explained that he met with Mike Liechty, the Assistant Superintendent, and Gary Thomas.
37 The City closes all of its parks in the winter. However, the school district offered to purchase the property
38 from the city. Then the school district could manage its upkeep and the liability issues.
- 39 • Mayor Drew clarified that the school district was not considering purchasing the baseball diamond, but
40 only the grass around it.
- 41 • N. Perry asked if the city would offer the baseball diamond to the school district.
- 42 • K. Allen explained that the baseball field could be opened. As to soccer goals, wherever the goal stands,
43 the grass gets destroyed. There is not enough space to rotate the goal location so that the grass doesn't
44 get destroyed.
- 45 • N. Perry explained that the baseball diamond gates are locked, preventing the school children from using
46 it.
- 47 • Mandy Saunders, Katie Booth, and Hilary Farnsworth joined N. Perry at the stand. They said that the
48 baseball diamond was not closed last year, and they requested that the City make an exception to the
49 usual policy of closing parks in the winter. There are 700 kids at the school who use the grass, but they
50 don't all come out at the same time. They won't destroy the field.
- 51 • Mayor Drew said he will talk to the superintendent about the baseball diamond.
- 52 • K. Allen asked why the field is locked. He felt that there should be an exception for the field because it is
53 behind the school.

- 1 • M. Saunders, K. Booth, H. Farnsworth and N. Perry said that they were told by the city that the baseball
2 diamond would not be locked.
- 3 • D. Giles felt that a city park should remain open.
- 4 • M. Saunders, K. Booth, H. Farnsworth and N. Perry appreciate how well the city parks are kept, but they
5 felt that giving kids more room to play was more important than keeping the baseball diamond in perfect
6 condition for Little League.
- 7 • Charlotte McConkie has four children who attend Providence Elementary School. Several of her children
8 love to play soccer. She felt that it was important to children's mental health to have choices at recess.
- 9 • K. Allen said that the soccer goals should never be unanchored. It is a liability issue. There was a student
10 killed in Box Elder School district due to an unanchored goal.
- 11 • S. Gunnell, Recreation Director, reported that all the city's goals are anchored.

12
13 **Public Hearing(s):** None

14
15 **Business Items:**

16 **Item No. 1. Discussion:** The Providence City Council will discuss options for the Little Baldy Place Subdivision.

- 17 • S. Bankhead explained the history of Little Baldy subdivision.
- 18 • Michael Taylor, civil engineer with Civil Solutions Group, spoke on behalf of Stan Checketts, owner of Little
19 Baldy Place subdivision. S. Checketts would like to request that the water line as shown on the City's 2002
20 Master Plan be implemented. The water line would run from the mouth of Providence Canyon to Little
21 Baldy Subdivision. It would service 91 acres currently annexed into Providence City that are currently non-
22 serviceable. The benefits of the water line are opening the 91 acres for service by the city, as well as the
23 additional benefit of fire suppression that would be available to current and future development on the
24 bench. Most of Providence City is in a wildfire zone, and this would help to create an additional break
25 between wildfires on the east and the city proper on the west.
- 26 • R. Sneddon asked how the line would be financed.
- 27 • S. Checketts explained that the main reason for the proposal was fire protection and fire suppression. He is
28 concerned about the ability to suppress fires in Little Baldy. He said that he would personally pay for much
29 of the cost of the line, but he wants the city to take the line up to the place where the City dug a hole for
30 the reservoir. From that point, he said that he and some others, such as Dan Hogan and Jack Nixon, would
31 pay for the rest.
- 32 • M. Taylor clarified that the reservoir hole that S. Checketts was referring to is about half way between the
33 mouth of Providence Canyon and the south end of Little Baldy Place subdivision.
- 34 • S. Checketts explained that the engineering for this has all been done previously. He said that it would be
35 beneficial to have fire hydrants all along Deer Fence Road in the case of a wildfire. Sufficient water
36 pressure could be essential to fire suppression. He also explained that the same water line was planned
37 years ago, and now that he has invested a lot of money in developing the area, it is the right time for the
38 city to extend the water line. He also explained that he gave water shares to the city as a part of his
39 development agreement, and therefore it should be the city's responsibility to provide adequate water
40 service.
- 41 • K. Allen asked whether culinary water was already provided to the lots in Little Baldy Place subdivision.
- 42 • S. Checketts explained that there are still some parts of his land that do not have access to water,
43 although the lots do have culinary water for building.
- 44 • K. Allen asked whether this was primarily about water pressure.
- 45 • S. Checketts explained that it would be good for the reservoir to have a second source, such as the water
46 line he is proposing. S. Checketts said that he wanted the city to take action, as this has already been
47 discussed for several years.
- 48 • Mayor Drew said that he will put it on the agenda for a future council meeting.
- 49 • R. Sneddon asked if the current houses in the subdivision have sufficient water.
- 50 • M. Taylor explained that there is a domestic culinary water service to each of the lots. What S. Checketts
51 was referring to is the fact that the buildable envelope on the lots is significantly west of their eastern
52 boundary. To build above that there would need to be more pressure. More importantly, fire suppression
53 has become an issue. Many of the homes will have to be installed with sprinkler systems to get sufficient

- 1 flows up that high. Also, S. Checketts dedicated water shares to the city so that those lots could be
2 watered, but the current water pressure does not allow all of the area on the lots to be watered.
- 3 • K. Eck asked about how this would affect the filling of the reservoir.
 - 4 • R. Stapley, Public Works Director, explained that there are a lot of aspects to this proposed project. It
5 would take a significant amount of time to explain all the implications. However, it would create a
6 secondary ability to fill the reservoir, and that is the reason why the Master Plan shows the line.
 - 7 • K. Eck asked if we have a cost estimate for the line.
 - 8 • S. Checketts explained that all the costs were calculated previously. He wants it to be on the record that
9 he tried to get water up to the subdivision to prevent wildfires..
 - 10 • R. Sneddon asked if S. Checketts was aware of the political aspects of bringing a water pipe out of the
11 canyon.
 - 12 • S. Checketts said that he knows about the right-of-way issues for running the water line. He said he
13 discussed with Laura Fisher and Bob Bissland about obtaining a right-of-way for a water line. L. Fisher
14 eventually said yes, as long as there is a gate on it, and the area remains a trail forever. But then she
15 changed her mind. Miles Jensen told S. Checketts that the city should be able to run the water line
16 regardless of objections.
 - 17 • Mayor Drew said that there would probably be a legal battle if the City pursued that course.
 - 18 • S. Checketts offered to pay for the legal battle. He said that multiple lawyers have assured him that the
19 city could run a water line according to Utah Code. The City would only have to pay the value of the land
20 that they run it on.
 - 21 • Mayor Drew said he would inform S. Checketts when the vote on this issue has been scheduled.

22
23 **Item No. 2. Resolution 040-2018** The Providence City Council will consider for adoption a resolution approving an
24 Agreement for Fire Protection between Providence City and the City of Logan.

25 **Motion to approve resolution 040-2018 with the wording change – K Eck, second – R Sneddon**

26 **Vote:**

27 **Yea: K Allen, K Eck, R Sneddon, B Fresz, D Giles**

28 **Nay: None**

29 **Abstained: None**

30 **Excused: None**

31 Discussion prior to vote:

- 32 • Mayor Drew explained that the fire contract with Logan City expired at the end of November. Mayor
33 Drew has discussed the matter extensively with Fire Chief Hannig. There was a also a town hall about the
34 issue. Mayor Drew has also had discussions with Hyrum City. Some people have suggested that the City
35 start a volunteer fire department, but the City's insurance company said that volunteer fire departments
36 are quickly disappearing and are very difficult to staff. Mayor Drew has also had discussions with Craig
37 Buttars from Cache County about partnering with them, but the county is not in a position to commit to
38 anything right now.
- 39 • Mayor Drew explained that Nibley uses a volunteer service, but they are not available during the day on
40 weekdays. Also, Logan City is usually first to respond to the scene even when the volunteer service is on
41 duty.
- 42 • Mayor Drew explained that in the new contract with Logan City, Providence will eventually be paying
43 \$460,000 per year after two years of gradual payment increase.
- 44 • K. Allen asked how much of the payment would be subsidizing Millville and Nibley.
- 45 • Chief Hannig said that Logan feels like they have been subsidizing many cities in the county for many
46 years. They used to be able to, but the growth in the county has made this difficult. He explained that
47 there is no guarantee that Logan City will make all the agreements equitable. He explained that the
48 county has no jurisdiction over any city for fire protection. The best solution would be a true special
49 service district, which could include some of the cities in the valley.
- 50 • Chief Hannig explained the Insurance Service Office rating for fire protection. Departments are rated
51 based on their ability to provide a protection service to the communities they serve. Logan was rated a 4,
52 but has recently improved its rating to a 2. Depending on the insurance company, this may or may not
53 affect residents' home insurance premiums. However, commercial properties should see a 3-8% decrease

1 in insurance premiums. There are only seven departments in the state of Utah that are rated 2, and only
2 one that is rated 1. This puts Logan Fire Department in the top 3% of fire departments in the country. This
3 excellent service has a price. Chief Hannig explained that he believes that they have been as fair as
4 possible with giving Providence a good deal. Logan residents still pay more per citizen than Providence
5 residents will pay. As far as subsidizing other cities, Chief Hannig has been instructed to work on the
6 problem and to negotiate mutual aid agreements that are financially equitable. Eventually, no city will be
7 subsidized.

- 8 • Chief Hannig referred back to the discussion about the water line proposed by S. Checketts. He said that
9 the Fire Department will support the city with any data that they need to make a good decision regarding
10 fire protection and water supplies on the bench.
- 11 • K. Eck expressed appreciation to Chief Hannig for taking the time to educate city officials.
- 12 • Chief Hannig asked that the contract be modified at Section 406 to change it to read "fire suppression and
13 emergency services," excluding "prevention." The Fire Department will not have jurisdiction over
14 prevention, but will have an advisory role.
- 15 • B. Fresz asked about page 9, exhibit A, section 7 where it states that Logan Fire Department is ISO class 3.
- 16 • Chief Hannig explained that the Fire Department petitioned to have their department re-scored because
17 of some incorrect data in the report. The rating was done again, and the Department received a 2, but the
18 report has not been officially sent out yet. Therefore, the score of 2 is not quite official yet.
- 19 • Chief Hannig said that he will make an effort to provide the City with data on services the Fire Department
20 performs.
- 21 • Mayor Drew asked about training the city staff.
- 22 • Chief Hannig said that they can arrange training. He suggested that the city purchase AEDs for city
23 buildings.

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25
26 **Item No. 3. Resolution 041-2018** The Providence City Council will consider for adoption a resolution regarding
27 Utah's housing needs and stating the City's commitment to ensure housing affordability is attainable for all Utah
28 residents, and recognizing our ability to implement various smart growth strategies to promote and maintain
29 housing affordability.

30 **Motion to approve resolution 041-2018 – B Fresz, second – K Allen**

31 **Vote:**

32 **Yea: K Allen, K Eck, R Sneddon, B Fresz, D Giles**

33 **Nay: None**

34 **Abstained: None**

35 **Excused: None**

36 Discussion prior to vote:

- 37 • K Allen asked if this was a standard printing by the State of Utah. Mayor Drew explained that this was
38 prepared by the Housing Gap Coalition and the Salt Lake Chamber of Commerce.
- 39 • Mayor Drew read the measures the City pledges it will implement.

40
41 The city pledges to adopt and implement measures that are designed to:

- 42
- 43 1. Minimize barriers, including exercising restraint in impact and permit fee increases, to the provision of all
44 housing and provides housing opportunity for all of incomes and life stages;
- 45 2. Review and reform existing practices, including zoning, impact and other fees, and other potential impacts
46 that would negatively impact housing affordability;
- 47 3. Plan and allow significant housing opportunities near employment centers, public transportation, and other
48 amenities;
- 49 4. Increasing public and government awareness and understanding of the housing affordability needs of our
50 city, region and state;
- 51 5. Think and coordinate regionally about local land use decisions;
- 52 6. Align housing, infrastructure, and economic development efforts; and
- 53 7. Promote collaboration with other communities, elected officials, and stakeholders on additional solutions.

1
2 Toward these ends, we will review and, as needed, update our general plan, comply with the 2018 moderate income
3 housing legislation, and take other steps as appropriate.
4

5 **Item No. 4. Ordinance No. 2018-15** The Providence City Council will consider for adoption an ordinance changing
6 the zone of Parcel 02-162-0013, Lot 1 of the Willow Place Subdivision containing 0.93 acres, generally known as
7 254 North Gateway Drive, from CGD to MFH.

8 **Motion to approve ordinance 2018-15 – K Eck, second – R Sneddon**

9 **Vote:**

10 **Yea: K Allen, K Eck, R Sneddon, B Fresz, D Giles**

11 **Nay: None**

12 **Abstained: None**

13 **Excused: None**

14 Discussion prior to vote:

- 15 • S. Bankhead explained that the current zoning of the property allows professional offices, light
16 manufacturing by conditional use, and retail, but not heavy industrial or heavy manufacturing. The
17 property in question is two lots to the north of the city offices. The developer is asking for Multi Family
18 High density, which will allow 18 units per net acre. If there is any public infrastructure that needs to be
19 dedicated, that is subtracted from the gross acreage. Sensitive areas that do not qualify for density are
20 also subtracted from the gross acreage. This is how the net acreage is calculated.
- 21 • S. Bankhead explained that the property is next to a bus stop, park and professional offices. It is not far
22 from Creekside Townhomes, which are built to a lesser density.
- 23 • Mayor Drew explained that the location provides for walking access to shopping, medical services and
24 possibly employment. It is also close to public transportation. This aligns with previous discussions about
25 creating a walkable city center.
- 26 • Mayor Drew explained that some of the professional offices nearby were concerned that their parking
27 would be impacted. However, the city requires the developer to provide adequate parking. On the other
28 hand, the developer may also be worried that the clients of the professional offices will use the
29 development's parking.
- 30 • S. Bankhead explained that the planning commission held a public hearing on this property and received
31 comments from people in the area. The planning commission then recommended that the city council
32 deny the request to change the zone.
- 33 • B. Fresz explained that the planning commission vote was split 3-1, with one abstention. The consensus
34 was that the City should protect its commercial property.
- 35 • K. Eck said that she does not think there will be high-end commercial development in that area. If it
36 doesn't get changed, it will probably be another doctor's office or similar use, rather than retail.
- 37 • Mayor Drew explained that zoning the property Multi Family High would generate more in tax revenue.
- 38 • Vicki Holmgren of Providence explained that she heard that the apartments south of Cobblestone have
39 not been full at any time since she has lived here. There is also an apartment building being built behind
40 Maceys. There are also town homes being built in the city. She is concerned that the proposed
41 development will not be filled. She heard that the apartments south of Cobblestone were not filled when
42 they were first built, and that later some of the apartments were subsidized. She asked who pays for the
43 subsidizing.
- 44 • Mayor Drew explained that the only subsidizing comes from the Bear River Association of Governments.
45 Their subsidy programs are run on an individual family basis. There is no designated location for
46 subsidization. A subsidy recipient could even be someone in a single family home.
- 47 • V. Holmgren explained that she thinks that the city has enough apartments. She is concerned about
48 lowering the quality of the city in order to provide lower-cost housing. She heard that Providence City has
49 already met the quota set by the State of Utah for moderate-income housing. She questioned whether
50 the area was really walkable, and expressed concern about the traffic on 100 East.
- 51 • Suzan Roberts explained that about 10 years ago she was shocked at the opposition that was raised
52 against a housing development for special needs in Providence. She doesn't know about any problems

1 that have come from that apartment complex. She considers it a blessing to have people in the
2 community that are different. Some may not live in single family housing. She believes growth is good if it
3 is managed properly.

- 4 • Steve Roberts, S. Roberts' husband, explained that they have owned the lot in question for 15 years. For
5 about 13 of those years, they have had the lot up for sale. There has been almost no interest or market
6 for that lot as a commercial property. Retail would not be located there because it is off the main street.
7 There is, however, a need for and an interest in multi-family housing. He explained that while there was
8 some negative feedback from the doctors' offices during the Planning Commission hearing about being
9 adjacent to a multi-family housing development, Creekside Townhomes was already built when those
10 offices chose to locate there. Also, he addressed concerns about the quality of the neighborhood,
11 explaining that the current multi-family developments located nearby are high quality. There shouldn't be
12 any concern about the quality of the neighborhood.
- 13 • Mayor Drew asked if the medical offices across the street were all occupied.
- 14 • K. Eck said they were not.
- 15 • K. Eck also said that there are currently no town homes for sale in Providence. The ones Visionary Homes
16 is building are pre-sold. She explained that there is a shortage of homes under \$250,000 in Cache Valley.
17 There are only 260 houses on the market, and a healthy market is about 700 houses. She said that
18 Creekside Townhomes have been an asset to the community.
- 19 • Curtis Jacobs developed the land north of the property in question. He believes that Providence City has
20 been wise to have a distinct commercial district. He is concerned about the mixing of zones. He was also
21 concerned about the joint access point between the doctors office and the proposed development. He
22 said that the doctors have already had people from the apartments to the north using their garbage
23 dumpsters.
- 24 • K. Eck wondered why the doctors don't lock their dumpsters.
- 25 • C. Jacobs said that judging by his development experience, multi-family does not fit the area.
- 26 • Mayor Drew explained that another developer, Deloy Hansen, is working on a mixed use
27 residential/commercial development just to the north of the proposed development.
- 28 • C. Jacobs felt that the city council should trust the judgment of the planning commission.
- 29 • Danny MacFarlane of Civil Solutions Group addressed the concern of shared access. There is an easement
30 that is a cross-access easement for both parcels, and it is an approved access for both of them. He felt
31 that locking the dumpster is a good idea. As far as the concern about a "spot zone," he said that there is
32 multi-family adjacent to the property. He believes that the new town homes will be nice in appearance.
33 He thinks that they will be brick and hardy board. They will meet the design standards approved by the
34 city council, and have nice landscaping. They will also have garages, and have more than adequate
35 parking.
- 36 • K. Eck asked about the golf course's parking.
- 37 • D. MacFarlane said that the current site plan has enough parking for each unit to have two parking stalls,
38 and for the development to have four guest parking stalls overall. There is also enough frontage for nine
39 on-street parking spots.
- 40 • B. Fresz asked what the City's intentions are with the undeveloped City land to the east of the property.
- 41 • K. Eck suggested a dog park.
- 42 • B. Fresz wondered if the property under consideration should be more professional offices, and the city's
43 property behind it should be residential.
- 44 • D. MacFarlane reiterated that the property under consideration has been for sale under commercial
45 zoning, but there has been very little interest. Also, he did a traffic analysis and found that office space
46 would generate five times the amount of trips per day versus a town home project.

47
48 **Item No. 5. Ordinance No. 2018-16:** The Providence City Council will consider for adoption an ordinance amending
49 Providence City Code Title 10 Zoning Regulations, Chapter 1 General Provisions, Section 1 Definitions, by adding a
50 definition for Duplex, and amending the definition for Dwelling, Single-Family Attached.

51 **Motion to approve ordinance 2018-16 –R. Sneddon, second – B. Fresz**

52 **Vote:**

1 **Yea: K Allen, K Eck, R Sneddon, B Fresz, D Giles**

2 **Nay:**

3 **Abstained: None**

4 **Excused: None**

5 Discussion prior to vote:

- 6 • S. Bankhead explained that the definition changes were considered in March when a public hearing was held. However, there was no formal recommendation from the Planning Commission. The City Council sent it back to the Planning Commission, which made a recommendation to amend as described above.
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- 9 • S. Bankhead explained that there was some confusion regarding twin homes. A twin home is two individual properties joined together with a common wall. They each sit on their own parcel of land. Some people were using the term "duplex" for those twin homes, and therefore the City felt the need to further define the term "duplex." The new definition is "a single building containing two side-by-side dwelling units approximately equal in size but which sits on a single building lot and remains under the ownership of a single entity. Said dwelling units share at least 50% of a common wall. Single family homes with basement apartments and other accessory apartments may not be considered a duplex."
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- 16 • S. Bankhead explained that the other definition change was for the term "single family attached." The current wording says "a dwelling joined to another dwelling at one or more sides." It used to say "by a party wall or abutting separate walls." That part was struck out and the language "about 50% of a common wall, each dwelling being erected on a separate lot of record which is designed for occupancy by one family on each lot of record" was added in its place to form the current ordinance. The proposed change is to add the language "attached housing may include town homes, twin homes, condominiums and other common wall housing."
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- 23 • S. Bankhead explained that these changes will harmonize the other ordinance changes that have recently been made.
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27 **Item No. 6. Exception to Title:** The Providence City Council, acting as a land use authority, will consider granting an exception to Doyle Zollinger from the street length limitation in Providence City Code 11-4-2:A. Length: Streets shall not exceed two blocks, which is typically 1,320-feet, in length between intersections with functioning cross streets. This would extend Baur Avenue to the south.

30 **Motion to approve the exception of title acting as a land use authority – K Allen, second – D Giles**

31 **Vote:**

32 **Yea: K Allen, K Eck, R Sneddon, B Fresz, D Giles**

33 **Nay: None**

34 **Abstained: None**

35 **Excused: None**

36 Discussion prior to vote:

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- 38 • S. Bankhead explained that the city recently upgraded the water line in Baur Avenue. Doyle Zollinger, who owns property in the area, has approached the city with a concept plan for development.
- 39
- 40 • S. Bankhead explained that city code only allows for a street to continue for approximately two blocks without a functioning intersection. Our blocks are generally 660 ft. The end of Baur avenue already exceeds this at 1586 ft.
- 41
- 42
- 43 • S. Bankhead explained that our transportation plan shows 7th South extending west from Main Street, which would fulfill the requirements of the ordinance. It is not necessary that D. Zollinger build this road. The city is already planning on an East-West corridor. This would be necessary in order for development to occur.
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- 47 • S. Bankhead explained that D. Zollinger is willing to develop if the exception is granted. He would install a temporary turnaround. Also, Ryan Powell, another nearby property owner, has expressed interest in working with D. Zollinger to extend Baur avenue to make connectivity with 200 East in Millville.
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- 50 • S. Bankhead explained that the Transportation Plan shows Main Street connecting to 200 East instead of Baur Avenue. There are several options, but in order to start any of them, we need to extend Baur avenue longer than its current length. Providence City Staff recommends granting the exception because several property owners have expressed interest in working together to make it happen.
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- 1 • S. Bankhead explained that if the road does not end up going through R. Powell's property to connect to
- 2 200 East in Millville, a turnaround would be built at the end of the extension that would satisfy
- 3 requirements for fire and emergency services. Even if the exception is granted, the development will not
- 4 proceed unless conditions are met for fire and emergency services and snow plow accessibility.
- 5 • S. Bankhead explained that Planning Commission recommended that the City Council deny the exception.
- 6 They believed that there were other roads that should be extended to make the connectivity first. S.
- 7 Bankhead believes they were referring to Main Street.
- 8 • B. Fresz asked what the intent was of the City Code restricting the length of streets.
- 9 • S. Bankhead said that the intent was to avoid creating other streets like Center Street in Providence,
- 10 which had a large area for development and one choke point. She clarified that a cul-de-sac does not
- 11 count as a qualifying intersection.
- 12 • B. Fresz wondered if the driveway connecting Baur Avenue and Main Street could be used in an
- 13 emergency.
- 14 • S. Bankhead explained that the road is not a public right-of-way. However, D. Zollinger must provide
- 15 connectivity to the property directly west of him because of agreements related to the property. We don't
- 16 yet know whether this connectivity will be enough for a qualifying intersection.
- 17 • K. Allen explained that he already feels that the area is problematic for emergency services and for
- 18 plowing. Regardless of the proposed extension, the area needs to be worked on.
- 19 • K. Eck asked if the extension of Baur Avenue would replace the need to extend Main Street.
- 20 • S. Bankhead explained that Main Street is the road that the transportation plan indicates. This exception
- 21 would not change the transportation plan. Baur Avenue is quite narrow, and has a 90 degree bend. Main
- 22 Street would provide much better access.
- 23 • K. Eck noted that the parcel in question is only 3.2 acres, and so would not draw heavy traffic. The larger
- 24 parcels below Main Street would have to extend Main Street when they develop.
- 25 • K. Allen noted that currently, Baur Avenue does not have a good turnaround. This exception should be
- 26 looked at as part of a total package to improve the area.
- 27 • S. Bankhead explained that currently, there is no formal turnaround. This exception could alleviate that
- 28 situation, because a formal turnaround would be required.
- 29 • R. Stapley confirmed that there is not a good way to turn around. Our city snowplows have problems in
- 30 that area.
- 31 • R. Sneddon said that he considers this a "least worst" decision. The better decision would be to extend
- 32 Main Street, but because of all the complications related to it, he doesn't see that happening in the near
- 33 future. He believes that if a person is cut off from developing their land, the city should consider making
- 34 an exception.
- 35 • D. Giles asked if the private drive that connects Baur Avenue to Main Street is on D. Zollinger's property.
- 36 • D. Zollinger confirmed that it is. If they do a development, it will be a lot, not a road. He explained that he
- 37 signed a farmer's right of way access with Mr. Lisonbee, but the location of the access is up to him. The
- 38 Lisonbee property is to the west of the property in question, but currently Mrs. Lisonbee, the surviving
- 39 owner, does not want to develop her property.
- 40 • R. Powell, owner of the property to the south of D. Zollinger, said that he does want to work with D.
- 41 Zollinger. He confirmed that he would be willing to give access for a turnaround. He thinks it would be a
- 42 good thing for the future to have the connectivity that extending Baur avenue could provide.

43
 44 **Item No. 7. Resolution 042-2018:** The Providence City Council will consider for adoption a resolution accepting a
 45 petition for annexation for further consideration filed by Craig Winder representing Ridgeview Park LLC, requesting
 46 Providence City annex Parcel No. 02-004-0001 and 02-004-0002, a 22.13 (+/-) acre parcel located adjacent to the
 47 north boundary of Providence City in the general area of 615 North 300 East, Providence UT.

48 **Motion to approve resolution 042-2018 – K Allen, second – B Fresz**

49 **Vote:**

50 **Yea: K Allen, K Eck, R Sneddon, B Fresz, D Giles**

51 **Nay:**

52 **Abstained: None**

53 **Excused: None**

1 Discussion prior to vote:

- 2 • K. Eck disclosed that her husband works for those representing this property.
- 3 • Mayor Drew clarified that this resolution is to ask the city staff to consider the request and make a
- 4 recommendation.
- 5 • Mayor Drew said that these are the two remaining parcels of the Chugg property. The other one was
- 6 already voted on. All of these parcels were included in the City's Annexation Policy Plan, which was
- 7 approved by the Council.
- 8 • S. Bankhead said that if the annexation goes through, it will extend Providence's 300 East street onto
- 9 what is currently a county road. The county wants Providence to take ownership of the road even though
- 10 the east side would still be county parcels. This annexation would not include any property that is
- 11 currently within River Heights city boundaries. This property is solely within the county.
- 12

13 **Item No. 8. Ordinance No. 2018-003:** The Providence City Council will consider re-adoption of Ordinance No. 2018-

14 003 annexing Parcel No. 02-004-0003.

15 **Motion to approve ordinance 2018-003 – B Fresz, second – K Eck**

16 **Vote:**

17 **Yea: K Allen, K Eck, R Sneddon, B Fresz, D Giles**

18 **Nay: None**

19 **Abstained: None**

20 **Excused: None**

21 Discussion prior to vote:

- 22 • Mayor Drew explained that this ordinance relates to an annexation that was previously approved. It was
- 23 supposed to go to the Lieutenant Governor's office within 30 days. Due to the holidays, the City missed
- 24 the deadline. The instruction from the Lieutenant Governor's office was to re-adopt the ordinance. This
- 25 ordinance was regarding the southern parcel of the Chugg property.
- 26

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

28 R Stapley, Public Works Director:

- 29 • R. Stapley reported that the VW settlement paperwork has been submitted. We don't know the timeline
- 30 on their response yet. The City applied for approximately \$900,000 worth of vehicles. The City could be
- 31 awarded up to 50% of that cost. Many different communities applied for the award, so it remains to be
- 32 seen who will receive what.
- 33 • R. Stapley reported that there have not been major problems yet relating to the onset of winter.
- 34 • R. Stapley reported that there are currently two subdivisions under construction in Providence:
- 35 Providence Heights Phase 2, and Providence Hollows Phase 3. On the latter, there are things that need to
- 36 be watched, especially due to the large amount of dirt that needs to be moved.
- 37 • D. Giles asked if the contractor was stacking the dirt on the lots.
- 38 • R. Stapley said that he is not stacking it in the building envelopes, if he is following the rules.
- 39 • D. Giles said that we have frequent issues with lots that have excessive fill, and no compaction.
- 40 • R. Stapley said that CMT, an engineering firm specializing in soils, has been hired by Brent Skinner and
- 41 Danny MacFarlane to do daily visits and compaction tests throughout the entire project. He reported that
- 42 most of the soil has been good quality, but they have encountered sandy/silty soil on the far north end. It
- 43 will have to be excavated out. That dirt will be relocated to side yards, front yards, back yards, and around
- 44 the retention pond areas. It will not be placed under building envelopes, roadways or sidewalks.
- 45 • R. Stapley brought up Hillcrest Park. He would like the Council to consider what Phase 2 will be in the
- 46 spring.
- 47 • K. Eck said that many citizens were thankful for the work that has been done on the park.
- 48 • R. Stapley reported that the sump in the retention pond has hit a layer of gravel, which will help with
- 49 percolation.
- 50 • K. Eck asked about RAPs funding for parks. Since the application is due in February, she suggested that the
- 51 Council start considering their application for funding now. She also asked if there were other projects
- 52 that the City would need RAPs funding for.
- 53 • R. Stapley said he has not usually been involved with that decision.

- 1 • S. Bankhead said that we have the softball light project that requires funding. We also have the pickle ball
2 court application from last year that we could resubmit. We have not discussed anything else. Sheyler
3 Gunnell, Parks and Recreation Director, usually starts the applications in January.
- 4 • K. Eck asked that RAPs funding be scheduled as a discussion item for the first City Council meeting in
5 January.
- 6 • S. Bankhead said that the RAPs money is awarded in April, but the application is due the last of February.
- 7 • S. Bankhead said that they were behind schedule on the application last year because they were trying to
8 get valid bids on the lighting installation for the softball fields. She said that this year, we will use
9 engineering estimates instead of waiting for valid bids on the projects.
- 10 • K. Eck suggested that the city make a long-term plan for the park.

11
12 S. Bankhead, Administrative Services Director:

- 13 • S. Bankhead noted that we have \$60,000 remaining in our RAPs account from our 2017 award for the
14 lighting. We also have \$30,000 from our 2018 award on the lighting. The electrical supplier for the lighting
15 has notified us that there will be a price increase in the new year. He has kept that price stable for about
16 16 months. If we use the money, then the RAPs committee will be able to see that we are using the
17 awards for the projects for which they were awarded. After discussing with the Mayor, S. Bankhead and S.
18 Gunnell would like to use the money to purchase the lighting prior to the end of the year.
- 19 • S. Bankhead explained that the total cost, including purchasing the lights and installing them, is about
20 \$180,000.
- 21 • S. Bankhead noted that in order to give a more accurate report of what money was actually spent during
22 the month, we are now using the check register instead of the invoice register.
- 23 • S. Bankhead noted that we paid an additional \$221,255 for the Baur Avenue project this month. There are
24 still some loose ends on that.
- 25 • S. Bankhead explained that with the Sensitive Areas ordinance in place, and with Cache County's
26 increased ability to identify sensitive areas, the Administrative Land Use Authority will be much more
27 active. There will be many applications coming through for conditional uses in these areas. She noted that
28 we have combined the fee for the Zoning Compliance Application and the Conditional Use Application, for
29 a total fee of \$100.

30
31 **Council Reports:** Items presented by the City Council members will be presented as informational only; no formal
32 action will be taken. The City Council may act on an item, if it arose subsequent to the posting of this agenda and
33 the City Council determines that an emergency exists.

- 34 • K. Allen has a list of three names of men who are willing to volunteer for his "Watchdog" program to
35 reduce dangerous driving in school zones. K. Allen reported that he has observed the crosswalks during
36 the morning hours. He complimented the crossing guard staff.
- 37 • K. Allen estimated that he saw 10-15 violations by the middle school in one morning. He suggested taller
38 cones.
- 39 • R. Stapley said that they are on order. They are taller and they are green, which allows for switching the
40 color.
- 41 • K. Allen suggested moving the school stop sign by the middle school back up the street a little bit further
42 to get it out of the line of a tree that is there. He suggested extending the school zone a little bit further
43 past the crosswalk.
- 44 • S. Bankhead noted that those things are regulated by State Code.
- 45 • K. Allen suggested cutting down the tree if the stop sign could not be moved. He asked if Ralph Call would
46 let the school use his parking lot for faculty parking.
- 47 • Mayor Drew said that he had said no twice.
- 48 • R Stapley has been watching the middle school crossing. He felt it has improved with the weather change,
49 and there are not as many u-turns. However, there are still many violations. We are also plowing the path
50 from the Zollinger Park crow's nest to the school to encourage use of the parking lot.
- 51 • K. Allen suggested giving the crossing guards a shaker of ice melt.
- 52 • Mayor Drew and R. Stapley said that they would follow through with that idea.

- 1 • D. Giles asked if the gate for the baseball diamond will be open tomorrow.
- 2 • S. Bankhead said that that will be discussed.
- 3 • K. Eck also wants the gate to be open. She said that she thinks the crossing guards should be paid more
- 4 money.
- 5 • Mayor Drew said we have given them two pay raises in the past year.
- 6 • K. Eck suggested giving them another pay raise.
- 7 • Mayor Drew said that the Checketts pipeline request has several complications. There is more to the
- 8 discussion than just the pipeline. He will discuss the details with K. Eck at another time to bring her up to
- 9 date.
- 10 • The Council decided to meet on December 18th at 6pm for a short meeting.
- 11 • This Friday, Mayor Drew will meet with the mayor of Orem to discuss how Orem has worked with its
- 12 citizens to create mixed use and multi family development. Bob Perry will accompany Mayor Drew, and
- 13 possibly B. Fresz.
- 14 • Mayor Drew explained that the secondary water ordinance is on the back burner for now.
- 15 • Brian Carver of BRAG sent Mayor Drew an email containing research which suggests that denser
- 16 development is good for single family home values. It was a 16-year study on property values, crime and
- 17 code violations.
- 18 • Mayor Drew discussed the fire protection agreement with Logan City. The first year will cost \$74,000, and
- 19 the second year will cost \$302,000. The following year, it is approximately \$460,000. This is a dramatic
- 20 increase, and the funding needs to come from somewhere. What should we not do, or do less of?
- 21 • D. Giles said that it must be passed on to the citizens.
- 22 • K. Allen suggested raising sewer rates, or some other service charge.
- 23 • Mayor Drew noted that the city's largest expense is roads. Mayor Drew asked what would happen if the
- 24 roads budget was hit with a \$400,000 decrease. This would cut it in half.
- 25 • Mayor Drew suggested a utility fee for fire protection services. That is one way not to starve our roads
- 26 budget. He suggested \$17 per month.
- 27 • Ashley Nance of Providence suggested that the City consider getting rid of one of its parks in order to
- 28 reduce expenses.
- 29 • Mayor Drew noted that we have 4.5 months' supply of unrestricted money. We are down to our last \$1
- 30 million. He said that the last \$1 million dollars should not be spent. It should be kept as a reserve.
- 31 • K. Eck asked A. Nance where she goes to the park.
- 32 • A. Nance said she goes to Millville or River Heights.
- 33 • Mayor Drew encouraged the council to find a source for the money they would like to spend.

34
35 **Motion to enter executive session – B Fresz, second – D Giles**

36 The Council entered executive session at approximately 8:50 p.m.

37

38 **Executive Session Notice:**

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

40 allowed by Utah Code 52-4-205(1)(c).

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

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

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

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

45

46 **Motion to close – B Fresz, second – R Sneddon**

47

48 **Motion to adjourn – K Allen, second – D Giles**

49 **Vote:**

50 **Yea: K Allen, K Eck, D Giles, R Sneddon, B Fresz**

51 **Nay: None**

52 **Abstained: None**

1 **Excused: None**
2 Meeting adjourned approximately 10:15 pm
3 Minutes prepared by Jesse Bardsley
4

5 **Approved December 18, 2018**
6
7

8 _____
9 John Drew, Mayor
10

_____ Skarlet Bankhead, City Recorder