

PROVIDENCE CITY COUNCIL MEETING MINUTES

Wednesday September 18th, 2024, 6:00 PM

Providence City Office Building, 164 North Gateway Drive, Providence UT

To view the video recording of the meeting please visit our YouTube channel found [HERE](#).

HR. MIN. SEC. above items are timestamps of the YouTube meeting.

Opening Ceremony:

Call to Order: Mayor Alder

Roll Call of City Council Members: Mayor Alder, Council Members Kunz, Kirk, Sealy, Speth & Nebeker

Pledge of Allegiance: Mayor Alder

Opening Remarks/Prayer: Giff Baa

2 MIN. 45 SEC.

Council Reports: Items presented by the City Council members will be presented as informational only; no formal action will be taken.

Council Member Kunz reported on issues with uploading projects to JustServe but reported that they have been resolved. JustServe projects included park and canyon cleanups and basketball court renovations. Noted that more projects would be added as needs arose. He also mentioned that the mosquito abatement district detected West Nile Virus in the valley but that there is little concern as mosquito season was coming to an end.

Council Member Kirk expressed her concerns about the low council participation in the city celebration but was thankful it was addressed last meeting with assurance of better participation next year. She highlighted her involvement alongside her husband in various events in this year's city celebration, such as organizing a movie in the park and the pancake breakfast. Noted the Youth Council had a busy month highlighting their participation in the River Heights Apple Days Parade and helping with the Top of Utah half marathon.

Council Member Sealy attended the Utah League of Cities and Towns Conference in Salt Lake City where they had various meeting focusing on housing affordability as well as transportation and connectivity. Continues to attend the LPC meetings and is trying to keep up with the new laws and proposed laws that are set for the upcoming session. Continues to talk with residents about the issues and concerns with putting in a sidewalk on 100 E.

Council Member Speth also attended the conference in Salt Lake where the importance of emotional stability for community members who serve the community such as themselves was discussed. He noted the challenges faced by communities and talked about connectivity concerns between west and east areas of city as the community grows. He also shared concerns over 100 East issues, measurements, and has had multiple discussions with Ryan Snow the City Manager.

Council Member Nebeker focused on communication with citizens about the sidewalk situation on 100 East, pondering potential action.

Mayor Alder detailed a busy month including multiple meetings with the CMPO, COG funding, State Conservation Board and JPAK. Also attended the ULCT conference and LPC meetings.

Approval of the minutes:

17 MIN. 05 SEC.

- **Item No. 1 Approval of the Minutes:** The Providence City Council will consider for approval the minutes of August 21st, 2024. **(MINUTES)**

- Mayor Alder called for the approval of the minutes of August 21st, 2024.
- Council Member Kirk noted that she would abstain from voting as she was not present for last months meeting.

Motion to approve the minutes of August 21st, 2024. – Council Member Sealy. 2nd- Council Member Kunz.

Vote:

Yea- Council Members Kunz, Sealy, Speth & Nebeker

Nay-

Abstained- Council Member Kirk

Absent-

Motion passes, minutes approved.

Public Comments: Citizens may express their views to the City Council on issues within the City's jurisdiction. The City Council accepts comments: by email providencecityutah@gmail.com, and by text 435-752-9441.

- Mayor Alder opened the floor for public comments.
- Hal Hansen, resident, mentioned ongoing vandalism and equipment damage at the disc golf course with spray painting. Discussions on potential camera installation ensued. A trail camera idea was suggested and was considered every effective.
- No further comments were made. Staff indicated that no general comments had come in via email or text.
- Mayor Alder closed the public comment portion of the meeting.

Presentations/Public Hearings:

21 MIN. 00 SEC.

- **Item No. 2 Swearing in of Youth Council:** The Providence City Mayor will introduce and swear in this year's new Youth Council.

- Council Member Kirk initiated the swearing-in ceremony for the youth council members, highlighting their mission statement of nurturing citizenship and leadership understanding government.
- Mayor Alder swore in the new youth council.

28 MIN. 10 SEC

➤ **Item No. 3 Diaper Need Awareness Week Proclamation:** The Providence City Council will proclaim September 23rd-29th as Diaper Need Awareness Week. [\(PROCLAMATION\)](#)

- Ted Chalfant from the Little Lamb's Foundation discussed diaper need issues affecting Utah families. He mentioned collaborating with the council to declare the week of September 23-29 as Diaper Need Awareness Week.
- Mayor Alder relayed the beneficial services extended to Providence residents through the program and noted that they were more than happy to proclaim September 23-29th as Diaper Need Awareness Week.

33 MIN. 00 SEC.

➤ **Item No. 4 PCC 1-4-1 & 1-4-2 Amendments Public Hearing:** The Providence City Council will hold a public hearing to take comments and questions regarding the request to amend Providence City Codes 1-4-1 & 1-4-2. Amendments seek to clarify the general penalty and offense designation.

- A public hearing was held to discuss amending Providence City Code 1-4-1 & 1-4-2 which clarifies penalties and aligns it with state codes.
- A resident raised concerns regarding imposition through local level versus existing enforcement on county level and questioned if this was increasing or adding more penalties.
- Council and staff reported that this was not adding anything that wasn't already there or existed but allowed citations to be written at a local level from the city's code enforcement.
- No further comments were made. Mayor Alder closed the public hearing.

Resolutions/Ordinances:

41 MIN. 30 SEC.

➤ **Item No. 5 Ordinance 18-2024 Amendments to PCC 1-4-1 & 1-4-2** The Providence City Council will review, discuss and may take action on an ordinance that seeks to amend City Code 1-4-1 & 1-4-2. [\(CURRENT CODE\)](#) & [\(ANALYSIS\)](#) & [\(ORDIN. 18-2024\)](#)

- Following the public hearing, council members discussed enforcement consistency, current capabilities of hired county officers, and balancing enforcement needs while maintaining small government principles.
- Staff noted that the city attorney was heavily involved with these amendments making sure we aligned with the state code.

**Motion to approve ordinance 18-2024 amendments to PCC 1-4-1 & 1-4-2. – Council Member Kirk.
2nd – Council Member Speth.**

Vote:
Yea- Council Members Kunz, Kirk, Sealy, Speth & Nebeker
Nay-
Abstained-
Absent-

Motion passes, ordinance approved.

47 MIN. 00 SEC.

➤ **Item No. 6 Ordinance 17-2024 Rinderkencht Rezone:** The Providence City Council will review, discuss and may take action on an ordinance that rezone parcels 02-088-0010, 02-088-0015 & 02-090-0001. Parcels are located in the area of 5 S Hwy 165 here in Providence. The Planning Commission held a public hearing regarding this rezone on August 28th. [\(APPLICATION\)](#) & [\(ANALYSIS\)](#) & [\(ORDIN. 17-2024\)](#)

- The council debated rezoning the parcels east of the 165 Highway, across from Macey's Grocery Store, into Highway Commercial zones and R-M-18, a zone which is considered high density. Parties discussed concerns over traffic density and connectivity in that area and the difficulty that owners will have in creating those connections.
- Parties discussed UDOT access restrictions. The council proposed possible corridor agreements or having the CMPO involved. Recommendation was given to the applicant of creating a connectivity plan before proceeding, highlighting coordination necessity with nearby cities like Logan and other landowners in the area.
- The council discussed approving the commercial rezone areas and tabling the high-density area until further plans could be presented on access points. The parties talked about the lift station needed for this area and the sewer connections that would need to be in place.
- Council Member Kirk motioned to approve the Highway Commercial zones and table the R-M-18 zone with a due diligence requirement to see if connections to the north and south of the parcels were possible.
- Parties discussed rezone procedures and alternate motions such as denying it all together.
- Council Member Kirk retracted her motion.
- Kent Dunkley, representative, commented on the application and getting time to talk with the adjacent landowners about creating connections for this area.
- The council and staff reviewed the design standards of the two zones.

Motion to table item number 6, ordinance 17-2024, with the request that the applicant come back with a connectivity plan. – Council Member Kirk. 2nd- Council Member Speth.

Vote:

Yea- Council Members Kunz, Kirk, Speth & Nebeker

Nay- Council Member Sealy.

Abstained-

Absent-

Motion passes, item tabled.

1 HR. 47 MIN. 00 SEC.

- **Item No. 7 Res. 14-2024: Boundary Line Adjustment with Logan City:** The Providence City Council will review, discuss and may take action on a resolution establishing the city's intent to move forward with a boundary line adjustment between Logan City involving parcels 02-005-0004, 02-005-005 & 02-005-0010. [\(APPLICATION\)](#) & [\(RES. 14-2024\)](#)

- A discussion was initiated concerning the boundary line adjustment aimed at finalizing property lines in the Shoreline area with mutual servicing agreements by the landowners that was already in place resolving property issues.
- This resolution is needed to begin the process of making the boundary line adjustment official and recordable at the county level.

Motion to take action and approve resolution 14-2024 a boundary line adjustment with Logan City. – Council Member Sealy. 2nd- Council Member Speth.

Vote:

Yea- Council Members Kunz, Kirk, Sealy, Speth & Nebeker

Nay-

Abstained-

Absent-

Motion passes, resolution approved. Boundary line adjustment to be noticed and set for a public hearing.

1 HR. 50 MIN. 55 SEC.

- **Item No. 8 Res. 15-2024: Justice Court Judge Vacancy Nomination Commission Appointment:** The Providence City Council will review, discuss and may take action on a resolution that nominates the City Manager and City Recorder to serve on the nominating committee that will oversee the hiring of a new judge for the Providence City Justice Court. [\(RES. 15-2024\)](#)

- Staff reported that this resolution appointed the City Manager and City Recorder to the hiring committee that would oversee the interview process for the new judge for the Providence City Justice Court.
- Staff noted that the final decision would be up to the Mayor. Staff also noted that the Administrative Office of the Courts would supply the other 3 members of this 5 member committee.

Motion to approve resolution 15-2024. – Council Member Kunz. 2nd – Council Member Kirk.

Yea- Council Members Kunz, Kirk, Sealy, Speth & Nebeker

Nay-

Abstained-

Absent-

Motion passes. City Manager and City Recorder appointed to hiring committee for the new Justice Court Judge.

Agreements, Contracts, Bid Awards:

1 HR. 54 MIN. 30 SEC.

- **Item No. 9 1200 S Sewer Capital Improvement Project W. Logan City:** The Providence City Council will review, discuss and may take action on plans to move forward with a capital improvement project with Logan city regarding sewer improvement work on 1200 S. **(AGREEMENT)** & **(TECH MEMO)**

- City Manager Ryan Snow gave an overview of the agreement, purpose and need to move forward with updating the sewer line.
- Discussions centered on the correct approach toward enhancing sewer utility infrastructure shared between Providence and Logan. The approach includes incentivizing economic development and preparing for critical aggregation levels.
- Parties discussed potential funding and grants. Staff noted that impact fees could be used for this project but that at current they were projected to be used for the lift station that would also be in this area.
- Parties addressed the need for upsizing lines nearing capacity—a key infrastructure endeavor supporting future city growth and development.

Motion to approve and move forward with plans for the 1200 S Sewer Capital Improvement Project with Logan City. – Council Member Kirk. 2nd – Council Member Sealy.

Yea- Council Members Kunz, Kirk, Sealy, Speth & Nebeker

Nay-

Abstained-

Absent-

Motion passes

Plans and Other Business:

2 HR. 03 MIN. 00 SEC.

- **Item No. 10 100 East Sidewalk:** The Providence City Council will discuss and may take action on 100 East Sidewalk plans and SRTS grant.

- The council deliberated extensively on the 100 East sidewalk plans, balancing historic preservation, tree conservation, and ensuring safe school routes. Opinions varied on sidewalk placement, material choice, and addressing irrigation conflicts, with engineering and arborist reports being key components.
- The council embarked on weighing community concerns detailed around historic preservation, environmental impacts, and continued public opposition to certain infrastructural development. Council Member Kirk initially mentioned alternatives to standard sidewalk construction, addressing public unease without eschewing prioritized safety concerns.

- Council reached a final agreement emphasizing the property's standard protocol and exploring engineering adjustments to address resident concerns, retaining transparency and engagement in procedural processes.
- The parties discussed other possible locations of the sidewalk, particularly the opposite side and if it would be possible and if the grant would apply.

Motion to move forward with the sidewalk on the property line with consideration of alternate methods of materials on the south end to deal with flooding, consider methods to preserve the trees in the engineering designs, consult with the State Historic Preservation Society and before it goes out to bid it will be brought before council for review which will also include the arborist report and it will be looked at by the City's Historic Preservation Commission. - Council Member Kirk. 2nd- Council Member Sealy.

Yea- Council Members Kunz, Kirk, Sealy & Speth

Nay- Council Member Nebeker

Abstained-

Absent-

Motion passes.

Staff Reports: Items presented by Providence City Manager and/or Staff will be presented as information only.

- City Manager Ryan Snow gave a collective report, covering highlights including a completed arborist report grant award, updates on the skatepark, planned infrastructure projects, and preparations for seasonal community events like the upcoming Car Show which will be held October 12th from 10-2 pm. Throughout report interactions, council members inquired on project timelines and public service improvements on roads, safety, and communication efforts. All commitments moving together sought broader teamwork and city growth partnership support.

Minutes approved by vote of Council on ____ day of _____ 2024.

Next Council meeting will be October 16th @ 6 PM

I swear that these minutes are true and correct to the best of my knowledge.

Ty Cameron, City Recorder.