

1 **PROVIDENCE CITY COUNCIL MEETING MINUTES**

2 **March 24, 2015 6:00 p.m.**

3 **15 South Main, Providence UT**

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

10 **Approval of the minutes**

11 **Item No. 1. The Providence City Council will consider approval of the minutes of February 24, 2015**  
12 **City Council meeting.**

13 **Motion to approve the minutes of February 24, 2015: J Drew, second – R Call**

- 14 • Page 1 Line 36 Sheriff. Add in the discussion of STAR deputy, community policing, and getting
- 15 out of the office into the field.
- 16 • Page 4 Line 7 Midway, Utah

17 **Vote: Yea: J Baldwin, B Bagley, R Call, J Drew, J Russell**  
18 **Nay: None**  
19 **Abstained: None**  
20 **Excused: None**  
21

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

- 27 • Mike Simidini, 534 Garden Drive, showed a picture of his neighbor’s yard full of weeds. He also
- 28 showed a picture of his yard that is in violation of the City’s clear view ordinance. He would like
- 29 to have the ordinance changed. He suggested the City either enforce the ordinance or change
- 30 the measurements in the ordinance.
- 31 • This will be addressed at the next council meeting.
- 32 • Rowan Cecil offered to go through the city and see which corners are in violation of the clear
- 33 view and bring it to the next meeting. He will offer suggestions on how to address the problem.

34 **Proclamation: Jim Payant, Child and Family Support Center, will make a brief presentation in**  
35 **conjunction with Child Abuse Prevention Month, nationally observed during the month of April.**

- 36 • James Payant reported on the services provided by the CFSC and Child Abuse Prevention Month.
- 37 They are changing their name to the Family Place. They will separate the child abuse
- 38 preventions services to the Starfish Child Center.
- 39 • Mayor Calderwood read the proclamation.

40 **Report: Allison Richman, BRAG Mobility Specialist will report on the Bear River Area Access and**  
41 **Mobility Council.**

- 42 • Allison Richman gave the Council some information regarding Bear River Association of
- 43 Government (BRAG). She explained the BRAG area is Cache, Rich, and Box Elder counties. A
- 44 Richman reviewed some of the services offered, such as helping with utilities and housing, and
- 45 services for senior citizens.
- 46 • A Richman explained the mobility management program focusing with the most vulnerable
- 47 needs as a priority. They also have a medical voucher program to allow clients that meet the
- 48 requirement to choose a driver of their choice, and the program reimburses the driver.

- A Richman explained BRAG also assists with planning and economic development. She asked the council to please be aware of residents who may have physical challenges, and make the city more accessible to everyone.

**Report: Alma Leonhardt will give a report on the Cache Valley Transit District (CVTD)**

- A Leonhardt and Tom Hogan, members of the CVTD Board, gave the Council information regarding CVTD. T Hogan was appointed by Logan City Mayor Randy Watts.
- J Drew explained that the Council is hearing from representatives from agencies the City works with. They heard from the Sheriff in a past meeting and intend to hear from other agencies.
- A Leonhardt reviewed the ridership.
  - J Drew explained he has spent about 8.5 hours on various routes. He reported he saw many riders that only ride a few blocks, such as middle school students riding 4 blocks and USU students riding 2 blocks. He felt this competes with the yellow school bus.
  - A Leonhardt explained the transit district cannot provide school transportation. However, they cannot discriminate with riders.
  - Where the routes are set, the buses cannot deviate. The “tripper” was designed as a safety overflow.
- T Hogan discussed compensation. They are doing a complete internal audit. In May they are having the group that did the executive compensation audit provide training and review the report.
- J Drew and R Call expressed concern about the compensation. R Call felt that just looking at other transit districts was not enough. R Call felt that compensation of similar positions in other businesses should be considered.
- T Hogan explained they do have a plan. He invited the council members to attend the CVTD Board meetings.
- R Call expressed concern that the Board was not accepting fiscal responsibility. He does not feel the Board is held accountable as they should be.
- J Drew expressed concern that there is an incentive to pick up kids that ride 4 blocks, because federal funding is based on ridership.
- T Hogan explained they have put a freeze in place on compensation.

**Business Items:**

**Item No. 1. Resolution 007-2015. The Providence City Council will consider for adoption a resolution amending the Providence City Public Works Standards and Specification Manual by adding Drawing No. C-8 Clear View Detail.**

- R Call felt this drawing may be premature.
- R Eck explained this drawing was something he would like to give to citizens when they are in violation of the clear view so they know what the City expects.
- R Call felt like something needed to be put in place that the City is prepared to enforce.

**Motion to continue until the next meeting: R Call, second – J Drew**

- J Baldwin appreciated the copy of the ordinance, and that landscaping is allowed, it just needs to keep the view window open.

**Vote: Yea: J Baldwin, B Bagley, R Call, J Drew, J Russell**

**Nay: None**

**Abstained: None**

**Excused: None**

**Item No.2. Resolution 008-2015. The Providence City Council will consider for adoption a resolution approving the Municipal Wastewater Planning Program (MWPP).**

1 **Motion to adopt Resolution 008-2015: J Russell, second - J Baldwin**

- 2 • This is a matter of staying compliant with the State requirements.

3 **Vote: Yea: J Baldwin, B Bagley, R Call, J Drew, J Russell**

4 **Nay: None**

5 **Abstained: None**

6 **Excused: None**

7  
8 **Item No.3. Resolution 009-2015. The Providence City Council will consider for adoption a resolution**  
9 **approving the Development and Public Improvement Installation Agreement for Hillcrest Subdivision**  
10 **Phase 4; a 9-lot residential subdivision located generally at 519 East 800 South.**

11 **Motion to approve Resolution 009-2015: J Baldwin, second – J Russell**

- 12 • S Bankhead said this is based on the 2005 ordinance.

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

14 **Nay: R Call**

15 **Abstained: None**

16 **Excused: None**

17  
18 **Item No. 4. Ordinance 2015-010: The Providence City Council will consider for adoption an ordinance**  
19 **amending Providence City Code Title 11 Subdivision Regulations by changing “Development Review**  
20 **Committee (DRC)” to “City Executive Staff”.**

21 **Motion to adopt Ordinance 2015-010: R Call, second – B Bagley**

- 22 • S Bankhead explained according to state code, if a public body is created, it needs to operate as  
23 a public body following the open meetings act. She explained that the development review  
24 committee came about quite a few years ago, when different staff members decided it would be  
25 best to meet together to review development application rather than the each review member  
26 submitting a report to the planning commission. If staff wants to meet to review something,  
27 they just want to be able to meet; however, if they want to submit reports instead, they want  
28 that option.
- 29 • S Bankhead explained if the Council wants the group to be a formal committee, the Council can  
30 certainly create the public body. The Council did not want the review group to become a public  
31 body.
- 32 • The Council agreed to City Executive Staff.

33 **Vote: Yea: J Baldwin, B Bagley, R Call, J Drew, J Russell**

34 **Nay: None**

35 **Abstained: None**

36 **Excused: None**

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38 **Item No. 5. Ordinance 2015-011: The Providence City Council will consider for adoption an ordinance**  
39 **amending Providence City Code Title 10 Zoning Regulations, Chapter 1, Section 1 Use Chart, by**  
40 **allowing Radio/TV/cellular tower as a conditional use in the Public Use District.**

41 **Motion to adopt ordinance 2015-011 providing for cell tower use: J Baldwin, second – B Bagley**

42 **Vote: Yea: J Baldwin, B Bagley, R Call, J Drew, J Russell**

43 **Nay: None**

44 **Abstained: None**

45 **Excused: None**

46  
47 **Item No.6. Discussion: The Providence City Council will discuss proposed changes to the nuisance**  
48 **ordinance.**

- 1 • J Baldwin feels like this is still too inclusive with too many conditions.
- 2 • Mayor Calderwood suggested that, unless it is a matter of health and / or safety, we only act on
- 3 signed complaints.
- 4 • J Drew asked if the City wanted to address visual problems.
- 5 • Mayor felt like the City should address front yards only, not back yards.
- 6 • R Call said uneven enforcement happens when you respond to signed complaints only. He feels
- 7 there should be an ordinance in place that the City is prepared to enforce. If the City isn't going
- 8 to enforce the ordinance it shouldn't be written.
- 9 • S Bankhead said she is concerned about the trend that is developing because someone feels
- 10 they are being dealt with unfairly.
- 11 • B Bagley suggested contacting Mr. Geier, Logan City Neighborhood improvement Manager with
- 12 Community Development , and he can come and explain how Logan handles nuisances.
- 13 • The council decided to move ahead on the 200 West property that is in violation of the current
- 14 ordinance, but that the ordinance needs further work. The council also thought it was a good
- 15 idea to invite Mr. Geier come and present at the next Council Meeting.
- 16 • S Bankhead wanted to make sure the Council knew that a procedure would be followed in
- 17 addressing the 200 West property.

18  
19 **Staff Reports:** Items presented by Providence City Staff will be presented as information only.

- 20 • R Eck:
  - 21 ○ Green bins and curb pick up will begin this month. City cleanup will also be done this
  - 22 month.
  - 23 ○ Students from the University have asked if they can put up "Turn your key, be idle free"
  - 24 signs up in Providence. He does not feel the signs should be allowed in the park strip.
  - 25 The council was not in favor of allowing the signs.
- 26 • S Bankhead:
  - 27 ○ Mileage for meetings in St. George was briefly discussed.
  - 28 ○ Personnel and travel policies were adhered to in reimbursing for expenses.
  - 29 ○ She asked if there were any problems or concerns with the invoices.

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

- 34 • R Call – no report.
- 35 • J Drew – Mayor and J Drew went to meeting with Water Quality Control Board. He felt it was not
- 36 a productive meeting.
- 37 • B Bagley – said business directory would be printed soon. Tax revenues were up. Suggested
- 38 someone from the Council attend one of the Utah Leagues of City and Towns meeting either in
- 39 April in St. George, or in September in Salt Lake.
- 40 • J Russell – no report.
- 41 • J Baldwin – no report.
- 42 • Mayor Calderwood:
  - 43 ○ Attended Mayor's dinner at the county jail complex. Toured the complex.
  - 44 ○ Attended interlocal meeting with the six cities. It was not a valuable meeting.
  - 45 ○ Department of Water Quality Control Board cancelled March meeting. Next meeting is
  - 46 April 24<sup>th</sup> in St. George. There is a concern that at that meeting the Board will give Logan
  - 47 the \$70 million. He has requested that all the mayors get together and make a request

1 that the Board not hear for the \$70 million until May when they come back to Salt Lake.  
2 That way, the attorney can make a presentation. The interlocal that came from Logan  
3 was written by the Division of Water Quality staff.

- 4 ○ Thursday, April 26<sup>th</sup> is the Spring Creek Water Company's Shareholders meeting where  
5 they will vote on the agreement put forth by this Council.
- 6 ○ Skarlet and Mayor will meet with USU group about the signs that were previously  
7 discussed.
- 8 ○ Met with Bob Fotheringham, county water representative, for an informal presentation  
9 regarding a conservation district. He would like to form one, it has been tried a couple of  
10 times in the past, it was voted upon and failed both times.
- 11 ○ Edgewood lateral, Braegger Park irrigation, – Mayor will keep council up to date.
- 12 ○ Blacksmith Fork – Randy will bring council up to date at next meeting.
- 13 ● J Drew – he sent out an email looking for volunteers, only three responses. We will make  
14 sauerkraut, but for the dinner only. The city will not can sauerkraut. Mayor will ask for more  
15 volunteers for the sauerkraut in the next newsletter.
- 16 ● R Eck – Tractor Supply will be open in a couple of weeks.

17  
18 Mayor Calderwood read the following items for executive session.

19 **Executive Session:**

20 Item No. 1. The Providence City Council may enter into a closed session to discuss land acquisition or the  
21 sale of real property Utah Code 52-4-205(1) (d) and (e).

22 Item No. 2. The Providence City Council may enter into a closed session discuss pending litigation Utah  
23 Code 52-4-205(1) (c).

24 Item No. 3. The Providence City Council may enter into a closed session as allowed by Utah Code 52-4-  
25 205(1) (a)

26 **Motion to enter into an executive session: J Baldwin second – B Bagley**

27 **Vote: Yea: J Baldwin, B Bagley, R Call, J Drew, J Russell**

28 **Nay: None**

29 **Abstained: None**

30 **Excused: None**

31 The Council entered into executive session at approximately 8:30 p.m.

32 The Council returned to open meeting at approximately 9:15 p.m.

33 **Motion to adjourn: J Baldwin, second – R Call**

34 **Vote: Yea: J Baldwin, B Bagley, R Call, J Drew, J Russell**

35 **Nay: None**

36 **Abstained: None**

37 **Excused: None**

38 Meeting adjourned at 9:15 p.m.



39  
40  
41 A handwritten signature in black ink, appearing to read "Don W. Calderwood".

42  
43 Don W. Calderwood, Mayor

A handwritten signature in blue ink, appearing to read "Skarlet Bankhead".

Skarlet Bankhead, City Recorder

