PROVIDENCE CITY COUNCIL MEETING MINUTES
November 17, 2015 6:00 p.m.
15 South Main, Providence UT

Call to Order:	Mayor Calderwood
Roll Call of City Council Members:	Mayor Calderwood
Attendance:	Bill Bagley, Jeff Baldwin, Ralph Call, John Drew, John Russell
Pledge of Allegiance:	Mayor Calderwood

2015 Municipal Election Canvass: The Providence City Council, acting as the Board of Canvassers, will canvass the votes of the 2015 Municipal Election.

Motion to canvass the 2015 municipal election: J Baldwin, second – B Bagley

- S Bankhead presented the canvass to the Board of Canvassers. Forty-six percent overall voter turnout.
- Mayor Calderwood announced the three new council members – Roy Sneddon, Kirk Allen and Dennis Giles.
- There was discussion about the success of voter turnout.

Vote: Yea: B Bagley, J Baldwin, R Call, J Drew, J Russell
Nay: None
Abstained: None
Excused: None

Approval of the minutes

Item No. 1. The Providence City Council will consider approval of the minutes of October 27, 2015 City Council meeting.

Motion to approve minutes of October 27, 2015 with the following corrections: R Call, second – J Drew
Page 5, line 34 taxpayers (one word)

Vote: Yea: B Bagley, J Baldwin, R Call, J Drew, J Russell
Nay: None
Abstained: None
Excused: None

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

- No public comments.

Business Items:

Item No. 1. Discussion: Todd Anderson, a HR Consultant, will discuss options for an organization review.

- Todd Anderson, President of Platinum HR, gave a brief review of his credentials. He was asked to review reporting relationships and organizational structure of the city, assess supervisory capabilities, review personnel handbook policies and procedures. He proposes interviews with each supervisor and also a 360 survey. He will interview, review policies and procedures and then make recommendations.
- J Russell asked for more clarification on his background and Mayor Calderwood asked for his educational background. T Anderson expects to invest about 41.5 hours in this project. Total cost estimate is $4,500. His municipal clients currently include Bountiful and West Jordan.
- J Baldwin asked what percentage of information provided to other clients was actually acted upon.
- T Anderson said he doesn't expect to see any issues with such a small organization. Personnel handbooks always have policies missing and his recommendations in this regard have a high acceptance rate.
- S Bankhead said a motion could be made tonight and it could be ratified in a future meeting if necessary.
- J Baldwin asked when this study could be done.
- T Anderson said he could get it done before the end of the year.
- B Bagley asked what happens if an employee refuses to be interviewed.
- T Anderson said it is typically not an issue, but if someone refuses to talk based upon perceived repercussions, then that raises a red flag.

- T Anderson will be available to conduct his study the week of December 14th if the council approves his contract.

Item No. 2. Discussion: Representatives from Utah State University will discuss a research study to assess community experiences with water resource issues and local capacities to adapt to changes in the water system in the future.

- Dr. Douglas Jackson-Smith, USU, reviewed the USU research study. Spring Creek area neighborhood was surveyed. This is an expanding new neighborhood with most homes built since 2000. The response demographically follows Providence City in general. Water usage is determined mostly by weather, convenience, etc. There are conservations practices being followed. People feel future use could be more conservative indoors, but not necessarily outdoors. The general feeling is people will conserve if they feel it will reduce their water bill or if water shortages are a threat. Utahans feel motivated to protect water for farming, agricultural use, and fish and wildlife habitat. Traffic, air pollution and loss of open space are viewed as more important than water conservation.
- J Drew asked who the consumer of this information is.
- Dr. Jackson-Smith said city governments, governors, state legislators are.
- J Baldwin feels like people in Utah want to develop water, but it takes a very long time for that to happen.
- Dr. Jackson-Smith said the public is not feeling that water supply is a serious issue. Motivating the public will drive water development.
- Mayor Calderwood asked what the difference is between Salt Lake City perception vs. Cache Valley perception on water conservation.
- Dr. Jackson-Smith said water availability and experiences. SLC is much more vulnerable.
- R Call asked Dr. Jackson-Smith's opinion on a water conservation district in Cache County.
- Dr. Jackson-Smith said this survey does not speak to that. It is fair to say there are challenges because of difficulties coordinating between cities and irrigation companies in Cache Valley.
- R Call asked if conservation/development of water should be a city issue or a county issue.
- Dr. Jackson-Smith said each city has its unique challenges, but some aspects would benefit from pooling resources. There is common ground if cities and counties can figure out ways to work together. Midway City fought Midway Irrigation Company for years. They now have an impressive joint decision making body that is a great model for other areas of Utah.

Item No. 3. Resolution 043-2015: The Providence City Council will consider for adoption a resolution accepting for further consideration an annexation petition filed by Members First Credit Union for a 1.13 acre parcel of property located at approximately 65 North HWY165, Parcel No. 02-088-0018.

Motion to consider Resolution 043-2015 for adoption: R Call, second – J Drew

- S Bankhead said if the council accepts the resolution, the property is not annexed, it just continues the process. It is advantageous to have this property annexed into a municipality, keeping it in the county could be a concern later on.
- B Bagley cautioned the new council that this will not be a revenue producing property, concerned with overfilling west side with non-revenue businesses.

Vote:	**Yea:**	**B Bagley, J Baldwin, R Call, J Drew, J Russell**
	Nay:	**None**
	Abstained:	**None**
	Excused:	**None**

Item No. 4. Resolution 044-2015: The Providence City Council will consider for adoption a resolution accepting for further consideration an annexation petition filed by Cache County for a 0.77 acre parcel of land commonly known as 500 North in Providence City, or 800 South in Cache County, running east of 300 East.

Motion to adopt Resolution 044-2015: J Russell, second – J Baldwin

- S Bankhead said this is just a right of way. It is the access road to the property at Providence Hollow. Providence has underground utilities in this right of way. When county was doing work not too long ago, they found this issue and asked Providence to annex the road. She recommends the council annex 500 North. It will be a main artery coming off the east bench as roads develop in that area.
- D Macfarlane clarified that south half of the road (16.5 feet) is already in Providence.

Vote:	**Yea:**	**B Bagley, J Baldwin, R Call, J Drew, J Russell**
	Nay:	**None**
	Abstained:	**None**

Excused: **None**

Item No.5. Resolution 045-2015: The Providence City Council will consider for adoption a resolution adopting the 2015 Pre-Disaster Mitigation Plan: Bear River Region.

Motion to adopt Resolution 045-2015: J Baldwin, second – R Call

- S Bankhead said the most important thing is that if we don't adopt this resolution we are not eligible for some of the FEMA funding if we have a disaster. We did have a disaster a few years ago and were able to use FEMA funds to repair damages. The county would like it adopted by November 30th.
- J Baldwin asked if this in any way puts restrictions on Providence development and the master plan
- S Bankhead said Providence has submitted a master plan, covering storm water and earthquakes, etc. Our ordinance requiring geo-tech reports was will go a long way towards doing mitigation to help with potential disaster. S Bankhead said she hasn't read all 500 pages and does not know if there will be restrictions. She isn't aware of any at this point.
- Mayor felt it would be wise to adopt the resolution.
- S Bankhead read letter from BRAG. She will send link to the written pre-disaster plan to the Council. BRAG has asked municipalities sign the promulgation form by November 30.
- R Call felt since this came from the county it could be continued to next month's meeting.

Motion to continue Resolution 045-2015: R Call, second – J Baldwin

Vote: **Yea:** **B Bagley, J Baldwin, R Call, J Drew, J Russell**
Nay: **None**
Abstained: **None**
Excused: **None**

Item No. 6. Ordinance 2015-020: The Providence City Council will consider for adoption an ordinance amending Providence City Code Title 10 Zoning Regulations, Chapter 8 Area Regulations and Parking Requirements, Section 3 Setbacks allowing a covered porch to extend into the front yard setback.

Motion to adopt Ordinance 2015-020: J Baldwin, second – R Call

- J Baldwin said there are a few older homes in Providence that do not have safe landings and need a porch to be built in order to meet the current building code. In order for these homes to come into compliance, the porches will extend into the front yard setback. This will allow these older homes to put a porch on the front of the house, extending into the front yard setback.
- B Bagley asked if there was clarification between covered porches and enclosed porches in the proposed ordinance change.
- J Baldwin said covered porches are allowed, enclosed porches are not. This is clarified in the proposed change.

Vote: **Yea:** **B Bagley, J Baldwin, R Call, J Drew, J Russell**
Nay: **None**
Abstained: **None**
Excused: **None**

Item No. 7. Discussion: The Providence City Council will discuss the Justice Court.

- J Drew said 2016 is budgeted to lose approximately $24,500 in Justice Court services. The state is taking more money but not charging more for citations and citation numbers are down. J Drew would like to explore options so Providence is not losing money operating the Justice Court for Millville and River Heights.
- J Baldwin would not encourage increasing citations in order to cover the monies lost. He feels the contracts could be amended to recoup money from River Heights and Millville. Possibly add clause stating that in no case would Providence cover the costs of operation for Millville and River Heights.
- R Call suggested stating that all funds stay in Providence City until the deficit is met then distribute anything above and beyond to the other two cities.
- S Bankhead said based on the revenue report provided by Beth Munson, Providence gets the fine money and surcharge, then after surcharges are paid to the state whatever is left half gets sent to Millville. River Heights does about the same. Both cities are paying their own prosecution fees. Court appointed attorney fees and witness fees for each city should be paid by both cities. Currently, if a case is prosecuted, the cities pay their attorney fees, however the fees they pay to Providence are not adequate.
- B Bagley asked if bailiffs from other cities are being charged to Providence.
- S Bankhead said bailiffs are part of the contractual agreement with the Sheriff's Department.

- B Bagley asked if River Heights and Millville have to be a part of our justice court system.
- S Bankhead said they do not. They can contract with whomever they want for Justice Court services, but Providence would run the Justice Court the same with or without them.
- J Drew said partnering with Nibley has been suggested.
- Mayor said this is just an extension of the city's contract with the sheriff. The court system is how the citations are settled.
- J Drew said small claims are handled outside the county sheriff's office.
- R Call said if we are going to partner with the other two cities, they need to cover their portion of the expenses.
- J Drew said in 2015 if the city would have kept all monies sent to River Heights and Millville, Providence still would have just barely broken even. In 2014 Providence would still have been in the red.
- J Russell asked if both cities leave, is there still a benefit to Providence to continue running the Justice Court.
- J Drew said the alternative is going to District Court and possibly paying more money for that.
- R Call said one alternative is to combine with another city and let them run the Justice Court.
- J Baldwin asked why we can't increase fees to the other two cities to cover our costs.
- Mayor Calderwood said the judge is an elected official and he stays in that position until the end of calendar year 2020.
- J Drew will do more research and this will be continued until the next council meeting.

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

R Stapley:

- There was discussion about leaf pick up, winter parking hours and salt supply.
- R Stapley said leaf pick up will continue until it snows, winter parking was explained and Providence has a surplus of salt.
- B Bagley asked if the new annexation would tap into the boring on Hwy 165.
- R Stapley said that is exactly why the boring was done.

S Bankhead:

- Invoice register for October is attached to the report. She will email financial statements as soon as she has it.
- In addition to election results on the report, the city needs a new member for the planning commission.
- B Bagley asked about a few expenses on the report. S Bankhead clarified the expenses.

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

- J Baldwin – no report.
- J Russell – has last board meeting with the library tomorrow.
- R Call – asked what meetings were planned for the rest of the year. Next city council meeting will be December 8. No meeting on December 22.
- J Drew – no report.
- B Bagley – no report.
- Mayor Calderwood:
    - County did ratify $1,293,000 for extension of Gateway Drive south.
    - Reported on Hyrum wastewater facility. Appraisal is done. Hyrum is favorable to the Southern Joint Sewer System including Providence, Hyrum and Nibley. The appraisal came in at $6.2M. Hyrum council still has to formally accept. Meeting tomorrow in Nibley and it looks positive. Mayor Dustin appears to still be in favor.

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).

Motion to enter executive session: J Drew, second – B Bagley

Vote:	**Yea:**	**B Bagley, J Baldwin, R Call, J Drew, J Russell**
	Nay:	**None**
	Abstained:	**None**
	Excused:	**None**

Motion to adjourn: J Baldwin, second – R Call

Vote:	**Yea:**	**B Bagley, J Baldwin, R Call, J Drew, J Russell**
	Nay:	**None**
	Abstained:	**None**
	Excused:	**None**

Public meeting adjourned at 8:10 pm.

Minutes recorded and prepared by C Craven.

Don W. Calderwood, Mayor

Skarlet Bankhead, City Recorder

City Council Meeting

November 17, 2015

Please Sign In

Name	City of Residence
Rowan Cecil	Providence
BRAD BARBER	BRIGHAM CITY
Neil Miller	Providence