

1 **PROVIDENCE CITY COUNCIL**
2 **WORKSHOP MINUTES**
3 **January 23, 2016 8:00 AM**
4 **15 South Main, Providence UT**
5

6 Call to Order: Mayor Calderwood
7 Attendance: Kirk Allen, Jeff Baldwin, John Drew, Dennis Giles, Roy Sneddon
8

9 Irrigation Companies:

10 Spring Creek Water Company: Brent Speth

- 11 • B Speth updated the council on his current role with the Spring Creek Water Company He explained the
12 water exchange for April/October. He feels this exchange works well for the Spring Creek Water
13 Company.
- 14 • Mayor Calderwood explained how this April/October water use works for Providence City.
- 15 • R Sneddon stated he has concerns about someone polluting the water without SCWC or the City's
16 knowledge. His biggest concern is the vents.
- 17 • B Speth said it is all underground piping and collection until it comes out of the ground as irrigation water.
18 Coombs and all other reservoirs are very secure reservoirs.
- 19 • R Stapley said the sanitary survey tests and reviews this every year. The vents are locked and secured. It
20 would take significant effort to contaminate the vents. R Stapley said he would take R Sneddon on a field
21 trip to show him how the vents work.
- 22 • B Speth also addressed his role with Logan City Fire Department. Providence contracts with Logan for fire
23 protection. He also consults with Providence City in ESR. They also provide medical services to Providence
24 in the form of ambulance. Response time is about 5.5 minutes to the Highlands. He conducts business
25 inspections every 1 - 2 years. Reviews fire suppression, alarm plans etc., in new buildings, installation and
26 operation of fire systems in Providence buildings. On an annual or semi-annual basis he informs owners
27 about fire sprinkler and/or hood inspections that are required, does home business inspections, etc.
- 28 • Mayor asked how many homes are serviced from irrigation water.
- 29 • B Speth said he isn't sure, but thinks about 50% plus of residents have irrigation rights in Providence. He
30 discussed the water at George Daines' property.
- 31 • There was discussion on how to get more water out of the canyon.
- 32 • K Allen asked if the water conservatory districts that are being proposed will affect Providence water at
33 all.
- 34 • B Speth said it can be a great benefit. He does not think the City should lose opportunities to keep the
35 water. It will have to be moved around and it can be expensive to move the water. Storage will probably
36 be over at Cutler.
- 37 • R Sneddon asked about the water rain trough at the quarry. He has seen water flowing over the trough
38 which is then lost.
- 39 • B Olsen said the irrigation company goes up and cleans that out every year. There is some water that is
40 lost, but the majority to the northwest is retained.
- 41 • J Drew asked what money is saved by taking the water in April / October.
- 42 • S Bankhead said \$3 - \$4 thousand in pumping costs.
- 43 • R Stapley said April/ October needs are roughly about a million gallons a day for the entire town.
- 44 • Craig Smith, the water attorney, joined the meeting at 8:42 am.
- 45 • K Allen asked if there were any issues between the two water companies for the City.
- 46 • B Speth and J Hubbard said the two companies work very well together.
- 47 • C Smith asked if the exchange application has been discussed. He feels it benefits the City and the
48 irrigation companies. It is helpful, particularly when you consider what is going on in the state. April and
49 October are not big water use months; taking and using water during those periods for municipal
50 purposes shows beneficial use.
- 51 • B Speth commented that he would like to see water flow coming down the canyon in wet years for
52 irrigation, and the City extending its use of the spring water until it gets to the point where the flow is no

1 longer coming down the creek bed. Broad Hollow should be used for drinking purposes, even if it extends
2 into June or July. Once irrigation purposes are met, why not allow the City to use the excess for culinary
3 water. It should be looked at. It would save pristine water and pumping costs.

- 4 • J Hubbard said a secondary position would have to be filed for the excess water.
- 5 • B Olsen said if a measuring device could be used; it would provide more data to know what is available.
- 6 • D Giles asked if it is possible to use all water that comes out of the canyon or does some have to be
7 allowed to go to Bear River.
- 8 • J Hubbard said the water rights used for Spring Creek are huge. He is not sure if the allocation could be
9 sustainable on a year to year basis. There are areas that have a right to store; there is a concern that
10 anything over the rights the companies have to use would have to be purchased. Water is no longer being
11 used for farming, which is a concern.
- 12 • R Sneddon asked who monitors the aquifers in the valley.
- 13 • J Hubbard said Bob Fotheringham has the data on that. Our valley is recharged. Bob or the water research
14 lab up at USU watches the wells. He does not think they are dropping noticeably.
- 15 • Mayor asked if Providence wells drop at all.
- 16 • R Stapley said the City has continuous monitors that watch the drop. Our wells recharged on a continuous
17 basis and they are in great shape.

18 Providence Blacksmith Fork: John Hubbard / Brian Olsen

- 19 • J Hubbard handed out a packet to the council. Blacksmith Fork is a canal company so they maintain
20 canals. Once water passes safely from the head gates, it is the water owner's responsibility to manage it.
21 Blacksmith Fork controls and clears the canals and makes sure the gates are sealed/operable. Storm water
22 is an issue with the City. Providence City owns 30% of the stock and takes about 1 million gallons of water
23 a day from May to September.
- 24 • Mayor Calderwood explained how the exchange with Blacksmith Fork works.
- 25 • J Hubbard said there are two main issues with the City, storm water and keeping the ditches clean. Rain
26 water on frozen ground has been an issue. In January and February the company is not insured to open
27 gates on the canal. We want to work with the City. The ditches are there to pick up incidental water. He
28 would like a simple agreement where during the summer they will take care of the storm water. During
29 the winter and off season, there is no agreement on how to manage the storm water with the
30 municipalities. We don't want to invest, develop, manage or pay for storm water. We can manage liability
31 for irrigation water, but storm water is different. Regarding ditches, there is a new City ordinance which
32 makes it the responsibility of homeowners to keep canals clean year round. The canal company needs
33 help with enforcement of that ordinance, especially in April. Debris does not come in from the river since
34 we screen the water. It is a nuisance to keep the canals clean. The City has been very helpful the last few
35 years in helping us keep the street crossings clean. He appreciates the City's help in that regard.
- 36 • R Sneddon said as we improve roadways in Providence with curb and gutter, then we have an issue with
37 storm water.
- 38 • J Hubbard said it is a neutral suffering. There are places where curb and gutter are necessary, but there
39 needs to be a plan for the storm water runoff. He cannot bill shareholders to manage storm water from
40 someone above them or someone below them. The canal company does not have resources to manage
41 storm water from curb and gutter. The City can use ditches for storm water as long as they share in the
42 liability in the proper seasons.
- 43 • B Olsen said there are four laterals that are designated for emergency storm water relief to mitigate the
44 City's issue with storm water. When that is shut down, the canal company is done. He would like to
45 resolve that issue with the council during the winter months so it is clear.
- 46 • J Hubbard said the infrastructure is there if the City wants to utilize them, but the canal company is not
47 going to open the gates.
- 48 • R Sneddon said it is counterintuitive to tell residents that the best development is not curb and gutter.
- 49 • J Baldwin said the City cannot just dismiss curb and gutter, storm water erodes the sides of the roads.
- 50 • B Olsen and J Hubbard said they would be willing to work with the City to resolve the issue of storm water
51 and to develop a mutually beneficial plan. It is required that irrigation companies work closely with
52 municipalities with development.

- 1 • Mayor Calderwood said storm water issues will be discussed in future council meetings, particularly
2 regarding the down town area.

- 3 • J Hubbard suggested putting a link on the City's website to the Blacksmith Fork and Spring Creek.

4 Justice Court: Judge Matthew Funk / Beth Munson

- 5 • Judge Funk described the responsibilities of the Justice Court; infractions, class C misdemeanors and class
6 B misdemeanors and small claims. It is the goal of the Justice Court system throughout the state to
7 improve the quality of life for the citizens. In each case that comes before him, he looks for the best way
8 to achieve a just outcome, follows statute and benefit the community. The Justice Court in Providence is
9 involved in a lot of rehabilitation for citizens who come before him. The court has not had any problems;
10 security is good; most people are very well behaved and well mannered.

- 11 • B Munson keeps track of court records, citations, dispositions, pre-trial and trial notices, pleas, etc.

- 12 • There was discussion about how pre-trials work and domestic violence cases that comes before the
13 Justice Court.

- 14 • J Funk reviewed infractions and class c misdemeanors. Most serious offenses are B misdemeanors which
15 include assault, domestic violence, drunk driving or impaired driving, shoplifting. He briefly explained how
16 the appeal process works.

- 17 • There was discussion about animal violations, dogs, dog bites and dogs at large.

- 18 • Mayor Calderwood asked how many hours a week are spent on Justice Court.

- 19 • B Munson said about 15 – 20.

- 20 • Jail costs and court safety were discussed. There was discussion regarding a court bailiff and/or county
21 sheriff being present in court and when it is necessary.

- 22 • J Funk said typically there isn't much of a safety concern. However, if they are aware of a defendant
23 coming in on an emotionally charged case, they will have a bailiff or the county sheriff.

- 24 • Safety issues for court in the new city office building were discussed.

- 25 • J Drew asked who the judge reports to.

- 26 • J Funk said he is his own branch of government. The Administrative Office of the Court monitors the
27 Justice Courts and the Judicial Conduct Commission is set up if there are any complaints filed against a
28 judge. Judiciary is designed to be independent; however, he works closely with the council and the
29 Mayor, so that if there is a concern he will work with them.

- 30 • J Drew asked if there had been any complaints filed.

- 31 • J Funk said he hasn't received any complaints. The state keeps a close eye on the courts. Every 4 years
32 they are required to recertify.

- 33 • Mayor recommended each council member attend a court session.

- 34 • B Munson said the prosecutors are Jonathan Jenkins for River Heights and Kevin Fife for Millville and
35 Providence.

36 City Staff will discuss the various services the City provides including but not limited to:

37 Public Works Secretary / Human Resources: Tara Bankhead

- 38 • Responsible for utility billing, meter reading, city water shares, quarterly water reports, water use
39 reports, storm water and sanitary sewer, notes for pre-construction meetings and inspections, ESR, meter
40 set paperwork for new construction, monthly bills for utilities, closes and sets up new accounts, address
41 changes, shut off water for delinquent accounts (not in winter to prevent pipes from freezing). Meters are
42 reading April to October, 15th of each month. It takes about two days to get the City read. Three
43 employees read meters, two read with touch pad and one does a radio read. One third of the city is
44 converted to radio read meters. Intent is to get entire city converted to radio readings. Also responsible
45 for leasing city water shares; scheduling goes through irrigation company. She sends new lease
46 agreements yearly and collects payments on shares. She has water certificate and is a level two certified
47 water operator. This allows the city to meet state requirements, meaning a certified person always
48 available.

- 49 • K Allen asked how long she has been doing this job.

- 50 • T Bankhead said about 15 years.

- 51 • K Allen asked what her training is in accounting.

- 52 • T Bankhead said the accounting program does most of the accounting. She attends conferences and when

1 the city switched to Pelorus she received training. Also, Pelorus customer service is available to answer
2 any questions that come up.

- 3 • She feels confident in her training. Questions she has regarding water shut off she refers to the ordinance.
4 She can also contact legal counsel. Only once has she had to do that regarding billing issues. Some people
5 have gone to small claims.
- 6 • K Allen had questions about legal technicalities. He wants to make sure staff is properly trained for legal
7 purposes. He also asked about the Utah Retirement System.
- 8 • T Bankhead said she does work with URS; she is more of a facilitator. Utah Retirement System comes to
9 the city office and addresses the staff during staff meetings. She can give any staff member contact
10 information for Utah Retirement System.
- 11 • R Sneddon commented that the council has concerns about their interface with HR. Asked if the council
12 has been involved in the past.
- 13 • T Bankhead said in the past the council has not been involved. She follows personnel policy as it is set up.
- 14 • R Sneddon asked if the council were to be involved in the HR aspect, what would be her suggestions.
- 15 • T Bankhead feels appeal process should not involve employees who work for the city on a day to day
16 basis. In the past, before the personnel policy was changed, there were two council members and three
17 city employees were voted onto the appeal board.
- 18 • Mayor Calderwood said that currently on an appeal, the council will chose an appeal person, one person.
- 19 • R Sneddon said if it is just one person, it is not a good policy. He would like that policy revisited.
- 20 • J Baldwin thought it was three members, not just one person.
- 21 • J Drew asked if there was a legal issue having staff as the appeal authority.
- 22 • S Hansen said they were told they were required to vote on their decision to terminate or reinstate in
23 front of the employee bringing the appeal. That sometimes created tension in the work environment.
- 24 • S Bankhead said a couple of council members in the past felt they wanted to change the personnel policy.
25 They felt very strongly the mayor should be the appeal authority.

26 Cemetery: Shane Hansen / Caroline Craven

- 27 • Shane works in property maintenance department and is the cemetery sexton. He explained his
28 responsibilities regarding cemetery maintenance and opening/closing of graves. He reviewed fees
29 associated with the cemetery and cemetery expansion. There was discussion about ways to curb the
30 abuses of purchasing cemetery spaces for non-residents.

31 Parks: Shane Hansen

- 32 • S Hansen reviewed the parks for the council. He feels Providence has some of the nicest parks in the
33 valley.
- 34 • J Baldwin asked about maintenance at the splash pad.
- 35 • S Hansen said mold and moss has been a problem. It will be addressed.
- 36 • Mayor asked about the ball diamonds and what is taken care of by staff versus what is contracted out.
- 37 • S Hansen said the contractors only mow once a week. The staff cuts at lengths needed for the infield a
38 couple of times a week. The city does all the field prep for the games and we maintain the nets for soccer.
- 39 • K Allen asked if Spring Creek does anything for the lawns.
- 40 • S Hansen said currently there is no involvement with them.
- 41 • S Bankhead said the school district owns some of the soccer field.
- 42 • S Hansen said he paints lines every Thursday and Friday before games and often when he would paint
43 those lines, then the school district would mow the lawns. It was easier for the city to mow.
- 44 • J Drew asked if Spring Creek charges us for use of the facility.
- 45 • S Bankhead said they do because they have to have an employee there and we pay for that.
- 46 • K Allen and J Drew felt perhaps the city should reconsider taking care of the fields for free and being
47 charged for use on the school.
- 48 • R Sneddon commented on the park at 4th South and Main.
- 49 • S Hansen said that R Eck had a plan drawn up which included a playground and picnic table, but the past
50 council felt there were enough parks already. It was agreed to keep the lawns mowed. There are a couple
51 of picnic tables there.

- 1 • S Hansen said there may be a concern about having a park on a well facility.

2 Council adjourned for 5 minutes at 10:42 am.

3 Treasurer: Beth Munson

- 4 • B Munson does bank deposits every day, she is a notary, keeps two sets of books for bank reconciliations,
5 one on the Pelorus program and one on QuickBooks. This provides a double check system. She reviewed
6 the policy for bounced checks. She manages dog licensing. Currently, service dogs are not required to pay
7 for licensing. Recently, however, one citizen had more than four service dogs in addition to the two she
8 used. She needed all four service dogs because she was wearing out the dogs. Beth would like the council
9 to address abuse of the service dog policy. Kennel license does not limit the amount of dogs someone is
10 allowed to keep. The City requires a kennel license when an owner has more than three dogs. Iworqs is
11 the program used to manage the dog licensing. She also facilitates the crossing guards and the SNAP
12 program for the school.

- 13 • Mayor asked how many crossing guards we have.

- 14 • B Munson said five crossings and some of those crossings have more than one crossing guard, plus we
15 have some substitutes. There are quarterly and monthly training meetings. Often a deputy will come and
16 help with the training.

- 17 • J Drew asked if they can take license numbers.

- 18 • B Munson said they can as long as they are willing to sign a citation. They can also take pictures of
19 licenses; however, they are not allowed to be on cell phones while acting as crossing guards.

- 20 • J Drew commented that since the crossing guards are city employees, the City is open to potential liability.

- 21 • S Bankhead said the City is required by state code to provide crossing guards and crossing lights. The state
22 has certain standards, and uniformity throughout the state provides the most safety for drivers and
23 children.

- 24 • K Allen asked how much money is handled over the year.

- 25 • B Munson said she is responsible for all monies in the City, investment / deposit reports, sees that all
26 money is where the Utah Money Management Council wants it to be and works on the investment policy.

- 27 • R Sneddon commented that citizens don't always understand the connection between monies and
28 desires. Is there any opportunity for the City to understand how monies are spent for roads, maintenance,
29 etc.?

- 30 • B Munson said citizens need to come to council meetings to understand how money is spent and it is a
31 good idea for them to be informed.

32 Infrastructure, Water Rights and Waste Water Treatment: Craig Smith, Rob Stapley, Dallas Thurston, Max Pierce

- 33 • C Smith, the City's water attorney, commented on Mayor's progress with Spring Creek Irrigation
34 Company. Discussed water usage and management.

- 35 • R Stapley commented on irrigation water. He feels the City gets along well with both irrigation companies.
36 There is a lot of discussion about upcoming agreements the water companies would like to implement
37 with the City. A lot of care needs to be taken with those agreements, such as storm water, winter versus
38 summer usage, and not leaving the City with too much liability.

- 39 • Max Pierce said storm water is not an issue on undeveloped land, when development comes, that is when
40 it is an issue. There is only so much that can be done to keep water out of the canals, most of what can be
41 done is expensive. The City and irrigation companies can continue to work well together. Future looks
42 good, but he has concerns when the irrigation company says they do not want any storm water in their
43 system. He encouraged the Council to maintain good relationships with the irrigation companies.

- 44 • J Baldwin asked about retention ponds allowing storm water to enter canals without overburdening them.
45 • M Pierce said that is the main way to allow the canal to accept storm water but to accept it at historical
46 rates.

- 47 • Mayor Calderwood said the main issue with storm water is frozen ground. The city needs to consider very
48 carefully its contract with J Hubbard.

- 49 • K Allen asked who maintains the City's retention ponds.

- 50 • M Pierce said it varies. Some are maintained by the City, some are private, some by HOA's. They get built
51 correctly, but are not always maintained correctly. Public education is very important to maintain them
52 properly.

- K Allen asked how many retention ponds the city has.
- M Pierce said they are mapped, but isn't sure how many there are. Ponds are to be maintained by property owners, but there has to be a certain level of maintenance from the City since the water comes from the streets. There are ways to make the ponds multi-functional.
- R Stapley said the City is probably behind on having a storm water master plan and regional retention basins. That needs to be addressed.
- M Pierce said regional basins are a great way to manage storm water. It is easier to maintain one large basin owned by the City rather than smaller basins managed by HOA's and residents. Regional basins are expensive, but they have their purpose and there are places in Providence that would be great locations for larger basins.
- Mayor Calderwood said because of EPA regulations, storm water can no longer be ignored and it can be very expensive.
- J Baldwin asked if the EPA requires storm water testing for contaminants.
- M Pierce said currently it is not required, but it may come. He doubts it will be an issue for Providence, but it could be. That is an area where large basins would be a benefit.
- R Sneddon asked where a holding pond could be installed along the deer fence, or if there were other feasible ways to manage storm water for development that is coming.
- M Pierce said the drainage that comes off the face of the mountain can be a serious issue; particularly when there are fires burning off vegetation. Then there are large debris flows. This is a problem for large storm events. Debris basins can be built. The debris needs to be cleaned up to minimize damage that a large storm event may bring.
- R Sneddon said he would like to get ahead of the concerns with the development/impact that comes along the deer fence.
- Dallas Thurston said he is new to working in storm water. As an inspector he follows State and EPA guidelines to minimize pollutants that get into the storm water.

Streets: Rob Stapley

- R Stapley said there is only one staff person dedicated to streets (Steve) and there is obviously more than what one person can address. Public works personnel manage many different things. Our streets are in bad shape and it is going to be very expensive to fix them. Potholes are a constant problem.
- R Sneddon asked if there are annual or semi-annual surveys in the City to monitor the streets.
- R Stapley said there was a priority plan in place regarding chip seals and fog sealing. Roads cannot be addressed without addressing underground utilities and pipes. You shouldn't just put down a new blacktop without addressing the pipes underneath. There is a priority list of what needs to be repaired.
- R Sneddon said it would be good to have engineering evaluations on why some roads are a priority and that data could answer questions the public may have regarding which roads get fixed and in what order.
- M Pierce said Randy Eck had a detailed survey done by the University that included the RSL. Road priority was identified based off that study. Bases were not taken into account in that study. Traffic load is also a determining factor. Road bases also need to be addressed. You can't put down new asphalt over a dead base.
- J Drew asked if Zollinger Park could be irrigated with irrigation water rather than culinary water.
- S Bankhead said part of the problem is availability of water. Zollinger Park is at the end of the line and Blacksmith Fork cannot guarantee even the shares we have. Our shares have been better served being put into the exchange.
- M Pierce said a gravity system at Dale's well was looked at as an option, irrigating from the upper part of Blacksmith Fork. It is a better design long term. There is a lot of pipe involved but, no pumping costs and over time it would be a better option.
- J Drew felt using irrigation water for the park would delay infrastructure as the City grows.
- M Pierce said it also allows irrigation shares to be put to good use.
- R Stapley said irrigation from Hampshire Park will be used this summer for homes in that neighborhood.

Inter-local Agreement / Water Rights: Craig Smith

C Smith said the irrigation company water is on the right track. The two goals would be to maximize the irrigation water we can use, and maximize the high quality water we can use (spring water). Those are the

1 two important things the irrigation shares bring us. As time moves on there are things that can be done to
2 maximize our usage of irrigation shares. The City should move toward pumping out of the spring not the
3 well. The City has direct water rights and has a good stock of water rights. City needs to make sure water
4 rights are protected from claims or forfeiture. The City is now allowed to stock pile water rights for future
5 needs for the next 40 years. The City needs to plan for water requirements for those years and that needs
6 to be filed with the state engineer. It is a continual process to manage water rights and it is the City's
7 administrative obligation. City needs to file extensions and proofs. A number of water rights are expressed
8 in acre flow not acre feet. You want the maximum acre feet. The City needs to also keep an eye on what
9 other people are doing in order to protect their sources from interference and pollution, etc.

10 Waste Water Inter-local: Craig Smith

- 11 • C Smith said the inter-local agreement gives the City an even playing field and more control over waste
12 water treatment fees. An inter-local entity would be the best entity to manage the waste water controls.
13 It will also give us better control over how to reuse wastewater. The City needs physical and legal control
14 over the wastewater.
- 15 • J Drew asked if there is a limit on banking water.
- 16 • C Smith said that is what the 40 year cap is for. He recommends a plan for growth showing the need for
17 water over the next years.
- 18 • M Pierce said there is a plan as to what the City will require, it does not go out 40 years, but there is a plan
19 in place.
- 20 • C Smith said the City needs to put as much water under that plan as allowed in order to protect water
21 rights. The state has gotten tougher on non-use than it has been in the past. Change applications are
22 being restricted. The City needs to make sure it does not lose any water.
- 23 • R Sneddon asked about water rights that are brought by developers that are downstream from the
24 aquifer.
- 25 • C Smith said dedications need to be handled through change applications that allow the City to change
26 the point of diversion for municipal use. If there is not a change application, then the City really doesn't
27 have anything. He suggested the developer pay for the process. The City needs to ensure the title; then
28 see if the water can be beneficially used in the City. Without that the City has nothing. That eliminates
29 risks and costs.
- 30 • S Bankhead said the water that came from Richmond went through that process.
- 31 • R Sneddon said if the City pumps and lowers the water table in our area, then someone will end up short
32 and that may produce litigation.
- 33 • C Smith said Providence is a water-rich area. Good record keeping (historic data base) is important to
34 show what is happening in the wells when the City pumps or when someone else pumps and the City's
35 wells start dropping.
- 36 • R Sneddon asked if there are any wells that are not monitored.
- 37 • C Smith said there are none that he is aware of. M Pierce and R Stapley concurred.
- 38 • M Pierce commented on developers bringing water rights. Providence is at the point where they don't
39 need to continue water rights, but in lieu of that, the system needs to be upgraded with pumps, tanks,
40 wells, etc.
- 41 • C Smith recommends the City having the option to accept water rights or cash, not the developer.

42 Water System: Rob Stapley

- 43 • R Stapley handed out a packed and reviewed the water system. The entire City is based on gravity /
44 pressure flow. He reviewed the three zones in Providence, the reservoirs, booster stations, wells and the
45 springs.
- 46 • There was discussion about the water pressure inadequacies at Bauer Avenue. There is a fire hydrant
47 pressure problem. It is unable to handle a fire and if water were drawn off that hydrant it could
48 potentially implode the system.
- 49 • J Baldwin asked if it needed to be decommissioned.
- 50 • R Stapley said he has had conversations with the fire department and they are aware of the situation. If
51 they draw off that hydrant very slowly, then it should be okay. It is better than no water. There is no other
52 protection available in that area. The next hydrant is a block away.

- 1 • R Stapley said our summer rights at Broad Hollow are based on what we use gets put right back in there. The City tries to match the water we drink out of Broad Hollow as closely as possible.
- 2
- 3 • S Bankhead said one of the concerns the irrigation company has with the exchange is that where we put the water in, that water runs north. They have a lot of small water users on the south that get frustrated
- 4 because they feel the north is getting more water than what they need.
- 5
- 6 • R Sneddon asked about pump redundancy.
- 7 • R Stapley said each booster station is equipped with two separate pumps and motors and most of the
- 8 season, only one pump at a time is needed. Eck booster station, during heavy use hours, will run both
- 9 pumps for roughly six to eight hours in the morning.
- 10 • R Sneddon asked how many hours of water usage we have in the event of a power failure.
- 11 • R Stapley said it depends on when the outage is, but it could be as little as 2-6 hours.
- 12 • M Pierce said the spring can supply water all the time, so a power outage in high demand would
- 13 necessitate no irrigation immediately. That way you can put your demand right back to winter use.
- 14 • R Stapley said the ditch company is okay with the emergency needs, it is our back up system, provided
- 15 there is enough water coming down the creek and we can move the water to where it needs to go. We
- 16 are fortunate to have the spring.
- 17 • J Baldwin asked if all the pumps are coming from the same section on the power grid from UP&L.
- 18 • R Stapley said Millville substation runs Providence. Generally, when there is an issue, not all areas of the
- 19 City are affected at the same time.
- 20 • Mayor said if someone wants to develop, we might not be able to supply adequate water with our
- 21 present system, unless there is an arrangement from the developer.
- 22 • R Stapley said there is a plan for a second well at 200 North and 300 East; however, there might need to
- 23 be more thought on where that location is. Boosting water and maintenance and power costs may
- 24 eventually not outweigh the cost of drilling deeper and putting a well in zone 2.
- 25 • K Allen asked if Stan Checketts is our highest water need.
- 26 • R Stapley said he has his own booster station to draw water off our system, which is currently illegal, but
- 27 he was grandfathered in.
- 28 • K Allen asked about property north of Stan that may be developed.
- 29 • R Stapley said in that case storage capacity and pumping abilities will be compromised.
- 30 • K Allen asked how long it would take to develop a system to handle that development.
- 31 • R Stapley said Stan is currently in the process of developing the area north. He has submitted preliminary
- 32 plans.
- 33 • C Call said the more formal the policy the better. If you already know it isn't going to be well serviced
- 34 there can be a moratorium. The issue is compelling public interest. No hydrant / water is a compelling
- 35 public interest. Vacant lots in that area could be denied a building permit.
- 36 • K Allen asked if a moratorium could be issued now.
- 37 • C Call said under current law, a moratorium only lasts 6 months, during which time an ordinance would be
- 38 written. But it should be done.
- 39 • M Pierce said it's not just a water right or storage issue, it is a distribution issue. The pipes to get the
- 40 water moved aren't in right now.
- 41 • J Baldwin said it is distribution and supply. New subdivisions will be a supply issue.
- 42 • S Bankhead said it is important to remember that it's during certain periods of the day during certain
- 43 times of the year. We could service them in the winter, but summer mid-day would be the concern. Care
- 44 needs to be taken on how this is handled.
- 45 • M Pierce said it is important not to panic. Those who have been watching over the system saw this
- 46 coming and they know it is here, now is the time to take action. This did not sneak up on the City. We are
- 47 at the point where difficult decisions need to make regarding developers and the City.
- 48 • C Call said growth does not have to be allowed if it moves faster than the City can manage it. Capital costs
- 49 need to be divided among all growth so it is absorbed evenly.
- 50 • J Baldwin asked if impact fees would help with that.
- 51 • C Call said there are three options to pay for the growth. First is to wait for money to come in from impact

1 fees. Second, the City could front the money and have help pay the bond off. Third, the developers could
2 front the money.

- 3 • R Sneddon said having developers front the money is a good way to handle the situation. He asked Gary
4 Knighton about buildable lots in the new subdivision.
- 5 • G Knighton said 5 are sensitive hazard zones. 35 are buildable. One of the problems is a lot of people will
6 be asking for subdivision throughout town, you cannot deny Stan; that opportunity was missed at
7 annexation. You cannot deny Stan and then allow other developers to come in.

8 Waste Water Treatment: Mayor Calderwood

- 9 • Mayor Calderwood reviewed the Hyrum/Nibley/Providence inter-local. Providence will have to bond for a
10 little over \$11M.
- 11 • S Bankhead said it is important to recognize the type of entity that will be set up and recognize this entity
12 will probably grow. Millville may need to get on this system. The new entity will be the entity going into
13 debt. The division is based on population because it is all very similar between the three cities. So it may
14 not always be exactly divided by thirds. S Bankhead explained how the current rate is broken down.
- 15 • J Drew commented that as usage goes up between the three cities in the proposed inter-local, rates go
16 down. As Logan's usage goes up, rates don't go down. They simply pass on the costs.
- 17 • C Call cautioned the Council that those who do the feasibility studies are the same people that sell the
18 bonds.

19 Open Meetings Training: Craig Call

- 20 • C Call reviewed open and public meetings act. He reviewed open and closed meetings, electronic
21 meetings, agendas published 24 hours in advance except for emergencies, public body, etc. Items not on
22 the agenda, but brought up during a meeting may be discussed, but no vote may be taken. Reviewed
23 quasi-judicial responsibilities, appeals board, protected records, etc.
- 24 • K Allen asked about the review committee that was recently formed.
- 25 • C Call said it is a public body if they make decisions regarding the public's business.
- 26 • J Drew commented that he contacted Mr. Garside, who is an attorney well versed with this type of issue,
27 and followed his recommendations.
- 28 • K Allen said his question was whether or not the recording or minutes taken are subject to GRAMA law?
- 29 • C Call said those minutes are protected.
- 30 • K Allen said he wants to make sure that City matters are handled legally and without exposure.
- 31 • R Sneddon commented that what he is looking for from the review committee is recommendations for
32 ordinances that need to be addressed.
- 33 • C Call said he recommended Mr. Garside to the City to work with the committee.
- 34 • J Drew said in addition to his legal expertise, Mr. Garside handles PR for the City of Layton. He has also
35 trained fire and police personnel to take the role of PR for their entities if need be. Providence has a
36 public perception issue.
- 37 • C Call commented about deliberations between council members during public meetings, keep comments
38 public. Emails have been deemed public record if they are related to city business. He advised the council
39 members to be aware of that. His emails, however, are protected by attorney/client privilege.
- 40 • S Bankhead asked if any of the council members had questions for Gary Knighton, who is the city
41 engineer, and who was in attendance at the meeting. There were no questions for Gary.

42 Budget was continued to another meeting.

43 **Motion to close: J Baldwin, second – K Allen**

44 **Vote: Yea: K Allen, J Baldwin, J Drew, D Giles, J Drew**

45 **Nay: None**

46 **Excused: None**

47 **Abstained: None**

48 Meeting adjourned at 1:30 pm.

49 

50 Don W. Calderwood, Mayor

51 
52 Skarlet Bankhead, City Recorder



