PROVIDENCE CITY COUNCIL MEETING AGENDA
November 14, 2017 6:00 PM
Providence City Office Building, 164 North Gateway Drive, Providence UT

The Providence City Council will begin discussing the following agenda items at 6:00 p.m. Anyone interested is invited to attend.

Opening Ceremony:
- Call to Order: Mayor Calderwood
- Roll Call of City Council Members: Mayor Calderwood
- Pledge of Allegiance:
- Opening Remarks – Prayer:

2017 Municipal Election Canvass: The Providence City Council, acting as the Board of Canvassers, will canvass the votes of the 2017 Municipal Election.

Approval of the minutes
Item No. 1. The Providence City Council will consider approval of the minutes of October 10, 2017

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.

Business Items:
Item No. 1. Resolution 051-2017 General Plan Amendment: The Providence City Council will consider for adoption a resolution amending the Providence City Master Plan Sheet No 5-B Future Re-Zone of Existing Districts within the Providence City corporate limits by designating Parcel No. 02-096-0011, approximately 485 West 100 South as Multi-Family High Density (MFH).

Item No. 2. Ordinance 2017-015 Rezone: The Providence City Council will consider for adoption an ordinance changing the zone of Parcel No. 02-096-0011; a 2.86 parcel of property located generally at 100 South 485 West. The applicant is requesting Multi-Family High Density.

Item No. 3. Participation in County Trails Coordinator: The Providence City Council will consider participating in the Cache County Trails Coordinator program.

Item No. 4. Resolution 052-2017 Shareholder Authorized Agent: The Providence City Council will consider for adoption a resolution naming an authorized agent for shareholder action associated with Providence Blacksmith Fork Irrigation Company and Spring Creek Water Company.

Item No. 5. Discussion: The Providence City Council will discuss capital facilities and impact fees for roads. Discussion may also include water, sewer, parks and stormwater.

Item No. 6. Discussion: The Providence City Council will discuss proposed amendments to Providence City Code Title 10 Zoning Regulations, Chapter 9 Supplemental Regulations in all Districts, Section 2 Corner Lot Obstruction.
Staff Reports: Items presented by Providence City Staff will be presented as information only.

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.

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).

Agenda posted the 10 day of November 2017.

[Signature]
Skarlet Bankhead
City Recorder

If you are disabled and/or need assistance to attend council meeting, please call 752-9441 before 5:00 p.m. on the day of the meeting.
Pursuant to Utah Code 52-4-207 Electronic Meetings – Authorization – Requirements the following notice is hereby given:

- Providence City Ordinance Modification 015-2006, adopted 11/14/2006, allows City Council member(s) to attend by teleconference.
- The anchor location for this meeting is: Providence City Office Building, 164 North Gateway Drive, Providence, UT.
- Member(s) will be connected to the electronic meeting by teleconference.
PROVIDENCE CITY COUNCIL MEETING
October 24, 2017 6:00 PM
Providence City Office Building, 164 North Gateway Drive, Providence UT

Opening Ceremony:
Call to Order: Mayor Calderwood
Roll Call of City Council Members: Mayor Calderwood
Attendance:
Pledge of Allegiance:
Opening Remarks – Prayer: Brain Craig

Approval of the minutes
Item No. 1. The Providence City Council will consider approval of the minutes of October 10, 2017.

Motion to approve the minutes of October 10, 2017 – K Allen, second – J Drew
Motion to approve as written – K Allen, second – J Baldwin

Vote:
Yea: K Allen, J Baldwin, J Drew, D Giles, R Sneddon
Nay: None
Abstained: None
Excused: None

- No corrections

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.

- Brian Craig expressed concern with respect to education, safety, and traffic that may result from a proposed development in River Heights. The River Heights Planning Commission will be holding a public meeting, this Thursday, at the River Heights Elementary School to take comment on the development.
  - Mayor Calderwood explained the developers have talked with Providence City. However, Providence City has not received a formal application from the developer.
  - J Drew felt the development would impact both communities regardless of which city annexes the property.
  - K Allen reported he responded, by email, to Blake Kohler regarding the same issue. He will forward his response to the Council Members.

- Tom Reading, 425 West Meadow Lane, expressed concern about the height of the weeds on 300 South. He felt they were a visibility problem. R Stapley will look into it. R Stapley explained generally, property owners are to maintain the park strip adjacent to their property.

- Karl Mortensen, 320 Garden Drive, stands firmly opposed to zoning multi-family high density. He also reported he has seen many drivers using their phones. He asked the City to consider something that would help with the problem.

- Andrew Stromness expressed concern with the CCID lights. The excessive light spilling into his yard has not been resolved. S Bankhead read emails from Laura Banda and Michael Glauser describing the changes.
  - Installation of light shades was completed shortly after the September meeting, and it significantly lessened the light emitting from the three light poles closest to our neighbors. Additionally, the lights were pointed down and away from the homes, as best as possible. The lighting shades are placed inside the actual light, so the lighting fixture looks the same from the exterior, as it did prior to shade installation. Fortunately, after the shade was installed we observed an immediate and noticeable
difference in lighting reflecting past the parking lot. Again, thank you for your email and please let me
know of any additional questions or concerns. Laura Banda
- There is also a concern for our liability as the landlord as well as the school’s liability if someone were
to fall, or if there was a crime to happen in the parking lot while the parking lot lights were not on.
Thanks, Mike Glauer
- A Stromness does not think they have done enough.
  • J Drew thought they were installing a timer.
    - A Stromness explained the lights are off during the day and turn on at dusk. He reported
      the IECC Code requires external lights on a commercial building are required to dim. He
      agreed CCID had done some work; but was not enough.
  • Mayor Calderwood will visit the school.
  • Tom Reading asked about obtaining information regarding the clear-view code amendment. S
    Bankhead explained the current code is on the website. A copy of the change proposed by the
    city attorney is included in the Planning Commission agenda packet for October 25, 2017, which
    is also on the website. S Bankhead also explained the code amendment process.

Business Items:
Item No.1. Resolution 047-2017 Development Agreement: The Providence City Council will consider for
adoption of a resolution approving the Development and Public Improvement Installation Agreement
for Providence Highlands Subdivision Phase 4, a 12-lot residential subdivision, located at approximately
1170 South East 800.
Motion to approve resolution 047-2017 Development Agreement – J Drew, second – R Sneddon,
Vote:
Yea:   K Allen, J Baldwin, J Drew, D Giles, R Sneddon
Nay:   None
Abstained: None
Excused: None
Discussion prior to voting:
  • S Bankhead reviewed the agreement.
    - This development is located on the south end of 800 East and boarders Millville City.
    - The Planning Commission recently approved the final plat.
    - S Bankhead explained the temporary turnaround at the south end of 800 East is on
      property owned by the developer, but is within Millville City limits.
    - This property is located in the wildland fire sensitive area. Before receiving a building
      permit, the applicant must apply for a conditional use. This gives the City the
      opportunity to discuss methods to mitigate fire hazards.
    - The water for this phase was included in the water conveyance agreement dated
      January 18, 2005.
    - S Bankhead explained 1.6 discusses natural waterways that come of the face of the
      mountains to the east.
    - S Bankhead explained off-site improvements are included in the development bonds.
    - S Bankhead explained a conditional use runs with the land. The mitigation strategies
      listed in the conditional use are binding on future property owners.
    - S Bankhead reported the City Engineer signed the construction plans on September 27,
      2017.
    - S Bankhead explained Jeremy Jensen is a principle in Imagine Development.
    - This phase will be the last phase allowed on the south side of 1000 South east of 800
      East without a second access.

Item No. 2. Resolution 050-2017 Application Authorization: The Providence Council will consider for
adoption a resolution authorizing the application to Economic Development Corporation of Utah
(EDCUtah) for economic development consultation and support.

Motion to approve Resolution 050-2017 authorizing the application to Economic Development Corporation of Utah (EDCUtah) for economic development consultation and support – R Sneddon, second – J Baldwin

Vote:
Yea: K Allen, J Baldwin, J Drew, D Giles, R Sneddon
Nay: None
Abstained: None
Excused: None

Discussion prior to voting:

- Mayor Calderwood read S Bankhead’s email explaining the annual cost, based on population, is $0.15 per person, and will be $1,090.50. They will provide us with research and analysis for Providence including demographic reports, types of businesses that fit well with Providence, contact information, and training.
- J Drew reported he and S Bankhead met with Max Backlund, Director of Public Development, several weeks ago. He also clarified the $1,090.50 is based on 7,250 residents. He explained there are three different levels of service: base membership, advanced membership, and retail. This quote is for the retail membership. J Drew felt the City needed to walk before we run; we have not been doing outreach. If in six months we feel the other services will benefit the City, we can add them.
- M Backlund explained EDCUtah split from the Salt Lake Chamber about 30 years ago. They operate as a liaison with the business community. He would be the point contact for the City. They will provide research, strategic planning, and marketing materials that go along with the strategic plan.
  - J Drew asked if the term Retail Membership implied that we would be seeking retail businesses. M Backlund confirm that was the intent. Other memberships include working with industrial users.
  - J Drew explained along with determining what type of retailers to look for, the information will also identify, by name, which retailers to seek out (food related businesses are a priority). If a retailer wants to come to the City, a representative from EDCUtah will sit at the table with the retailer, the developer, and the City to work toward a successful agreement.
  - M Backlund reported they have a contract with the Governor’s Office to look at and recruit companies from outside the State. They will work with companies that are actively looking to locate in Utah. About 33% of their funding comes from the Governor’s Office contract, 33% from member cities and counties (if Providence joins, we will be number 70), and 33% from the private sector – investors from banks, law firms, construction companies, and anyone who has an interest in seeing the economy expand.
  - J Drew felt the City would get a lot of “bang for the buck.”
  - M Backlund explained the software that generates the analysis is $60,000. With membership, the city has access to analysis and the professionals to interpret the analysis and turn the data into something meaningful. Cache County, Cache Chamber of Commerce, Downtown Alliance, Logan City, Nibley City, and North Logan are members.
  - M Backlund reported they have worked very closely with the County on the strategic plan, and with the Governor’s 25,000 Job Tour. They look at industry that would be beneficial regionally. The City is not on its own; there is regional support and knowing what regional infrastructure is in place to help the City with its recruiting efforts.
K Allen reported he spoke with Dave Butterfield, President USU Credit Union. They are willing to work with the City. M Backlund explained the model is set up to work with private sector partnerships. EDCUtah is actively working toward a stronger presence in Cache County.

M Backlund explained contact and communication is generally email. They also have site visits and go to the prospective company to discuss possible locations.

R Sneddon asked if they were involved with USU other than the Space Dynamic Lab. M Backlund reported not a lot, but they do have contacts. Theresa Foxley, EDCUtah CEO, is a former Aggie and sits on several USU boards.

J Baldwin confirmed the primary focus would be sales tax base retail. He also asked if this was a duplication of a portion of the general plan. S Bankhead explained the general plan is different; it is an organizational plan for the City.

J Baldwin asked what data is used. M Backlund reported they use a program called Buxton, based on census and credit card information, that can tell what and where Providence consumers are spending; reporting is tied to the zip code data. It does not reveal name or address, but does detail spending habits.

**Item No. 3. Ordinance 2017-014 Rezone:** The Providence City Council will consider for adoption an ordinance changing the zone of Parcel No. 02-096-0087; a 4.47 parcel of property located generally at 75 South Gateway Drive, currently zoned Mixed-Use (MXD). The applicant is requesting Multi-Family High Density.

**Motion to approve Ordinance 2017-014 — K Allen, motion died for lack of a second.**
- R Sneddon felt the code amendment for design requirements for mixed use needed to be complete before we consider multi-family.
- S Bankhead reported the staff and Planning Commission recommend denying the request. This is currently zoned Mixed Use, which allows multi-family as long as it is tied to retail. The staff and Planning Commission feel the multi-family and retail can work in this area.
- Forrest Gaskill represented the developer. He expressed their concern that they do not see this space as viable for retail. They feel, with the existing center, it is a Mixed Use area.
- Mayor Calderwood asked if, with the recently completed Gateway Drive, they would consider retail. F Gaskill felt retailers would not see the completed road as providing enough visibility to make the space viable for retail.

**Item No. 4. Discussion:** The Providence City Council will discuss proposed amendments to Providence City Code Title 10 Zoning Regulations, Chapter 9 Supplemental Regulations in all Districts, Section 2 Corner Lot Obstruction.
- Mike Semadeni, 534 Garden Drive, visited five homes that need to change to be compliant with the city code. Out of the five, three are here, one is a tenant, and one could not attend.
- J Baldwin presented a philosophy by drawing the 30-foot clear-view triangle. Depending on the width of the park strip, the triangle could cut through a significant portion of the property owner’s property. J Baldwin felt drivers could see without a clear-view ordinance in place. He used the example of homes in Holiday, UT; there are brick walls right to the sidewalk. You have to pull out very carefully. He is not saying no clear view, just does not think we need 30-feet; or base the 30-feet off edge of asphalt instead of property line. J Baldwin felt we should consider where we are actually driving, not where the right-of-way line is. He felt the current code put an excessive burden on corner-lot property owners.
- R Sneddon felt the problem is that we are using the exception to look at the ordinance. The problem is not stopping and then going forward; the problem is drivers cannot see children entering the road from behind the vegetation. J Baldwin disagreed; he felt a driver could see.
- D Giles reported he went to the location today; he could see the entire street and anything
coming down 535 South. He felt the problem was people cutting the corner and not being able to see children.

- R Stapley explained there are many variations of corner problems throughout the City. R Stapley felt Planning Commission and executive staff needed to come up with some remedies. R Stapley explained the comments from Kevin Fife, City Attorney, asks questions about natural grades and retaining walls. R Stapley also explained when streets are improved the clear-view would change, if it is based on the asphalt instead of the property line. R Stapley also felt there were items such as utility pedestals and land slope that should have exceptions.

- J Baldwin felt if the code used edge of asphalt and people landscaped in the right-of-way, the people would adjust when the City removed the landscaping to widen the asphalt. J Baldwin felt if the City did not use its full right-of-way, the City should allow adjacent property owners to improve it.

- J Drew asked if this ordinance only applied to City right-of-way. S Bankhead explained this ordinance also applies to private property.
  - S Bankhead explained people still have strong feelings if they have landscaping in the City right-of-way. She reminded the Council of the concerns expressed by the property owners when 400 South was improved.
  - K Allen felt enforcement was a problem. Short of having someone watching 24/7, it is difficult to see everything. Sometimes it just needs to be done as reported, just as a police officer enforces speeding.
  - K Allen felt there was extreme anxiety over safety in the neighborhood being discussed. He felt a meeting with the neighborhood to discuss all avenues for safety was very important.

- R Stapley explained there were some mixed signals coming from council in enforcement of the ordinance. After the last Council meeting, R Stapley felt he was to enforce the ordinance and came to an agreement with M Semadeni; then Semadeni received conflicting information from some council members and decided not to remove the tree. The ordinance needs to be refined; he felt people would comply with the spirit of the ordinance.

- R Sneddon reported he spoke with Craig Carlston, who lives in the area. Carlston reported the neighbors would be willing to provide the labor to help M Semadeni remove the tree. R Sneddon felt the City should provide some financial support.
  - K Allen reported he also spoke with C Carlston. He has set up a meeting with the neighborhood to look at the problem on Thursday morning.

- M Semadeni reported the women complaining were the worst violators in the video he took. He felt the accident would happen because of poor driving. He reported in the beginning all the complaints were heading west; then during city council meeting after M Semadeni presented his report, the women changed the concern to heading south. He felt the City would be the biggest loser in the end.

- K Allen agreed there were violations. He felt in order to get movement, reasonable discussion needs to happen. He hoped the residents of the area would take it upon themselves to call their driving actions to task, because the safety of the children is determined by the traffic habits. Working with the people is a monster. We need to settle them down; not feed the monster.

- J Baldwin reported he did not have a problem seeing when he was driving in the area; but he did see someone go through the stop sign and follow him very closely until he turned. He thinks the bigger problem is the drivers; but felt there was merit in changing the location of the clear-view. In areas where the City has a wide right-of-way, he would rather see people plant grass in the city right-of-way, than have dirt. We want the homeowners to help keep the City right-of-way looking nice. The city needs to notify the property owner they are planting in the city right-of-
way and the City can removed the landscaping at any time.

- S Bankhead reported the Cache County Sheriff deputies have been patrolling the area. They have asked for more time to put together a report. The report will be ready for the next city council meeting.
- J Drew asked M Semadeni what changes he would like to see — what we are trying to accomplish with the ordinance. He would like to see the purpose of the ordinance written in general terms that tell what the City is trying to accomplish. If the City is not going to enforce the ordinance, then repeal the ordinance. He did not like circumstances where the City is left open to risk.
- M Semadeni felt J Baldwin’s suggestions made sense. M Semadeni assumed the purpose was to provide for safe driving. He felt people needed to look where they were driving. He felt the ordinance creates problems for the City; changing it creates problems for the City.
- J Baldwin stated we drive the cars on the streets. We need to look at where the cars are and where drivers can see. He felt the movable triangle works because it can be applied independently to each corner. J Baldwin felt he could write the ordinance.
- S Bankhead asked if the staff and attorneys were on hold, both writing and enforcing the code, until the Council makes a decision. Staff and the attorneys will wait for directions from the Council.
- Chad Woolley explained we want to be safe, but different people have a different version of safe. The frustration for staff is that there is a law on the books they are trying to enforce, but without an agreement from the council it is difficult to enforce. Whatever is put together needs to have backing from the Council when it is enforced. He felt it was very important to make a decision and get something moving.
- J Drew mentioned Logan City’s enforcement policy. He felt the hierarchy of enforcement makes the staff’s job easier and lets citizens know their rights and how the City approaches code enforcement. The lack of code enforcement bothers him. Code enforcement works when one neighbor complains about another neighbor. He would prefer the City actively enforce the code.
- T Reading stated he drove the area before coming to tonight’s meeting. He had no problem seeing.

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

S Bankhead reported the following:
- The September financial statements will be sent.
- S Bankhead and Bonnie Fuhriman went to Utah Land Use Institute workshop on impact fees. She is also working with Emily Sim to schedule a meeting with executive staff to discuss impact fees.
- The ballots were mailed last week; the voting process has started. The Council will canvass the election on November 14.
- The Council will hold one meeting in November and one meeting in December.
- The general plan consultants held the charrette with the stakeholder group. The consultants will prepare a report incorporating the discussion.

R Stapley reported the following:
- R Stapley asked for clarification for enforcement on the Semadeni problem.
  - J Baldwin stated it was on temporary hold.
  - R Sneddon felt the problem is interpersonal in the area.
  - J Drew stated there would be an ordinance. It may be changed, it may not, but there will be an ordinance.
  - K Allen and R Sneddon will meet with the neighborhood residents Thursday at noon.
  - Staff is getting the vehicles ready for snow plowing. The new snowplow is expected to arrive the first part of November.
  - The salt shed foundation is in, but the walls are waiting on the sub-contractors.
The 100 South roundabout is open. Cache Valley Electric is working on the decorative lights. LeGrand Johnson’s still has a small amount of clean up.

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.

- D Giles – no report
- J Drew – no report
- R Sneddon stated he had been in Houston. While there, he saw two extremely large holding ponds to collect water in a hurricane. Subdivisions were built in the area without knowing the purpose of the ponds.
- K Allen reported, as he has been visiting around the city, people want a plan for improving the roads.
- J Baldwin
  - Suggested a budget presentation quarterly. J Drew explained the numbers may change some, but the changes would be minimal.
  - J Baldwin met with Jeff Young, AllTech, regarding the audio / video. A few minor changes increased the bid about $2,000 (additional mics and a larger TV for the main floor room). J Baldwin has not had time to react to the getting the references. If the references are positive, the project will proceed.

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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 an executive session – J Baldwin, second – R Sneddon

Vote:
Yea: K Allen, J Baldwin, J Drew, D Giles, R Sneddon
Nay: None
Abstained: None
Excused: None
- The Council entered closed session at approximately 8:22 p.m.

Motion to close the executive session – J Drew, second D Giles

Vote:
Yea: K Allen, J Baldwin, J Drew, D Giles, R Sneddon
Nay: None
- The Council re-entered open meeting at approximately 8:53 p.m.
Motion to close the council meeting – J Baldwin, second – R Sneddon

Vote:
Yea: K Allen, J Baldwin, J Drew, D Giles, R Sneddon
Nay: None
- Meeting adjourned approximately 8:53 p.m.
Resolution 051-2017

A RESOLUTION AMENDING THE PROVIDENCE CITY MASTER PLAN SHEET NO 5-B FUTURE RE-ZONE OF EXISTING DISTRICTS WITHIN THE PROVIDENCE CITY CORPORATE LIMITS BY DESIGNATING PARCEL NO. 02-096-0011, APPROXIMATELY 480 WEST 100 SOUTH AS MULTI-FAMILY HIGH DENSITY (MFH).

WHEREAS UCA § 10-7-717 Purpose of resolutions, states, “Unless otherwise required by law, the governing body may exercise all administrative powers by resolution . . .”

WHEREAS Providence City desires to provide for the health, safety, and welfare, and promote the prosperity, peace and good order, comfort, convenience, and aesthetics of the City and its present and future inhabitants and businesses.

WHEREAS Providence City desires to amend the Providence City Master Plan Sheet No 5-B Future Re-Zone of existing Districts. This Map is the plan for future rezoning of existing districts within the Providence City Corporate limits.

- The Providence City Planning Commission held a public hearing on October 25, 2017. The purpose of the public hearing was to provide an opportunity for anyone interested to comment on the proposed amendments to the Providence City Master Plan Sheet No 5-B Future Re-Zone of existing Districts within the Providence City corporate limits by designating Parcel No. 02-096-0011, approximately 480 West 100 South as Multi-Family High Density (MFH).
- On October 25, 2017, the Planning Commission took the following action:
  - Motion made to recommend to the City Council to change the map for future rezoning of existing districts, be changed from Single Family Residential to Multi-Family High Density, motion made by G Sonntag, seconded by B Fresz.
  - Vote
    - Yea: R Cecil, B Fresz, R Holloway, R James, G Sonntag
    - Nay: None
- The attached map reflects the change recommended by the Planning Commission.

THEREFORE be it resolved by the Providence City Council:

- The above described amendment to the Master Plan Sheet No. 5-B Future Rezone of Existing Districts shall be approved based upon the recommendation of the Planning Commission.
- Master Plan Sheet No. 5-B Future Rezone of Existing Districts shall be updated to reflect the amendment.
- This resolution shall become effective immediately upon passage.

Passed by vote of the Providence City Council this 14 day of October, 2017.

Council Vote:

<table>
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<tr>
<th>Allen, Kirk</th>
<th>( ) Yes</th>
<th>( ) No ( ) Excused</th>
<th>( ) Abstained</th>
<th>( ) Absent</th>
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<td>Baldwin, Jeff</td>
<td>( ) Yes</td>
<td>( ) No ( ) Excused</td>
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<td>Drew, John</td>
<td>( ) Yes</td>
<td>( ) No ( ) Excused</td>
<td>( ) Abstained</td>
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<tr>
<td>Giles, Dennis</td>
<td>( ) Yes</td>
<td>( ) No ( ) Excused</td>
<td>( ) Abstained</td>
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<td>Sneddon, Roy</td>
<td>( ) Yes</td>
<td>( ) No ( ) Excused</td>
<td>( ) Abstained</td>
<td>( ) Absent</td>
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Providence City

______________________________________________
Don W Calderwood, Mayor

Attest:

______________________________________________
Skarlet Bankhead, Recorder
Ordinance No. 2017-015

AN ORDINANCE CHANGING THE ZONE OF PARCEL NO. 02-096-0011, A 2.86 PARCEL OF PROPERTY
LOCATED GENERALLY AT 100 SOUTH 485 WEST. THE APPLICANT IS REQUESTING MULTI-FAMILY HIGH
DENSITY.

WHEREAS Amsource Providence LLC filed an application requesting the MXD Zone be changed to MFH for
4.47 (+/-) acres of Parcel No. 02-096-0011 located at approximately 485 West 100 South, Providence UT.

WHEREAS UCA § 10-9a-102.(2) states “... municipalities may enact all ordinances, resolutions, and rules
and may enter into other forms of land use controls...” and

WHEREAS Providence City desires to provide for the health, safety, and welfare, and promote the
prosperity, peace and good order, comfort, convenience, and aesthetics of each municipality and its
present and future inhabitants and businesses, to protect the tax base, to secure economy in
governmental expenditures, to foster the state’s agricultural and other industries, to protect both urban
and nonurban development, to protect and ensure access to sunlight for solar energy devices, to provide
fundamental fairness in land use regulation, and to protect property values in areas that may be
considered sensitive, including but not limited to fire danger, slope, soil content.

- UCA § 10-9a-502 Requires the planning commission provide notice and hold a public hearing on a
proposed land use ordinance or zoning map; and prepare and recommend to the legislative body
a proposed land use ordinance and zoning map that represent the planning commission’s
recommendation.
- Prior to making a recommendation, the Planning Commission studied the proposed rezone and
held a public hearing on September 27, 2017.

WHEREAS during the October 11, 2017 meeting, the Planning Commission considered the following:

Staff Report Summary of Key Issues:
1. The General Plan does not presently call for this area to be zoned to multi-family high
2. Property near to this parcel has been approved for MFH development

Background Information: Prior to his passing, Kendrick Campbell, through Kent Dunkley,
approached the City about rezoning his property from Agricultural to Multi-Family High. Mr.
Campbell’s family has come to the City since his passing and requested that the rezone continue
to move forward.
The property is located on the SE and SW corners of the intersection of 100 South and 485 W. It
is directly across the street from where Providence Gateway multi-family project will be
constructed.
Although the General Plan does not anticipate the area being rezoned as multi-family high
density, ESR reviewed the application and recommends that the Commission forward this on to
council with a recommendation that it be rezoned MFH.

FINDINGS OF FACT:
1. ES used the Providence City Master Plan 2000 as revised, and also examined current and
anticipated development in the immediately surrounding area, to review the application.

CONCLUSIONS OF LAW:

CONDITIONS:
1. The rezone is conditional on the property being transferred from the name of Kendrick
Campbell into a trust.
2. The applicant shall continue to meet all applicable city, state and federal laws, codes, rules.

RECOMMENDATION:
That the Planning Commission make a recommendation to the City Council that the General Plan
be amended to allow for the rezoning of this property to Multi-Family High (MFH).
THEREFORE be it ordained by the Providence City Council

- The rezone request shall be approved based on the findings of fact, conclusions of law, and conditions listed above
- This ordinance shall become effective immediately upon passage and posting or 30 days after final passage, whichever is closer to the date of final passage.

Ordinance adopted by vote of the Providence City Council this 14 day of November 2017.

Council Vote:

<table>
<thead>
<tr>
<th>Name</th>
<th>Yes</th>
<th>No</th>
<th>Excused</th>
<th>Abstained</th>
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<td>Allen, Kirk</td>
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<td>Baldwin, Jeff</td>
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<td>Drew, John</td>
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<td>Giles, Dennis</td>
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Signed by Mayor Don W Calderwood this day of November 2017.

Providence City

________________________________________
Don W. Calderwood, Mayor

Attest:

________________________________________
Skarlet Bankhead, Recorder
Dear Mayor,

We are writing to invite your participation in an effort to plan, build, and develop a County wide trail system. While many trail segments have been completed on a community by community basis in recent years, the growing interest from the public shows a clear demand for more trails being developed before it is too late and development encroaches onto remaining open corridors. Cache County, in conjunction with the Cache Metropolitan Planning Organization (CMPO), is proposing to initiate a two (2) year trial period for a Regional Trail Coordinator. The purpose of this letter is to see if your city would like to participate in funding this position. By opting into the proposal your community would gain access to the time and resources of this position.

The attached draft staffing proposal outlines in detail the responsibility of this position. The focus will be on regionally significant trails (and ensure linkages to city parks/trails), develop bike/pedestrian facilities in more urban environments, and to provide technical support to individual communities to build trails and procure grant funding for construction. Community oversight of the direction of the program will be vital to ensure that this position is serving the overall community and individual city needs.

The attached document also outlines the funding being brought together to help fund this position. The amount requested from each community is also listed, and based on a base rate plus a population allocation. Should you be interested in participating or have questions about the proposal, please contact either Jeff Gilbert (jeff.gilbert@cachecounty.org) with the CMPO or Josh Runhaar (josh.runhaar@cachecounty.org) with Cache County’s Development Services Department at (435)755-1640 by July 17th, 2015.

We appreciate your consideration of this effort to expand and coordinate trail and recreational efforts throughout all of our communities.

Josh Runhaar, Director
Cache County Development Services

Jeff Gilbert, Transportation Planner
Cache Metropolitan Planning Organization
<table>
<thead>
<tr>
<th>City</th>
<th>Trails Coordinator</th>
<th>Potential Funding</th>
<th>Actual Funding</th>
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<tbody>
<tr>
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<td>$599</td>
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<td>Clarkston</td>
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$24,075
Resolution 052-2017

A RESOLUTION NAMING AN AUTHORIZED AGENT FOR SHAREHOLDER ACTION ASSOCIATED WITH PROVIDENCE BLACKSMITH FORK IRRIGATION COMPANY AND SPRING CREEK WATER COMPANY.

WHEREAS UCA § 10-7-717 Purpose of resolutions, states, “Unless otherwise required by law, the governing body may exercise all administrative powers by resolution . . .”

WHEREAS Providence City desires to provide for the health, safety, and welfare, and promote the prosperity, peace and good order, comfort, convenience, and aesthetics of the City and its present and future inhabitants and businesses.

WHEREAS the Bylaws for Providence Blacksmith Fork Irrigation Company state: The Company, in good faith, may issue a ballot to an individual other that the person whose name appears on the shareholder voting list, and give the voter cast the same effect as the act of the shareholder if: (a) the shareholder is an entity and the name of the individual to whom the ballot is issued is an officer or duly authorized agent of the entity, and evidence thereof acceptable to the Company is submitted as requested by the Company;

WHEREAS the Restatement of the Amended Articles of Incorporation of Spring Creek Water Company state: Exercise of the vote(s) must be by the owner, beneficial owner, or an individual authorized in writing by the owner.

WHEREAS Providence City holds stock/shares in both companies and desires to designate an authorized agent.

THEREFORE be it resolved by the Providence City Council:
- The authorized agent shall be ________________________________.
- This resolution shall become effective immediately upon passage.

Passed by vote of the Providence City Council this 14 day of November, 2017.

Council Vote:
Allen, Kirk ( ) Yes ( ) No ( ) Excused ( ) Abstained ( ) Absent
Baldwin, Jeff ( ) Yes ( ) No ( ) Excused ( ) Abstained ( ) Absent
Drew, John ( ) Yes ( ) No ( ) Excused ( ) Abstained ( ) Absent
Giles, Dennis ( ) Yes ( ) No ( ) Excused ( ) Abstained ( ) Absent
Sneddon, Roy ( ) Yes ( ) No ( ) Excused ( ) Abstained ( ) Absent

Providence City

______________________________
Don W Calderwood, Mayor

Attest:

______________________________
Skarlet Bankhead, Recorder