

**MINUTES OF THE
MEETING OF THE
TOWN COUNCIL OF
GARDEN CITY, UTAH**

The Garden City Town Council held their regularly scheduled meeting on July 9, 2009 at the Garden City Office, located at 69 N. Paradise Parkway, Building C. Mayor Hansen opened the meeting at 5:00 p.m.

Roll call of Council Members Present:

Kenneth Hansen, Mayor
Brian House
Bess Huefner
Mike Leonhardt
Laraine Schnetzer

Others Present:

Kathy Hislop
Travis Hobbs
Jason Linford
John Abraham
Anita Weston
Travis Eborn
Lorri Lantz
Reed Eborn
Joan Akre
Bill Staker

Mayor Hansen asked for a roll call of the Council Members present, Mayor Hansen, Council Member House, Council Member Schnetzer, Council Member Leonhardt, and Council Member Huefner.

APPROVAL OF MINUTES

Town Council meeting held on June 11, 2009

Minutes of the Town Council meeting held on June 11, 2009 were reviewed by the Town Council and changes were made to said minutes.

Council Member House made the motion to accept the minutes of the Town Council meeting June 11, 2009 as amended. Council Member Huefner seconded the motion. Council Member Huefner said that she has some typographical changes that she will give to the clerk. All in favor and the motion carried.

Public Hearing held on June 11, 2009

The minutes of the Public Hearing held on June 11, 2009 were reviewed by the Town Council Members.

Council Member Huefner made the motion to accept the minutes of the public hearing. Council Member House seconded the motion. All in favor and the motion carried.

TOWN ENGINEER REPORT

Treatment Plant

Mr. Jason Linford gave an update on the treatment plant. He said that things are going pretty well, the building walls are going up and they are getting ready pouring the lid to the tank. The back wall has been fixed, which will cost about \$7200. That will not be the responsibility of the Town to pay for that repair, it will be paid for by the engineers. Mr. Linford suggested that, since the contractor did the work, we run it through as a change order and the engineers will reimburse us. Mayor Hansen said that would be fine.

Paradise Parkway

We opened the bid for the entrance onto Paradise Parkway going south. Watterson was the low bidder for both bid schedule A and schedule B. The bid for the access only was \$19,432.04 and for schedule B was \$28,652.84, which extends the road 100'. We had 2 other bidders, Fisher and LeGrand Johnson. There was about \$7,000 difference between each bidder.

The total amount for the apron and the 100' of pavement is \$28,652.84, which includes the piping and access but not the new ditch. We are paving 24' wide.

Mr. Linford hasn't reviewed the bids sheets to see if there are any errors. He suggested that we award the bid we but make it contingent on a bid review for any errors.

100' of pavement gets the road to the end of Dustin Hansen's property, just to the north corner Bryce Huefner's property.

Right now Garden City only has a 50' right of way so the pavement will be on one side of the right of way.

Council Member Schnetzer made the motion to accept the bid from Watterson for both the apron and the 100' based on the bid review by the engineer. Council Member Leonhardt seconded the motion. All in favor and the motion carried.

Standby Fees

Mayor Hansen explained that we are a community water system and are not subject to a review of the public utilities commission. We need to charge a stand by fee to help with the costs of the new treatment plant. Mayor Hanse feels that because it is just a standby fee and not an impact fee it would only require a change to the ordinance. We need to figure out where we are on cash flow for the treatment plant and how much we need to generate. The standby fee will be collected on every lot within the Garden City limits. The Town is required to have the infrastructure so each property owner can connect when they are ready, therefore, they need to help pay for the infrastructure.

Because construction is slow right now we are not receiving much in impact fees. A big portion of the payback on the treatment plant was supposed to be the impact fees. Mr. Linford will look at the cash flow and what we need for the treatment plant and current system and come up with a figure for us so we can draft a resolution for the standby fees.

Mr. Linford said that we need to push to get all the meters installed this year. It is a difficult job but Mr. Hobbs is working hard to get them installed.

BUILDING INSPECTOR REPORT

Mr. Abraham explained that there were no permits issued in June.

Council Member Huefner asked about the building on 250 S. Mr. Abraham said that he tried to contact the property owner but they haven't called back so he will follow up on this issue. It is a new building but they didn't get a permit.

Council Member Huefner asked how many signs a business is allowed to have. She is concerned with all the signs for the Bear Lake Country Store. The signs are on the state property. Council Member Leonhardt said that if it is on the state highway then they need to take care of it.

PUBLIC WORKS DEPARTMENT REPORT Town Council Meeting

Mr. Hobbs reported that they have been working on getting the meters installed. He asked the Council about commercial meters and putting the radio readers in them. Council Member Leonhardt said that we need to finish up the residential meter installation and then we can move on to the commercial. Mayor Hansen asked them to put up with the current commercial meters for now until we stabilize on our funds because we are tight right now.

Mr. Hobbs said that they bored the road this morning on 100 west for the water and tomorrow they will bore for the power.

Mr. Hobbs explained that Mr. Jim Kemp has installed the pump at his home in Cherimoya. The Town contributed some funds for the booster pump so they can have adequate water flow.

BUSINESS LICENSE DISCUSSION/APPROVAL

Cantwell Bros. Lumber Co., Inc., Bill Staker

Mr. Staker passed out a picture of the storage units which will be on the property for sale. He said that there will be 4-5 sheds there all the time. People will be able to call him to purchase the sheds.

Council Member Huefner made the motion to approve the business license for Cantwell Bros. Lumber Co., Inc. Council Member Leonhardt seconded the motion. All in favor and the motion carried.

Deep Blue Marina Service and Storage, Annetta Kim Condemarin

Ms. Lorri Lantz explained that the request for storage units was approved by the Planning Commission. The Council reviewed the approval report from the Planning Commission stating that the storage units would fit in the zone.

Council Member House made the motion to accept the business license application for Deep Blue Marina and Storage with the stipulations of fencing and lighting, which was required by the Planning Commission. Council Member Schnetzer seconded the motion. All in favor and the motion carried.

Bear Lake Raspberry Co., Travis Eborn

Mr. Eborn is leasing the raspberry farm in Laketown and he has talked to the Hildt family who owns the berry stand on Bear Lake Blvd and about 20 N. He feels that selling raspberries in Garden City is a benefit to the area because Garden City is all about Raspberries. He knows that the stand is in some need of renovation and they will repair it before they start to sell anything there. They want to sell raspberries, syrup, jam, etc., things that are made from raspberries.

Mr. Eborn said that they are working on the sales tax number and getting it registered to Garden City.

Council Member House made the motion to accept the Bear Lake Raspberry Co. request for a business license. Council Member Leonhardt seconded the motion. Council Member Schnetzer asked about parking there. Council Member Huefner said that she is concerned about parking there, but also feels that there won't be much traffic. People can also park at the 50 S. parking lot. Mr. Eborn said that he can get permission from Mr. Pugmire to direct people next door to park in their parking lot. Council Member House amended the motion to include that he needs a letter from the property owner allowing the business there. All in favor and the motion carried.

JA & AK Enterprises, LLC.

The Council agreed to pass on this business license because there isn't anyone here to represent

them.

Business License Approval Discussion

Council Member Huefner said that the business season is so short here and it is hard for the businesses to wait a whole month to come before the Council during their monthly meeting. She asked if we can have the office staff issue the business license. Mayor Hansen said that we have had this same discussion before and it was decided then that the Council should know what businesses are coming into town. Also, it gives the Council Members a chance to know what they are doing and who is doing business in town.

Council Member Leonhardt said that he is okay if they want to meet with him because he is over the business licenses. He can give them a temporary business license and then still have them come to the Council for final approval.

The Council agreed that we should grant Council Member Leonhardt the authority to review the applications and approve them. If he has further questions or issues then they can come to the Council for final approval. This is under Council Member Leonhardt's jurisdiction. We will still put all the applications on the Council agenda so the Council knows who is in business, but they don't need to come to a Council meeting, they just need to meet with Council Member Leonhardt for approval.

Dan Kurek

This request is just for his construction company at his residence in Bridgerland. It is just for his office, he won't store any construction material there. He may have his truck and his trailer there.

Council Member Leonhardt made the motion to accept the business license application for Dan Kurek Premier Construction. Council Member House seconded the motion. All in favor and the motion carried.

SHORT TERM RENTAL LICENSE DISCUSSION/APPROVAL

Council Member House made the motion to accept both the short term rentals, for Grand View at Snow Meadows and Jeff and Angie McPhie. Council Member Leonhardt seconded the motion. All in favor and the motion carried.

RULON CROSBY AND DOUG THOMPSON REQUEST TO WRITE OFF PART OF THEIR LEGAL FEES FOR SUBDIVISION REQUEST

Mr. Crosby is not in attendance. Council Member Huefner asked if we can write off the interest

for them. The Council said that we cannot write it off because if we did it would just open the door for others to request it. They need to pay the bill.

MISCELLANEOUS ITEMS

Compliance Officer and Justice of the Peace,

Mayor Hansen said that we know we need to do this. The Council is all in favor of having a justice court. The Council agreed that we need to have Tony Martineau work on getting that set up.

Council Member Leonhardt said that a compliance officer is someone we need to enforce our ordinances. Mayor Hansen said that would be the same person who will write the tickets for Garden City. Mayor Hansen said that he has talked about this with the Mayor from Logan and we can use some of their officers to help us get up and going. They will be professional and post certified. We will also need to have some kind of understanding with the County.

This would be mostly for traffic tickets and ordinance enforcement. The more extreme violations would still need to be handled by the County. We need enforcement on our roads, bike path and also our ordinances. We are running the risk of becoming a lawless society with all the infrastructure that we are having come to town. We need to take some of the responsibility on ourselves for enforcement.

COUNCIL MEMBER REPORTS

Council Member Huefner asked about the hours that the park is open. There are some people who want to open it earlier and others feel that it should be closed until 8:00 a.m. She asked if we want to allow it at other times other than what is posted, if so, we should take the “no exception” off the sign. How early or late are we going to allow the park to be opened or closed. The Council agreed that we need to remove the “no exceptions” off the sign.

Council Member Huefner said that we really need to have an officer direct traffic on 150 S. On the big weekends. She said that the biggest problem is when they try to turn left onto the boulevard. Mayor Hansen said that the county law enforcement probably can't have an officer on that corner when there are so many people here because they are too busy with other law enforcement issues. Council Member Schnetzer said that we need a sign that says “right turn only” and only allow them to go right at that corner. It can be a portable sign that we can put up for the big weekends.

Council Member Huefner said that we need a lot more parking signs so people know where they can park. The Council discussed new signs that we need to order for the town.

Council Member Schnetzer said that they are working on the open house for the town complex. She requested that we recognize the Librarians and give them a gift during the open house.

Council Member Leonhardt said that we need to get the weeds sprayed in the vacant property just north of the city office. We need to put this out to bid and get it done as soon as possible. That could be a really nice area that people can utilize as a park during the summer time. We need to get it cleaned up and then plant grass. We will put the weed killing out for bid.

Council Member Leonhardt said that the Committee is working on the grand opening, which will be held on August 8th. It is for the whole complex. We will have people in each building giving tours and answering questions, and we will have treats. Mayor Hansen said he will be available to give a speech.

The Utah State Fish and Game is requesting a fee exemption for use of the facility. The Council reviewed their request and stated that they are okay to give them a fee exemption and allow them to use the facility for free.

Mr. Welch is requesting that we allow alcohol use in the city facilities. The Council agreed that if we do this we need to increase the fee and the deposit. No decision was made to allow this or not.

PAYMENT VOUCHERS

The Council Members reviewed the bills and the checks.

Council Member House made the motion to pay the bills. Council Member Huefner seconded the motion. All in favor and the motion carried.

ADJOURNMENT

There being no further business to be discussed, Council Member Schnetzer made the motion to adjourn the meeting at 6:45 p.m.. Council Member seconded the motion. All in favor and the motion carried.

APPROVED:

Attest:

Kenneth Hansen, Mayor

Town Clerk