

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

The Garden City Town Council held their regularly scheduled meeting on May 12, 2011 at the Garden City Office, located at 69 N. Paradise Parkway, Bldg C. Mayor Spuhler opened the meeting at 5:00 p.m.

Council Members Present:

John Spuhler, Mayor
Dan Kurek
Brian House
Mike Leonhardt
Bess Huefner

Others Present:

Kathy Hislop
Travis Hobbs
Anita Weston
Skip Duffin

ROLL CALL

Mayor Spuhler welcomed everyone to the meeting and asked for a roll call of the Council Members present; Mayor Spuhler, Council Member Leonhardt, Council Member House, Council Member Kurek and Council Member Huefner.

Mayor Spuhler explained that he is going to start the meetings with the Pledge of Allegiance and a prayer. Mayor Spuhler lead us in the pledge of allegiance. Council Member Huefner offered the prayer.

APPROVAL OF MINUTES

Minutes of the Public Hearing held on April 14, 2011

Council Member Huefner made the motion to approve the minutes of the Public Hearing held on April 14, 2011. Council Member Leonhardt seconded the motion. All in favor and the motion carried.

Minutes of the Executive Session held on April 14, 2011

Council Member Huefner made the motion to approve the minutes of the Executive Session held on April 14, 2011. Council Member House seconded the motion. All in favor and the motion carried.

Minutes of the Town Council meeting held on April 14, 2011

Council Member Huefner made the motion to approve the minutes of the Town Council meeting held on April 14, 2011. Council Member Leonhardt seconded the motion. All in favor and the motion carried.

PUBLIC WORKS REPORT

Treatment Plant

Mr. Hobbs explained that the water treatment plant is on line since Tuesday at 9:00 a.m. Nothing leaked and everything went really well when they turned on the plant. We have had no major problems since we turned on the treatment plant. The turbidity meters are transferred and are online.

Mr. Hobbs said that the only issue they are aware of is the 2" line at Johnsons pit broke. It is fixed now.

Mayor Spuhler said that he wants to compliment the Town Council on some of the difficult decisions that have had to be made recently, there was a decision to be made and we were able to save \$95,000 by not having to buy the PRV. Everything worked out.

Mayor Spuhler said that if someone has an old line they may be susceptible to a line break because we increased the pressure about 12 lbs. We are a long way from exceeding the state maximum. If someone's line blows out because we increased the pressure 12 lbs, it would probably have blown out soon anyway. Mr. Hobbs said that our policy is that we don't fix water lines on private property.

We will do a special meter reading on Monday to help determine if there is a problems with a lot of water going through some of the meters. That may tell us if there is a line break.

Open House

Mr. Hobbs said that we need to schedule an open house. He said that the tax payers should be able to see the plant. Mayor Spuhler suggested that we have it towards the end of June.

Build Inc. Retainage

Mr. Hobbs said that there are a few things that need to be fixed before we can release the remaining retainage. The Council discussed what still needs to be finished, ie. the overflow pipe and the parking lot. The Council decided to release \$20,000 for what has already been done.

Park

Mr. Hobbs said that they are working on the park and they should have it up and going soon. The bathrooms are going to be open for this next weekend.

Beach Access

Mayor Spuhler said that the code for the gates at the beach accesses will be changed.

Mountain Springs Dump Station

Mayor Spuhler explained that he has checked into the new dump site created by Mr. Troy Petersen, in the Mountain Springs Subdivision. Mayor Spuhler said he has talked to the State and they indicated that the dump station is not licensed with the state. The state said that it will be a difficult process to get that license. They are not allowed to dump any additional material there until they get the license. The state contacted us because it is close to our culinary water spring. The county is also working on the issue with the state because they are not approved through the county either.

Speed Bumps

Mayor Spuhler said that Mr. Hobbs needs to get the temporary speed bump on Hodges Canyon Road. Mr. Hobbs said that he will put them in when the roads are graded.

Parking signs

Mayor Spuhler said that we need to get parking and no parking signs out throughout town. The level of the lake will restrict parking on the beach and there will be limited parking throughout town.

Pond Bid

Mayor Spuhler said that Stringham Construction won the bid, it was \$9,950 to dig and construct the pond. Mayor Spuhler said that we should give them a little more time for the construction because how wet the ground is right now, the bid originally said that it had to be completed by July 1st. Council Member Huefner said that the ground really isn't that wet, it is drying up.

Sandbags

The Council agreed that we should allow other communities to take some of our sand bags, on an as needed basis. We still don't know what is going to happen or when the water runoff will peak. We don't want to give them all away. We need to keep them for our own emergency flooding.

EMT

Mr. Hobbs explained that he is almost done with his basic EMT training. He should be ready to take the test the first part of June.

BUILDING INSPECTOR REPORT

Mr. Peart is not in attendance so there is no report.

BUSINESS LICENSE DISCUSSION/APPROVAL

Bearly Resistible, Rachel Preece

Council Member Leonhardt said that he talked to Ms. Preece and she is ready to go. She has her state tax number.

Council Member House made the motion to accept the business license for Bearly Resistible for Rachel Preece as they have filled out their application, pending a fire inspection by the Garden City Fire Chief. Council Member Huefner seconded the motion. All in favor and the motion carried.

Snow Meadows Property Management, Greg and Carol Bills

Council Member Leonhardt said that this is the property management company to be ran out of their home. They have been doing this for years, they just now need a business license.

Council Member Kurek made the motion to approve the business license for Snow Meadows Property Management, for Greg and Carol Bills. Council Member Huefner seconded the motion. All in favor and the motion carried.

Beach Bum Gift Shop, Cyndi Caldwell and Antonina Petersen

Council Member Leonhardt said that he has met with them and they are still waiting for their tax number. Other than that they are ready to go.

Council Member Huefner made the motion to accept the business license for the Beach Bum Gift Shop located at 55 W. Logan Road when they get their tax number and their fire inspection. Council Member House Seconded the motion. All in favor and the motion carried.

SHORT TERM RENTAL APPLICATION DISCUSSION/APPROVAL

1750 S. Bear Lake Blvd, Utah State University

Council Member Kurek said that the university has their own fire inspector but he needs to see the inspection report.

Council Member Huefner made the motion to accept the Short Term Rental application for Utah State University, pending a fire inspection and building inspection. Council Member Leonhardt seconded the motion. All in favor and the motion carried.

BUDGET REVIEW FOR FISCAL YEAR JULY 1, 2011 THROUGH JUNE 30, 2012, General Fund, Water Fund, SID Fund, Library Budget

The Council reviewed the budgets and discussed a few of the line items. There are a few line items that are close to the budgeted amount and may go over budget. The Council agreed to open the budget and transfer funds to cover the overages if they do go over budget.

Council Member House made the motion to open the budget and transfer funds, up to \$2,000 to the public safety and recreation line items to cover over expenditures. Council Member Huefner seconded the motion. All in favor and the motion carried.

REVIEW AND APPROVAL OF THE SPECIAL EVENT PERMIT/APPLICATION FOR THE BEAR LAKE CLASSIC BIKE RACE ON MAY 13, 14 AND 15TH.

Council Member House has reviewed the application submitted by Kevin Rohwer for the Bear Lake Classic Bike Race.

Council Member House made the motion to approve the Special Event Permit Application for the K2 on May 13, 14 and 15th. Council Member Kurek seconded the motion. A roll call vote was taken, Council Member House, for; Council Member Kurek, for; Council Member Huefner, for; Council Member Leonhardt abstained. Motion carried.

REVIEW, DISCUSS AND APPROVAL FO THE 2011 TAX LIEN LIST FOR THE BUTTERCUP SPECIAL IMPROVEMENT DISTRICT DELINQUENT ASSESSMENTS

Council Member Leonhardt made the motion to approve the delinquent list and send it on to the county. Council Member Huefner seconded the motion. All in favor and the motion carried.

BEAUTIFICATION DISCUSSION

Beautification water credit

Mayor Spuhler explained that we may want to offer a grant to people on main street, if they will enhance their property in a specific zone. If the people can enhance their property we should be able to give them some credit on their water use. The credit would be on the overage, not on their base rate.

The area the Council agreed on was along Bear Lake Blvd. from the park to KOA, and along Logan Road from the Chevron to the intersection. Council Member Huefner will work on an application and a way to figure the credit.

Beautification Committee

Council Member Huefner is recommending that we have a Beautification Committee who will go out to determine who needs to clean up their property. The Beautification Committee can recommend to the Council what needs to be cleaned up, then we can have the Code Enforcement Officer do the enforcement to make sure they get cleaned up.

Council Member Huefner discussed an ordinance that regulating the black garbage cans and how long they can remain on the road. It may already be in the ordinance. Council Member Huefner would like a fine established for violations. We will look at this for next month.

REVIEW, DISCUSS AND APPROVAL OF EMPLOYEE VOLUNTEER POLICY

The policy was passed out to the Council Members for their review. Council Member Leonhardt said that we need to add the liability in city vehicle to the policy. Discussion ensued regarding this new policy and it was determined to go without an established written policy for this summer season and re-address the policy next fall.

Council Member Leonhardt will draft a policy for city vehicles.

MISCELLANEOUS ITEMS

E-mail discussion

The GRAMA law was discussed and how it relates to e-mails. Also, the Council discussed public records and that e-mails are a public record depending on the GRAMA law and the retention schedules.

Bid from Suburban Propane

The Council Members discussed the bid and determined that since we own the tanks it is better for us to be able to purchase propane from whomever we want at the time,

depending on the current price. We shouldn't lock ourselves into a contract with one company.

Appoint Janine Kurek as Deputy Recorder

We hired Ms Kurek to help in the office and we need to appoint her so she can help with meetings and take minutes.

Council Member Huefner made the motion to appoint Janine Kurek as a Deputy Recorder. Council Member House seconded the motion. A roll call vote was taken, Council Member Huefner, for; Council Member House, for; Council Member Leonhardt, for; Council Member Kurek, abstained. Motion carried.

Portable restroom bids

Mayor Spuhler and Council Member Huefner left the building because they have a conflict of interest with this discussion.

The Council Members reviewed the bids for the portable restrooms. We had 3 companies bid and each one had a low bid for one of the 3 events.

Council Member Kurek made the motion to award United the bid for Raspberry Days and Heartland the bid for Heritage Days. We will wait on awarding the bid for the beaches until we know what is going to happen with the water level. Council Member House seconded the motion. A roll call vote was taken, Council Member Kurek, for; Council Member House, for; Council Member Leonhardt, for. All in favor and the motion carried. Mayor Spuhler and Council Member Huefner was not inside the building for this discussion or during the vote. They returned after the vote was taken.

COUNCIL MEMBER REPORTS

Council Member Huefner said that she has been working on 3rd west with Mr. Linford and Mr. Hobbs. She has also been working with them on the secondary water.

Council Member Huefner has also been working on the park, they want to fix the water line, install some outdoor grills and run a water line for the new drinking fountain, which will be installed by Mr. Alan Wamsley.

Council Member Huefner said that she is still working with the property owners for their approval on their property for 3rd west.

Council Member Huefner said that we received \$125,000 for the Scenic Byway grant for the restroom at the parking lot.

Council Member Kurek said that we need a few more lifeguards hired. It is going to be busier during the summer and we need to keep the pool open when we say it will be open.

Council Member Kurek said that we can download audio books through the Library website.

Council Member Kurek said that everything is going well with the pool.

Council Member House said that Mr. Mel Maynes has requested to lease some of our canal shares from Hodges Canal. The Council agreed that he could lease them.

Council Member Leonhardt said that the Regional Commission is working hard to do some things that are a benefit to the area. They are trying to keep everyone informed. There is a new focus with the Regional Commission.

Mayor Spuhler explained that he was voted in as a member of the Board for the Hodges Canal Company. There is an objection by one person and they are pursuing that to see if there are any problems with Mayor Spuhler sitting on that Board.

Ms. Hislop asked the Council if they are okay with having the “by mail election” again this year for the municipal elections. It worked out well the last time. The Council agreed that we can do the elections by mail again this year.

Ms. Hislop explained that the property insurance proposed an increase in our property valuation of 711%. The Council agreed that we should have someone look over the proposal from Utah Local Government Trust and try to come up with a better valuation for the buildings.

PAYMENT VOUCHERS

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

ADJOURNMENT

There being no further discussion, Council Member House made the motion to adjourn the meeting at 7:55 p.m. Council Member Huefner seconded the motion. All in favor and the motion carried.

APPROVAL:

John Spuhler, Mayor

Attest:

Kathy Hislop, Town Clerk