

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

The Garden City Town Council held a Public Hearing on Thursday, July 7, 2011 at the Garden City Office, located at 69 N. Paradise Parkway, Bldg. C. Mayor Spuhler opened the meeting at 4:30 p.m.

Council Members Present:

John Spuhler  
Mike Leonhardt  
Brian House  
Bess Huefner

Others Present:

Sharlene Millard	Nadine Sprouse
Anita Weston	Mona Case
George Peart	Joann Akre
Travis Hobbs	Chuck Stocking
Aaron Mecham	

**ORDINANCE 11-09, 11-10**

#11-09

This Public Hearing is about requirements for late short term license renewals. There were no comments from the audience.

#11-10

There was discussion about what rate should be assessed for late business licenses. Council Member Huefner doesn't feel like charging business owners \$500.00 if they're late paying their business license. She would prefer to charge \$200.00. It was decided to add "short term rentals" to the heading.

**ADJOURNMENT**

Council Member Leonhard closed the Public Hearing at 4:57 p.m. Council Member House seconded the motion and the meeting closed.

APPROVED:

ATTEST:

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John Spuhler, Mayor

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Sharlene Millard, Assistant Clerk

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

The Garden City Town Council held their regularly scheduled meeting on Thursday, July 7, 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  
Mike Leonhardt  
Brian House  
Bess Huefner

Others Present:

Sharlene Millard	Nadine Sprouse
Anita Weston	Mona Case
George Peart	Joann Akre
Travis Hobbs	Chuck Stocking
Aaron Mecham	

**MINUTES**

June 9, 2011, Public Hearing

Council Member Leonhardt made the motion to approve the minutes of June 9, 2011. Council Member Huefner seconded the motion. All in favor and the motion carried.

RDA Public Hearing of June 9, 2011

Council Member Huefner made the motion to approve the minutes of the RDA of June 9, 2011. Council Member Leonhardt seconded the motion. All in favor and the motion carried.

June 9, 2011 Regular Meeting

Council Member Huefner made the motion to approve the minutes of the Town Council of June 9, 2011. Council Member Leonhardt seconded the motion. All in favor and the motion carried.

RDA Quarterly Meeting

Council Member Huefner made the motion to accept the minutes of the RDA Quarterly meeting. Council Member Leonhardt seconded the minutes. All in favor the motion carried.

## **TOWN ENGINEER REPORT**

Mayor Spuhler called the city engineer, Jason Linford.

Mr. Linford said Travis Hobbs is frustrated with the problems at the treatment plant and the level of service we've been getting from the contractor and supplier. He's hoping to get better service by meeting with them. There's also a valve that is not working properly. That's being worked on, but they do need to provide us better service.

Mayor Spuhler said that brings up a challenge. He said the treatment plant provides so much volume of water for the town, we need to look at ways to store water in case a rack goes down. He wondered about using the 500,000 gallon tank at Elk's Ridge for storage. Mr. Linford said that won't save us for very long, maybe a couple of hours if it's being used at the peak time, but it will help. Mr. Linford said there's a well in Pickleville for water storage. We'll have to look into it.

Mayor Spuhler said Payne Springs doesn't kick out enough water, but it's been good for this year. Mr. Linford said we have a trial connection with Sweetwater. We'd just need to get some footages in and see how much it will cost. He'll get some numbers for us in a couple of weeks. Mayor Spuhler said we've got a point of diversion from there now. Mr. Linford said we also need to be thinking of using an alternate source.

Mayor Spuhler said we need to explore our options and what is most cost effective. He feels good that we have the 1,000,000 gallon tank at Shundahai we could use when it's certified, the 500,000 gallon tank that we're now pumping from at Elk's Ridge, and the Sweetwater resource and well.

Mr. Hobbs asked Mr. Linford to calculate the cost of pumping water from the Pickleville well during the day and letting it fill at night, during the summer months.

Mayor Spuhler said there a lot of businesses that require water. We need to make sure we have water as soon as possible.

Mr. Hobbs said we've had more leaks than we've ever had since we turned on the treatment plant.

Mr. Linford said it was good to get the extra filters installed, because it's really saved us. Mayor Spuhler thanked Mr. Linford for helping the town get a grant to purchase the filters.

There was discussion about landscaping around the generator. They want to use the natural landscaping, i.e. chokecherry bushes.

Mr. Linford talked with Doug Madsen about the rotomilling on 300 W. turn lane. He was going to get back with him on that.

Mr. Linford talked about the Water's Edge project. He said we have a water system that will only produce so much and we still have so many people that come up on the weekends and they use large amounts water. He wants to feel comfortable to provide water for that development.

Council Member House said the town got a letter from the Utah property ombudsman and our standby fees are in line with the state. Mayor Spuhler said now we have a letter from the state that what we did with standby fees for vacant lots was legal and proper.

#### **PUBLIC WORKS DEPT.**

Mr. Hobbs talked with Debbie Ames. Hodges Canyon is a city road, so we can put it in our B & C road fund. It's not a private road. It's a perpetual easement road, not a historical road. It cannot be closed.

The grading of the roads is finished and the mag water will be done soon. The weed spraying and brush mowing will be done soon. They'll try to sweep the bike path once a week. There's been a lot of leaks in town with a new leak at the 20" main south of town. The treatment plant hasn't been running great. There's a very high demand at night, more than anticipated with the peak time around 2:00 a.m.

Mr. Hobbs said they were told they'd only be spending about 3 hrs/week with the treatment plant, but between Riley Argyle and himself, they're spending more like 40 hrs./week. They will be writing down their time every time they're called. They're on-call all the time and he feels they should be paid. The plant is calling them all weekend and in the middle of the night. He hopes the plant will settle down this fall. It's been very stressful for them.

Mr. Hobbs said the chlorinator is temporarily on line. It's not running like it should because we're waiting for parts.

Worldmark and Ideal Beach are two of the biggest water users in town. Worldmark has a broken 6" meter. It's an older meter and they are trying to find some parts to fix it. Ideal Beach has the original meters. They used 3,000,000 gallons last month. Their limit is 3,074,000. The meters were put in about 1972. They could be anywhere up to 75% off and in their favor.

Willow Valley will be replacing the meters at Worldmark and Ideal Beach. Mr. Hobbs thinks this is a vital project. We need to make sure their meters are as accurate as everyone else's. Steve Arnold with Ideal Beach was concerned because this is their busiest time with guests. Mayor Spuhler told him they wouldn't put them in until after Raspberry Days. Mr. Hobbs said he's working with the contractor, but if the city needs to push back the deadline, they'll work with that. They'll try not to inconvenience the businesses and resorts as much as possible

Mayor Spuhler talked about the Shundahai water agreement. The agreement was signed in February and the owners were to have the tank state certified by June 1<sup>st</sup> so the town could take over the system. They didn't meet the deadline and they are now scrambling to get it certified. They are now working with the state and the developer has to do testing and fire flow standards. Once we take over the system, we want our guys to know how it works and that it's certified. The city is not going to pay the engineering work or any of their costs, only what is the towns expense. The risk is that if it doesn't get approved, we have to pay to get it up to the state's standards. It will be a good tank. They had 4 months to get it taken care of. We want them to be successful, but don't want to get the city in a hardship. We also need to make sure that what they're doing is what was approved.

Mr. Hobbs said the water will be shut off Monday or Tuesday, depending on what happens with the main line leak.

Mr. Hobbs said the city sign isn't being lit up very well, but the flag is.

Mayor Spuhler complimented Mr. Hobbs on all the work they do.

### **BUILDING INSPECTOR**

Mayor Spuhler read a letter someone sent about George Peart, the Building Inspector. They complimented him highly on working with him.

Mr. Peart said building has picked up . He recently had 3 new permits in Bridgerland. He's also had 2 additions and 2 garages. He doesn't know of any troubles. He knows height has been the big topic but he hasn't had an issue with it.

Council Member Huefner asked about the Hancock's situation. Jon Nichol has said they are hauling stuff away. Their time is running out.

Mayor Spuhler also thanked him for the good work he does.

### **CODE OFFICER**

Jon Nichol wasn't here tonight, but had sent a letter which they read. Mayor Spuhler said he's doing a good job communicating with the public, but he was hoping for more citations.

### **BUSINESS LICENSE**

Speed Mountain, Aaron Mecham This is a business using a trailer on a piece of property to rent bikes. Council Member Leonhardt said he's not sure how they can give a regular business license instead of a transient business license to a business in a trailer. Mr. Mecham said he was told they could share a building with the Pickleville Playhouse. Council Member Huefner said Pickleville Playhouse is way over-built and they don't adhere to parking.

Mr. Mecham said he talked with Jon Nichol and Kathy Hislop. She said the parking was only an issue if they were operating the same time that Pickleville would be operating. His plan is to have all the bikes checked in by 5:00, then they'll clean up and store the bikes. They should be gone by 5:30 p.m.

Council Member Leonhardt's concern is that we have businesses that come in and invest a lot of money in buildings and infrastructure. If Mr. Mecham can just come in and put in a trailer, it does an injustice to the other businesses. That's a concern for him because the other businesses are here to stay and they re-invest their money into our community.

Mr. Mecham said he would like to eventually buy a home along B.L. Blvd. He said he doesn't really need a big building. They would just need something small. Council Member Leonhardt suggested he looks at Ken Hansen's building. He's got a vacant building there. Then there would be a legitimate business. At least it would be a dedicated business. Mr. Mecham doesn't want to do a transient business license.

Council Member Leonhardt suggested talking with Mr. Hansen about using his building and then get with him for approval. He wants to see him be successful in Garden City.

Ursus Enterprises, LLC - Council Member Huefner made the motion to approve the Business License application for Ursus Enterprises. Council Member House seconded the motion. All in favor and the motion carried.

#### Short Term Rental License, The Bacher Group

Council Member House made the motion to approve the Bacher Group LLC for a Short Term Rental. Council Member Huefner seconded the motion. All in favor and the motion carried.

### **ORDINANCES**

#### #11-09

Council Member Huefner made the motion that we accept the changes for ordinance #11-09, updating the requirement for late or no short term rental license renewal with the corrections of adding to the title; short term. Council Member House seconded the motion. All in favor and the motion carried.

#### #11-10

Council Member Leonhardt made the motion that we approve and accept the ordinance #11-10 an ordinance updating the requirements for obtaining a business license and a late or no short term rental license renewal. Council Member House seconded the motion. All in favor and the motion carried.

### **FIREWORKS DISCUSSION**

Mayor Spuhler said the state changed its rule for the first time this year. It has allowed for a lot more fireworks. He wondered if it makes sense for this area.

Council Member Leonhardt said, as a town council, we can determine if there can be fireworks or not. We can be more restrictive than the state.

Mayor Spuhler wondered how we can enforce hundreds and hundreds of people with one enforcement officer? We do have a noise ordinance. We just need to suck it up for one night a year for the fireworks. He's more worried about safety. Council Member Leonhardt suggested making an ordinance that fireworks are not allowed on city property. If you're on your own private property, you take your own risk.

Council Member House made the Resolution for 2011 that we do not allow any fireworks on the city property, including the city park and above the canal. They must terminate activities by 11:00 p.m. Council Member Huefner seconded the motion. All in favor and the motion carried.

### **WATER SHARES**

Mayor Spuhler talked about the cost of canal water shares. The value is worth a lot more than what is being paid. A secondary water system will be very expensive. Anita Weston said all you need is a tractor and a plow and you can bring millions of gallons into town. Mayor Spuhler said we don't have the water shares to just dump the water into the canal. Mayor Spuhler said it's something to have a dipper and then totally different to be able to use the dipper and drink. In the summer, we exceed our ability to use the dipper and drink. You also can't average it for the year. The state feels as if the water is gold and they will watch us.

We have a Memorandum of Understanding that we are working to move water to our water bank. We will buy it or lease it. There are some complex water problems. The water out of the ditches won't be cheap either. It will be expensive and we need to pay for our treatment plant.

Council Member Huefner said if we're going to do it, we need to do it right. The cost to bore under the road is about \$30,000.00. Mayor Spuhler said we'll address the issues for another time.

Mayor Spuhler said water is about rights, not distribution. We're trying to double our capacity of rights. We do have an agreement with Ted Wilson to get meters up at Payne Springs. It's taken 20 years, but it's finally done.

As for the cost of water shares, Mayor Spuhler suggested charging \$500.00/share for 30 acre feet. The true cost is in cleaning ditches and going to meetings.

The Council will think about it for next month.

## **MISCELLANEOUS**

Council Member Huefner wondered if the fee is too high for the garbage can rule. She is concerned with the \$25.00/day fine. She feels that a flat fee of \$25.00 would be more fair. Judge Brian House can determine if it's reasonable or not. If he's had to deal with them before, he can be harsher. It was stated that if we went to their city and let our garbage can fall over and leave diapers and pizza boxes all over, it wouldn't look good for their area either. People are used to coming up here and doing whatever they want and they don't like having to follow rules.

Council Member Huefner said she went to the county commission meeting. She and Barry had gone on the trail up to the forest service. People don't know where to go to stay on the road and not go through Gloyd Sprouse's land. The County Commissioners said they would get some signage to help and also include the Trujillo's land. Council Member House said the trails, especially on Garden City Canyon, are getting beat up pretty bad.

Anita Weston feels it's the developer's fault for not putting roads in properly. Council Member House said no, the roads were there before the developer.

Council Member Huefner said we only have one decent trail – and that is Garden City Canyon. The trail by Ted Wilson's always gets beat up. She said it's our responsibility. Mayor Spuhler said it's not our responsibility for trails, because then we have to enforce it. Council Member Huefner said that's why she went to the county.

Council Member Huefner said we need two stop signs by Renegade Racing.

Council Member Huefner said Jeff Hansen has legal descriptions for 3<sup>rd</sup> West. Rich Land has title and documents. Next week, ProLux will paint the house on the corner and trim the weeds. He will also move the trash one of these days. The town's lawn mower will be dead soon. We need a tractor with a brush hog so we can plan for that. Mayor Spuhler said we'll look at the costs.

Council Member House thinks we should get the field by the park mowed for parking.

Council Member Huefner said there are water leaks at the park. Riley Argyle was going to go call Tom Andersen and get him down there to fix it.

Council Member Huefner said Marie Weston is letting her lawn burn up. She wondered about having a water credit to help her. Council Member House will decide who will get the water credits.

Council Member House wants to reduce the court hours from 10:00 to 1:00 p.m. to 10:00 – 12:00. We can change the citation books.



Council Member Leonhardt said we also need to mow across the street from the office for Raspberry Days. We still have 30 booths that could be brought in. We have raised about \$35,000 – about \$10,000 more than ever before. Everything seems to be going well.

Council Member Leonhardt said the Regional Commission had a good meeting. Chris Kearn is the representative from the board to the governor. There will be a meeting for two governor's to sign an agreement for Emergency Services for Idaho and Utah. Governor Herbert will be in town for about a week with his family.

Council Member Leonhardt said the budget looks good.

Mayor Spuhler talked about a waiver for special events for scouts. Sim Weston of Laketown is issuing a permit for scouts. We are willing to waive our fees, but not the requirements.

The Council agreed that the Building Height agreement looks good.

#### **PAYMENT VOUCHERS**

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

#### **ADJOURNMENT**

Council Member Leonhardt made the motion to go into executive session at 7:15 p.m. Council Member Leonhardt opened the executive session at 7:15 p.m. The Council closed the executive session at 8:08 p.m. and closed the regular meeting also at 8:08 p.m.

APPROVED:

ATTEST:

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John Spuhler, Mayor

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Sharlene Millard, Assistant Clerk