

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

The Garden City Town Council held their regularly scheduled meeting on January 12, 2012 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
Brian House
Pat Argyle
Bess Huefner
Darin Pugmire via. speaker phone

Others present:

Kathy Hislop
Jason Linford
Bill Cox
Anita Weston
Skip Duffin
Mark Cook
Dale Stacey
Angie McPhie
George Peart

Mayor Spuhler opened the meeting at 5:00 p.m. He asked for a roll call of the Council Members present. Mayor Spuhler, Council Member Argyle, Council Member Huefner, Council Member House., and Council Member Pugmire via speaker phone.

Mayor Spuhler then lead everyone in the Pledge of Allegiance. Council Member Huefner offered the prayer.

OATH OF OFFICE

Council Member Argyle was sworn into office as a Town Council Member to fill the remainder of Term for Dan Kurek.

APPROVAL OF MINUTES

Minutes of the Town Council Special Meeting held on November 21, 2011

Council Member Huefner made the motion to approve the minutes of the Special Town Council meeting held on November 21, 2011. Council Member Argyle seconded the motion. All in favor and the motion carried.

Minutes of the Town Council Executive Session Meeting held on December 8, 2011

Council Member Huefner made the motion to approve the minutes of the Town Council Executive Session meeting held on December 8, 2011. Council Member House seconded the motion. All in favor and the motion carried.

Minutes of the Town Council Meeting held on December 8, 2011

Council Member Huefner made the motion to approve the minutes of the Town Council meeting held on December 8, 2011. Council Member House seconded the motion. All in favor and the motion carried.

Minutes of the Town Council Special Meeting held on December 15, 2011

Council Member House made the motion to approve the minutes of the Town Council Special meeting held on December 15, 2011. Council Member Argyle seconded the motion. All in favor and the motion carried.

Minutes of the Town Council Special Meeting held on January 4, 2012

Council Member Huefner made the motion to approve the minutes of the Town Council Special meeting held on January 4, 2012. Council Member House seconded the motion. All in favor and the motion carried.

RICH COUNTY SHERIFF REPORT, Dale Stacey

Sheriff Stacey gave a copy of his report to the Council Members. He then reported to the Council Members regarding Raspberry Days and the Law Enforcement in general.

Mayor Spuhler said that the Council is willing to offer the RV spots to the Officers that help during Raspberry Days. He said they can use it any time during the year, at no charge. Mayor Spuhler said that he would like a list of the Officers that have been coming to help so we can send them a letter thanking them for their assistance during Raspberry Days.

DISCUSSION WITH THE RICH COUNTY COMMISSIONER, Bill Cox

Commission Member Cox attended the Town Council meeting and explained that we need to be open to questions and have a better communication between the Town and the County.

Commissioner Cox reported that last year the county collected approximately \$800,000 in property taxes. The Sheriff and the Jail budget is \$750,000. The biggest portion of the property taxes go towards safety for the citizens of the entire county.

Mayor Spuhler said that he understands what Commissioner Cox is explaining because we have the same type of issues, on a smaller scale, with the Town taxes.

Mayor Spuhler said that we need to do a better job of supporting the Commissioners when people question their property taxes. We need to have a good relationship with the County Commissioners with better open communication.

Mayor Spuhler invited the Commissioners to our Council Meetings on a regular basis.

EAGLE SCOUT PROJECT, Mark Cook

Mr. Cook said that he would like to place the bear benches around town for his Eagle Scout project. He would like to move 2 of the benches for his project. One will be by Phyllis Hildts, on city property, so UDOT won't have to be involved at all. The cost to the city will be for the allthread the cement and a few other supplies. Mr. Cook will work up an estimate and will be working with Mr. Ken Hansen and Mr. Dan Kurek. The other location will be by Ms. Marie Weston's home.

Council Member Huefner called the scout office and it is the entity that will benefit from the project that pays for the project. The work and labor is what is provided by the scout. Mayor Spuhler said that this is a good project but we need to see the cost estimate.

The maximum budget for this project is \$800. Council Member Pugmire suggested that Mr. Cook go to LeGrand Johnson and let them know what he is doing and they may donate the cement for this project. Council Member House said that he will help contact LeGrand Johnson to see what they can do for this project. Mr. Duffin said that he may be able to form the slab at the cement plant and pour them there and then move the slab to the location.

TOWN ENGINEER REPORT, Jason Linford

Treatment Plant

Mr. Linford updated the Council on the treatment plant. He said that the last 2 weeks there have been some really good progress to get it back on line. They had to do some re-

programming and Build Inc. will come back up to do a few more repairs. He said that we are getting really close on the plant to get it back online.

There is a problem with the turbidity readings and they are not sure why it is high. They think that it may be air in the water that is messing with the reading. The water comes into the plant clearer than when it goes through the turbidity meters. They are working to correct that problem. Council Member Argyle asked if there is any chance that we are getting a false reading on the water coming in? Mr. Linford said that he hasn't thought about that because in the past the water has always been very clean and clear this time of year, but he will check that to see if that could be part of the problem.

Mr. Linford said that he is anxious to get the plant up and running and he said that he is willing to sleep at the plant a couple days to monitor what is happening and to take care of any alarms or problems that may happen once it is online.

Pickleville Well

Mr. Linford asked if there will be a problem getting a camera down in the well. They think that the well is a 6" casing but there is also a chance that the casing has collapsed.

Turn Lane

When UDOT comes to paint to the turn lane we will need to install the catch basin. TBP doesn't want to install the catch basin so we will need to do the installatio. Mayor Spuhler said that we may not have to do the catch basin. We need to get UDOT up here to look at the turn lane and approve it so we can get all the funds and get the paving companies paid.

PUBLIC WORKS DEPARTMENT REPORT, Travis Hobbs

Mr. Hobbs prepared a report for the Council Members. Mayor Spuhler went over the report with the Council Members.

The Council Members discussed the hospital sign and where to move it. We need to know all the specifics for moving the sign. Mayor Spuhler said that we need to get all the clarification on moving the sign before we start anything.

Council Member Argyle suggested that we look at moving the sign to the grassy area behind the clinic, which is on city property. Council Member Huefner will check to see if that is a possibility.

The Council reviewed all of Mr. Hobbs recommendations and suggestions. Council Member Argyle said that we need to follow Mr. Hobbs requirement to make sure the treatment plant is up and running 100% before we release anymore funds.

BUILDING INSPECTOR REPORT, George Peart

Mr. Peart gave a recap on 2011, he issued 27 permits and about half of those have been finalized. He feels that things have been going pretty smooth. He has been following the new building height requirement and it seems to be working okay.

Mr. Peart asked if Lochwood can be issued building permits yet. The Council agreed that they still have to complete the secondary access before any building permits can be issued. Mayor Spuhler said that Mr. Peart can't issue a building permit in Lochwood because they need to finish the ingress. He can issue a building permit in Cottages because we do have a bond that covers the road improvements that need to be completed.

CODE ENFORCEMENT REPORT, Andy Stokes

Mr. Stokes was not here during the meeting. Mayor Spuhler said that he has talked to Mr. Stokes and told him to work on educating people about the ordinances. Mayor Spuhler said that they have a meeting with the County Commissioners and with the Sheriff's Office to discuss what Mr. Stokes is going to do with our code enforcement and if and how the protocol will take place.

Mayor Spuhler said that for the public record we initially was looking at creating a Justice Court and determined that it was too big and too expensive for what we need. Mr. Ken Wallentine from the State helped us work through everything that we needed to do to create our Administrative Court, which allows us to enforce our ordinances.

ORDINANCE DISCUSSION/APPROVAL

Discussion only regarding a request to change ordinance #11C-1502 to include a produce stand as a permitted or conditional use, Jake Weeks

Mr. Weeks attended the Planning Commission meeting last night and was told by the Commissioners that they feel it should be a conditional use instead of a permitted use. The Council agreed that it should be a conditional use. The Council agreed that they will wait until next month to see Mr. Weeks plan for his business.

Council Member Pugmire said that he feels this would be considered a transient business until the restaurant is up and running and he should follow the requirements of a transient business until then.

Ordinance #12-01, an ordinance updating the definition of cluster development

The Planning Commission did not approve this last night so it is not discussed tonight by the Council.

Ordinance #12-02, an ordinance creating a new zone within the Garden City town limits

This ordinance was approved by the Planning Commission a couple of months ago.

Council Member House made the motion to pass ordinance #12-02 as presented. Council Member Huefner seconded the motion. All in favor and the motion carried.

DISCUSSION/APPROVAL OF BLOCK A BLUE WATER SUBDIVISION

This was not approved by the Planning Commission last night so the Council did not discuss or act on this item.

DISCUSSION/APPROVAL REGARDING A REQUEST TO ENCUMBER PROPERTY, John McGee

Lots 16, 17, and 18 of Buttercup Mobile Home Estates

Council Member Huefner made the motion to allow John McGee to encumber lots 16, 17, and 18 of Buttercup Mobile Home Estates. Council Member House seconded the motion. All in favor and the motion carried.

Lots 87, 88, 89 and 90 of Buttercup Estates Subdivision

Council Member House made the motion to allow John McGee to encumber lots 87, 88, 89, and 90 in Buttercup Mobile Home Estates. Council Member Huefner seconded the motion. All in favor and the motion carried.

MISCELLANEOUS ITMES

Appoint Planning Commission Member, Jim Stone

Mayor Spuhler explained that he has talked to and asked Mr. Stone to serve on the Planning Commission Board. Mr. Stone said that he would be glad to help and serve on this board.

Council Member House made the motion to appoint Jim Stone as a new Planning Commission Member. Council Member Argyle seconded the motion. All in favor and the motion carried.

Re-Appoint Planning Commission Member Stocking

Council Member Argyle made the motion to re-enstate Chuck Stocking into the Planning & Zoning. Council Member House seconded the motion. All in favor and the motion carried.

Discussion/Approval Regarding Refurbishing the Pool and Spa

Council Member Argyle made the motion to refurbish the pool and spa and set the limit at \$2,000 and have Mr. Stokes do the refurbish. The refurbish will be done in March. Council Member House seconded the motion. All in favor and the motion carried.

Discussion regarding purchasing a programmable thermostat for the big conference rooms.

The type of thermostat we need will be about \$200 each, and we need 3. The problem is that some of the renters are leaving their thermostat on all weekend and heating the buildings for that long. The Council agreed to purchase the thermostats.

Discussion regarding Special Events in Garden City during July and August

The Council discussed the special events and races that come during the summer months. The County Commissioners have been concerned with a couple of the specific races. Mayor Spuhler said that we can set the bar really high during July and August and charge them to come during those times, but he doesn't want to stop them altogether during those months.

Commission Member Cox said that Idaho doesn't allow permits between Memorial Day and Labor Day. He said that UDOT is willing to do the same thing. There will be a meeting with Garden City, the County Commissioners, and UDOT, on February 1st, to discuss this issue.

Mayor Spuhler said that he is concerned that not allowing them during that time will affect the economics for our businesses. He said that he is concerned that we don't know for sure that the race participants don't spent money in Garden City. The last thing we should do, when the economy is tough, is to say no way to these events. He said we should set the bar high and if they do a bad job we shouldn't let them come back. If they do a good job then we should let them come back, but all the races should have to help with our resources.

The Council decided to send out letters to the businesses to get their perspective regarding this issue and take their suggestions to the meeting with UDOT.

Eminent Domain Conference

The Council agreed to send Ms. Hislop to the conference.

COUNCIL MEMBER REPORTS

Council Member Huefner reported that she is working on the fence project and the pond project. She reported that there were quite a few things discussed during the County Commission meeting which related to Garden City. They will have a job opening soon

for weed control and a job to plant trees for the County. Another discussion during that meeting was creating a fire break in Garden City. The State Forest lands said that they have some money to help create that fire break.

Council Member Argyle said that the employee handbook may need to be updated to make sure it fits the needs of everyone including the part-time employees. She also reported that the Library would like to do a fundraiser and have a scrapbooking event.

Mayor Spuhler said that we have been working hard on the annexation. He is also working on the grant for 3rd west. We may not receive it this year but if we don't get it we can apply for it again next year. If we get the grant we will have to pay about \$140,000 in matching funds, but we can figure that out later.

The annexation is very important to make sure that we can protect the water for the residents.

Mayor Spuhler said that we checked with David Church and we can offer a water discount for businesses that remain open all year. We would need to make sure that it is fair and very specific. Mayor Spuhler said that for the next meeting we need to come up with a criteria of who we can offer the 20% discount to.

PAYMENT VOUCHERS

The Council Members reviewed the bills.

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

ADJOURNMENT

There being no further business to discuss, Council Member Argyle made the motion to adjourn the meeting at 8:20 p.m. Council Member House seconded the motion. All in favor and the motion carried.

APPROVAL:

John Spuhler, Mayor

Attest:

Kathy Hislop, Town Clerk