

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

The Garden City Town Council held their regularly scheduled meeting on Thursday, January 8, 2015 at the Garden City Lakeview Building located at 69 N. Paradise Parkway, Building C. Mayor Spuhler opened the meeting at 5:00 p.m.

Town Council Members present:

John Spuhler, Mayor
Darin Pugmire
Chuck Stocking
Bruce Warner
Bess Huefner

Others Present:

Kathy Hislop
Riley Argyle
Zan Murray
Anita Weston
Skip Duffin
Bobbie Coray
George Peart
Steve Knap

ROLL CALL

Mayor Spuhler asked for a roll call of Council Members present: Mayor Spuhler, Council Member Huefner, Stocking, Council Member Pugmire, Council Member Stocking, and Council Member Warner.

DISCUSSION REGARDING THE SHUNDAHAI WATER TANK AGREEMENT TO TAKE OVER THE TANK VS. BUILDING A NEW WATER TANK.

Council Member Warner explained that last month they discussed the agreement with Mr. Mecham regarding the purchase of the Shundahai water tank. He said that he wants to discuss this and come up with a strategy of what we want to do regarding water storage.

Council Member Warner went through the cost breakdown for the purchase of the water tank and discussed, at length, options for the Shundahai tank vs. an alternative tank. They also discusses water storage in Garden City.

The Council suggested going back to Mr. Mecham to discuss a discount of the tank since it is 10 years old and has depreciated over those 10 years. Council Member Warner said that we have a fiduciary responsibility to find the best valuable for the citizens of the community.

Council Member Warner will work with Mr. Murray during the next month to determine the best option for the Council. Mr. Murray will work to come up with a complete analysis for the 2 options.

Mayor Spuhler said that we need to move forward and make a good decision regarding this.

Since the agreement wasn't signed we will continue with the impact fees that were approved in February 2014.

APPROVAL OF MINUTES

Minutes of the Town Council meeting held on December 11, 2014

Council Member Pugmire made the motion to accept the minutes of the Town Council meeting held on December 11, 2014 with the corrections on page 2, taking out the 3rd and 4th sentences. Council Member Warner seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

WATER SERVICE DISCUSSION/APPROVAL

Traveland at Bear Lake is requesting a variance of Resolution #14-02 and water rates, Steve Knap

Mayor Spuhler said that he didn't understand that Mr. Knap wasn't able to open his business during the winter, the only thing they can't do during the winter is storage. He can open for the winter months.

Mr. Knap said that he reviewed, through the minutes of previous meetings, and his understanding from the minutes was that he couldn't operate during the winter. Mayor Spuhler said that he thought that they could operate year round, the only thing that couldn't be done was storage year round.

Mayor Spuhler said that he understood that they could operate the traditional business year round but the park models were different. Mr. Knap said that he didn't understand that based on the information he has.

Mr. Knap said that he is asking for relief because right now he is required to pay for water all year. The Council said that this would be a variance issue. Mayor Spuhler said that his concern is the other businesses in town, everyone here that has a business has a hardship. He is concerned about how this proliferates and how to pay the bills.

The Council agreed that there may be some confusion in the documents that Mr. Knap is presenting for his relief. Mr. Knap said that he would like something in writing that he can be open year round. Mayor Spuhler said that the Traveland RV park can be open year round except for the storage as stipulated in the CUP.

Mr. Knap said that the change in the water requirements to pay year round has made it difficult for him. He said that because of this new requirement he has to pay about \$3,600 more per year. He said it is a financial hardship on his business. Council Member Pugmire explained the 20% retail discount if he operates his business year round.

Mr. Knap said that he is requesting a relief of the water bills because of the financial hardship on him. The Council agreed that there may be some confusion in the documents that Mr. Knap is presenting for his relief.

The Council agreed that it would be fair to give the relief October 2014 – May 2015.

Council Member Pugmire made the motion to offer the relief for Traveland at Bear lake in the amount of \$3,245 because of the fact that the way that it was documented, when he received his business license, not understanding the way it was written, regarding confusion on the park models discussion of September 2010. Mr Knap is allowed to operate all year. Council Member Pugmire asked if he has everything, plumbing set for the RV park. Mr. Knap said that it is all there but not to the buildings. Mr. Knap is not allowed to get the 20% discount this year because he is getting the relief for this winter. This is only a 1 time relief for this winter fall of 2014/winter of 2015. Council Member Warner seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

BUSINESS LICENSE DISCUSSION/APPROVAL

Glitz Me/barbj products/blingme/Boat Repair. Request to conduct a retail/service business at 65 W Logan Road #1. Donald & Kathleen Porter

Council Member Warner explained that Ms. Porter makes decorative items for clothing, etc. it is basically a manufacturing and retail business. Council Member Pugmire said that the description is for boat canvas repair. This business would be a year round business all conducted from one space. He felt that this would require 1 license because they are a similar concept from one space.

Council Member Warner moved to accept the business for Glitz Me/barbj products/blingme/Boat Repair . Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Council Member Huefner, for; Mayor Spuhler, for. Motion carried

CONCESSIONAIRE LICENSE ANNUAL REVIEW/APPROVAL

Bear Lake Water Adventures, Concessionaire business located at the Garden City Lake Park, approximately 400 S. Bear Lake Blvd. Lance Bourne

Mr. Bourne is not in attendance and the Council would like to discuss this with him so we will invite him to the February meeting. The Council agreed that they can approve this business based on their satisfaction and him coming to discuss this during the next Town Council meeting.

Mr. Bourne has 1 more year on his concessionaires license, then it will have to go back out for bid.

Council Member Huefner made the motion to approve Bear Lake Water Adventures concessionaire business license upon the condition that he return next month to report on his business. Council Member Warner seconded the motion. A roll call vote was taken: Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Council Member Huefner, for; Mayor Spuhler, for. Motion carried

PUBLIC HEARING OPENED AT 6:00 P.M. AND WAS LOCATED AT 69 N. PARADISE PARKWAY, GARDEN CITY UTAH.

The annexation area includes property owned by SK Properties, LLC., Dee Hildt, Charles L. and Marta Earl, and Bear Hollow Holdings, LLC. Parcel numbers are 41-17-00-083, 41-17-00-082, 41-17-00-080, and 41-17-00-079. The property is approximately 14.63 acres and is west of 300 West

Mayor Spuhler opened the public hearing at 6:30 p.m. and asked for a roll call of Council Members present: Mayor Spuhler, Council Member Stocking, Council Member Pugmire, Council Member Huefner, and Council Member Warner.

Mayor Spuhler explained the annexation area. This area is where the rodeo was last year, it is approximately 17 acres.

Mayor Spuhler asked for public comments but there were none.

There being no further comments for the public hearing Council Member Huefner made the motion to close the public hearing at 6:35 p.m. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Council Member Huefner, for; Mayor Spuhler, for. Motion carried.

PUBLIC COMMENTS, 2 minute time limit

Mayor Spuhler opened the meeting for the public comments. Mr. Duffin asked if the right-of-ways are in place for the Shundahai water tank. Mayor Spuhler said no, we want to make sure everything is done first and they will be recorded. Mr. Duffin said that there are some property conflicts for the easements. Mayor Spuhler said that we won't do anything on that agreement until we have all the easements, etc.

Ms. Coray said that she tried to turn around on 350 S and it was very tight. It was explained that it will be restriped this spring. Also, the 50 S parking lot will be restriped to make the stalls larger.

ORDINANCE DISCUSSION/APPROVAL

Ordinance #15-01, an ordinance stating that short term rentals are allowed in all zones unless the Homeowner's Associations prohibit rentals

Mayor Spuhler explained the ordinance and the discussion with the Planning Commission. This ordinance just changes that short term rentals won't be allowed in subdivisions where HOA don't allow them, but they have to bring in the documents to prove that their CC&R's prohibit short term rentals. This is a better way to work with the HOA's.

Council Member Huefner made the motion to accept ordinance #15-01 with the change written in the ordinance. Council Member Warner seconded the motion. A roll call vote was taken: Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Council Member Huefner, for; Mayor Spuhler, for. Motion carried.

Ordinance #15-02, an ordinance stating that buildings cannot exceed the height for that zone

Mayor Spuhler said that this just clarifies the ordinance. Council Member Warner said that this makes it so that there is no flexibility. Mayor Spuhler said that they can still go through the Board of Adjustments for a variance. Mayor Spuhler said that this ordinance makes it cut and dry, but you can still go to the Board of Adjustments.

Council Member Huefner made the motion to accept ordinance #15-02 stating that all buildings cannot exceed the height of that zone. Council Member Warner seconded the motion. A roll call vote was taken: Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Council Member Huefner, for; Mayor Spuhler, for. Motion carried.

Ordinance #15-03, an ordinance updating height and phasing in PUD/PRUD

Council Member Pugmire explained the changes to this ordinance. The Planning Commission made these changes to make sure everything will conform to the Garden City ordinances.

Council Member Pugmire made the motion to approve ordinance #15-03 as written. Council Member Warner seconded the motion. A roll call vote was taken: Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Council Member Huefner, opposed; Mayor Spuhler, for. Motion carried.

Council Member Huefner said that she doesn't understand part of the new ordinance so she is opposed to the changes.

Ordinance #15-04, an ordinance making changes to all zones

The Council Members reviewed the ordinances and changes. Council Member Huefner said that she feels that a garage could be 35' but the new ordinance states that it can't be taller than 25' for a detached garage. The Council discussed this requirement.

Council Member Pugmire made the motion to approve ordinance #15-04. Council Member Warner seconded the motion. A roll call vote was taken: Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Council Member Huefner, for; Mayor Spuhler, for. Motion carried.

Ordinance #15-05, an ordinance updating height and phasing in subdivisions

Council Member Pugmire made the motion to accept ordinance #15-05 as written . Council Member Warner seconded the motion. A roll call vote was taken: Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Council Member Huefner, for; Mayor Spuhler, for. Motion carried.

Ordinance #15-06, an ordinance stating that homes can be built in specific commercial zones

This ordinance was not approved by the Planning Commission. They want to discuss it more next month.

Council Member Pugmire made the motion to table ordinance #15-06. Council Member Huefner seconded. A roll call vote was taken: Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Council Member Huefner, for; Mayor Spuhler, for. Motion carried.

MISCELLANEOUS ITEMS

Town Clerk/Recorder re-appointment, Kathy Hislop

Deputy Clerk/Recorder re-appointment, Sharlene Millard & Tammy Calder

Council member Warner made the motion to approve 9a & 9b, re-appointment of our clerks. Council Member Stocking seconded. A roll call vote was taken: Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Council Member Huefner, for; Mayor Spuhler, for. Motion carried.

COUNCIL MEMBER REPORTS

Council Member Huefner said that she is still working on the plans for the children's playground at Heritage Park. The design will cost the city \$250 total.

Mayor Spuhler said that there is plenty of good talent out there that we don't need to spend so much money on the Raspberry Days entertainment. He said that he will help the Entertainment Chair on how to get good bands.

Council Member Warner said that he is going to work on setting up a meeting with the people involved in the Elk's Ridge issues. He asked Mayor Spuhler to write them a letter and explain what we are requesting. Council Member Huefner said that she will go meet with the Weber family to see if she can work anything out. Mayor Spuhler said that we may have to start working towards eminent domain. We need to look into this because it may be the only way we can get this done. Council Member Huefner can work on this but she will need some details from Mr. Argyle so she knows what she is requesting, then she will meet with Mr. Weber.

Council Member Stocking said that he had 2 heaters in the pool that wasn't working, but it seems to be working now. The Public Works Department worked on it and got it going again. They also had to replace the water heater, but was able to get it replaced under warrantee. We have a problem with the chlorine freezing since it is outside, so the Public Works Department will need to re-route the lines so they don't freeze.

Council Member Stocking explained the uberconference that we will start using for our meetings. Mayor Spuhler said that we really don't need the video feed, so we will just have the audio from now on.

Council Member Pugmire explained that Mr. Crosby would like to extend a road from Lychee Lane, off Hodges Canyon Road. He explained what they will need to do to get the road up to standards. Mr. Argyle said that if it is a private road they don't need to meet our standards. Council Member Pugmire said that they may want to come in as a city road later so they should build it right the first time.

PAYMENT VOUCHERS

The Council Members reviewed the billings. There were questions regarding the billings for Envirocentric again this month. The Council decided to talk with Mr. White for clarification of his billings before they will sign his checks.

Council Member Pugmire made the motion to pay the vouchers. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Council Member Huefner, for; Mayor Spuhler; for. Motion carried.

Council Member Pugmire made the motion to go into executive session at 7:45 p.m. to discuss the purchase of land. Council Member Warner seconded the motion. A roll call vote was taken: Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Council Member Huefner, for; Mayor Spuhler; for. Motion carried.

EXECUTIVE SESSION

Minutes of the Executive Session will be recorded separately. The recorder was stopped at this point to make a separate copy of the executive session.

There being no further business to discuss during the executive session Council Member Pugmire made the motion to close the executive session at 8:10 p.m. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Council Member Huefner, for; Mayor Spuhler; for. Motion carried.

ADJOURNMENT

There being no further business to discuss, during the regular meeting, Council Member Huefner made the motion to adjourn the meeting at 8:10 p.m. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Council Member Huefner, for; Mayor Spuhler; for. Motion carried.

APPROVAL:

John Spuhler, Mayor

Attest:

Kathy Hislop, Town Clerk