

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

The Garden City Town Council held their regularly scheduled meeting on Thursday, December 11, 2014 at the Garden City Lakeview Building located at 69 N. Paradise Parkway, Building C. Mayor Spuhler opened the meeting at 5:05 p.m.

Town Council Members present:

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

Others Present:

Kathy Hislop  
Riley Argyle  
Zan Murray  
Anita Weston  
George Peart  
Skip Duffin  
Kat Porter  
Tiffany Wahlberg  
Becky Lowe  
Chase Merrill  
Danny White, via speaker phone

**Roll Call**

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

**Approval of Minutes**

Minutes of the Town Council meeting held on November 13, 2014

Council Member Pugmire made the motion to accept the minutes of the Town Council meeting held on November 13 2014 as written. Council Member Huefner 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.

Minutes of the Executive Session, Statement in lieu of minutes held on November 13, 2014

Council Member Warner made the motion to accept the Executive Session, Statement in lieu of minutes for the meeting held on November 13, 2014. Council Member Pugmire 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.

**Business License Discussion/Approval**

**Xtreme Movement Dance Company, request to have a dance studio and offer dance classes at 2332 Kimball Lane. April Wuthrich**

Council Member Pugmire explained that they are just moving the business. Council Member Warner said that she has been doing business at the original location for a few months. She also has not turned in any paperwork for the change of address, and she hasn't paid the additional fee for the change of address.

Council Member Pugmire moved to accept the business for Xtreme Movement Dance Company, whose owner is April Wuthrich, to make a change of address to 2332 Kimball Lane, contingent on her filling out her paperwork for the change of address as well as making her \$50 payment. Council Member Huefner 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

**Discussion regarding the Beach Management Plan, Danny White**

Mr. White explained the different options as outlined on his maps. The first option is 374 acres. Option #2 is for 422 acres and option 3 is 390 acres. The Council Members discussed the different options.

Mayor Spuhler asked the Council what option they would like to work on. Option #3 would cost about \$124,000 to do the mitigation.

Mayor Spuhler said that he would like to wait until the lake comes up and in the mean time we can work on the 374 acres and manage that area, which is option #1. We will just need to be ready to react when the water level is right.

Mayor Spuhler told Mr. White to proceed with option #1, which won't cost any money to the city for mitigation because we would be actively managing the area of the sand. Mayor Spuhler said that we should wait for the water to rise to do the mitigation. Mr. White said that if we lock in option #1 then we can keep the vegetation at bay. We can mow and take care of the areas that are covered in vegetation. We can also disc those areas that are not classified as special aquatic rights.

The Council Members agreed. Mr. White agreed that he is already contracted with the City to do this work and complete the application with the Corp of Engineers.

**Discussion/Approval of a Termination of Encumbrance Agreement and Covenant to Run with the Land.** Request to terminate the encumbrance of Lot 11 & 12 of Buttercup Farms Subdivision, parcel numbers 41-21-39-011 and 41-21-39-012. Paul & Dorothy Nance

Mayor Spuhler explained that this is to terminate the encumbrance of lots 11 & 12 of Buttercup Farms Subdivision for Paul and Dorothy Nance. There were no comments or concerns with this request.

Council Member Pugmire made the motion to approve the request to terminate the Covenant to Run with the land for Paul & Dorothy Nance for lots 11 & 12 of Buttercup Farms, parcel numbers 41-21-39-011 and 41-21-39-012 as outlined. 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. There were no public comments.

**Bear Lake Valley Blue Print Discussion**

Mayor Spuhler explained the Bear Lake Valley Blue Print. He explained how to find it on line. He said that there were a lot of people that participated in putting it together, over 2,000 people, over a year's time.

He said that the idea behind the blueprint was to get an idea of what the people want. He said that the Council tries to take that information in to consideration when they are making their decisions.

Mayor Spuhler said that he went to a lot of the meetings and there were different personalities that helped with the document. He read through some of the statistics from the surveys that were taken during the meetings. He said that if you look through the document you can find what is really important to people.

Mayor Spuhler said that the blueprint is a tool, it helps find resources.

**Miscellaneous Items**

Board Member Re-appointments: Planning Commission, Susann House; Board of Adjustment, Marcia Solum; Board of Appeals, Howard Pope.

Mayor Spuhler said that he appreciates Mr. Shiess and what he has done on the Planning Commission. He has taken it very seriously and asked a lot of questions.

Mayor Spuhler said that he spoke with Ms. Susann House, Ms. Marcia Solum, and Mr. Howard Pope and they all want to continue to serve on their respective Boards.

Council Member Pugmire motion to re-appoint in the Planning Commission Susann House; re-appoint to the Board of Adjustment, Marcia Solum; and re-appoint to the Board of Appeals, Howard Pope. 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.

Mayor Spuhler said that he talked to Ms. Dawn Brady to see if she would like to serve on the Planning Commission, but has not received an answer back from her yet. He feels that she will take it seriously. The Council agreed that she would do a great job. The Council Members agreed to have Mayor Spuhler to continue to work with her.

**Public Hearing opened at 6:00 p.m. and was located at 69 N. Paradise Parkway, Garden City Utah. December 11, 2014**

Mayor Spuhler opened the public hearing at 6:00 p.m. and asked for a roll call of Council Members present: Mayor Spuhler, Council Member Stocking, Council Member Pugmire, Council Member Huefner via speaker phone, and Council Member Warner via speaker phone. Others present were Kathy Hislop (City Clerk/Recorder), Skip Duffin, Kat Porter, Anita Weston, Tiffany Wahlberg, Becky Lowe, and Chase Merrill.

Mayor Spuhler read the outline of the meeting from the agenda.

Community Development Block Grant, The Garden City Town Council, Garden City, Rich County, Bear River Associates of Government will consider potential projects for which funding may be applied under the CDBG Small Cities Program for Program Year 2015. Suggestions for potential projects will be solicited, both verbally and in writing, from all interested parties. The expected amount of CDBG funds for this program year will be discussed along with the range of projects eligible under this program and a review of previously funded projects.

Mayor Spuhler, opened the public hearing for the CDBG program and stated that this hearing is being called to consider potential projects for which funding may be applied under the 2015 Community Development Block Grant Program. He explained that the grant money must be spent on projects benefiting primarily low and moderate-income persons. The BRAG region, in which Garden City is a member, is expecting to receive approximately \$100,000 in this new program year. All eligible activities that can be accomplished under this program are identified in the CDBG Application Policies and Procedures Manual and interested persons can review it at any time. Mayor Spuhler read several of the eligible activities listed.

Ms. Becky Lowe gave their proposal for renovation to the Bear Lake Community Health Clinic to the Council. Their request includes an alteration renovation to the Health Care facility in Garden City. They want to add handicap doors, add additional exam rooms and counseling rooms. They will also do new carpeting and painting. The extent of the renovations will depend on how much they receive, but they really need the handicap doors.

Mayor Spuhler explained the CDBG and the Board Members and how the grant applications are processed and scored. He said that it is a great program and the local government entities determine who gets the monies.

Mayor Spuhler said that also eligible are loan programs for private businesses which would then hire low income persons and the program can also pay for housing rehabilitation or down payment assistance for low income homeowners. Mayor Spuhler indicated that in the past Garden City has received CDBG grants to build the library and also for dentist chairs for the clinic. Garden City has an approved Capital Improvement Plan, which lists the projects the city has identified as being needed in the community.

Mayor Spuhler asked if there were comments from the audience. Mr. Skip Duffin asked if we would be subsidizing a private business. It was explained that the clinic is a non-profit business. Mr. Duffin asked if there were other projects that were being considered. Mayor Spuhler said that Garden City does not qualify for this grant, but we can sponsor a non-profit group so we would be sponsoring the clinic in this program.

Mayor Spuhler asked if there were any further questions or comments. There were no further comments or questions.

There being no further comments for the public hearing Council Member Stocking made the motion to adjourn the meeting for the Community Development Block Grant at 6:13 p.m. Council Member Pugmire 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.

#### **Discussion/Approval of the Bear Lake Community Health Care Center requesting Garden City sponsor them with the Community Development Block Grant**

Council Member Stocking made the motion to approve the Bear Lake Community Health Care Center request for Garden City to sponsor them in the Community Development Block Grant. Council Member Pugmire 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.

#### **Report and Approval of the Garden City Financial Report for fiscal year July 1, 2013 through June 30, 2014, Tiffany Wahlberg, CPA**

Ms. Wahlberg went through the Financial Statement for 2013-2014 fiscal year. Ms. Wahlberg explained that during the year there were bonds paid off and re-financed so she had to get confirmations from both bonding companies. She said that the re-financing was a great thing to do because it will lower the total payments that will have to be made over time.

Ms. Wahlberg reported that the net asset for the city is \$6,793,577, which is an increase over last year of approximately \$150,000. Even though the city is continuing to grow and have a lot of expenses we are continuing to increase the net position.

Ms. Wahlberg continued to review and explain the Financial Report to the Council Members.

Council Member Stocking made the motion to accept the Garden City Financial Report for fiscal year July 1, 2013 through June 30, 2014. Council Member Pugmire 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 Reports**

Council Member Warner reported that he is working on the Shundahai Water Tank agreement with Mr. Mecham. He said that Mr. Lance Bourne told him that there is a concern with taking over the tank because there is about \$500,000 that needs to be put into the tank over time to bring it up to work the way we need in the future. The Council discussed this and stated that they were already aware of the improvements that need to be done. Council Member Pugmire said that information was in the report that it will cost that on top of the cost of the tank. The Council all said that they are aware of the additional funds that will be required for the tank.

Council Member Warner said that he felt that the Council was aware of the additional costs and also the Engineer was aware of that and it was in the report. Mayor Spuhler said that the state is aware if this also. He said that it's not a mystery to anyone and Mr. Mecham is not in violation with the state.

Council Member Pugmire said that he understood that we have to change the pumps in the future, the loop system needs to be done now and the pump system has to be done at the same time, not in phases. Mayor Spuhler said that he wasn't aware of that. He said that we need to clarify this with Mr. Murray. Council Member Warner should contact Mr. Murray to explain and get clarification on this issue.

Council Member Warner said that there are a couple areas in the city where we are out of compliance with the water storage and we need to keep working on that, but we have never had a report from the Engineers that it is a crisis that we need to resolve immediately. He said that we need to get a report from Mr. Murray for the schedule for all the items so that we are fully aware of everything before we sign the agreement. He will work with Mr. Murray to get the clarification.

Council Member Warner explained that there have been a couple of line breaks recently where people have asked for a credit. He feels that we should grant a credit for the highest month as compared to the prior year. The Council agreed that was a good policy.

Council Member Huefner said that she will continue the farmers market next summer, but the time will be shorter.

There will not be a Chocolate Festival in 2015.

Council Member Huefner said that they are working on the Trust/Endowment Program. It would be for people to donate money to the city in their will. Mayor Spuhler explained that BRAG has

a program that can enhance this project through resources. He said that we looked at doing this on our own but BRAG can help manage it for all 3 counties. The purpose for the Trust/Endowment would be to purchase a beach front property.

Council Member Stocking explained that the Library is doing well overall. They purchase a few new computers that are now up and running.

Council Member Stocking said that he has had quite a few complaints that there is too much chlorine in the pool. He has talked to Mr. Monk and also checking it regularly. He also called the distributor and the dispenser may need to be replaced. Council Member Stocking said that he will keep up on this to make sure it gets fixed.

Council Member Pugmire explained that there really isn't any issues with the roads now and there won't be any work done on the roads until spring. They will try to get the 2 culverts installed within the next 2 weeks.

### **Payment Vouchers**

Council Member Huefner made the motion to pay the vouchers as presented. Council Member Warner seconded the motion. Council Member Pugmire had questions regarding the billings from Envirocentric. Motion died for lack of a vote.

The Council Members reviewed the billings and determined not to pay the bills until they talked with Mr. White for clarification.

Council Member Pugmire made the motion to pay the remaining vouchers minus the 3 bills from Envirocentric. Council Member Huefner asked if we are satisfied are we going to pay them at the next meeting. Mayor Spuhler said that we can pay them contingent upon our satisfaction and completion of the work. Council Member Pugmire asked if we need to get everyone to sign off if they approve, via e-mail. Council Member Pugmire amended the motion to include that if we get more detail back from Envirocentric we will pay his vouchers if we have the majority vote from the Council by email that we confirm that the bills are legitimate. Council Member Stocking seconded the motion. Council Member Warner asked to make sure that the motion included to pay the rest of the vouchers. 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 Council Member Pugmire made the motion to adjourn the meeting at 7:35 p.m. Council Member Huefner 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:

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John Spuhler, Mayor

Attest:

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Kathy Hislop, Town Clerk