

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

The Garden City Town Council held their regularly scheduled meeting on August 9, 2012 at the Garden City Office, located at 69 N. Paradise Parkway, Bldg C. Mayor Spuhler opened the meeting at 4:45 p.m.

Council Members present:

John Spuhler, Mayor, via speaker phone
Brian House
Pat Argyle
Bess Huefner
Darin Pugmire

Others present:

Kathy Hislop
Travis Hobbs
Andy Stokes
Cindy Gooch
Anita Weston
Kathy Anderson
Nadine Sprouse
Ken Hansen
Skip Duffin
Paul Webb
Kathy Webb
Lance Bourne
DeWayne Gifford
Greg Bills
Mona Case
Joey Stocking
Jackie Bourne
Sharlene Millard

ROLL CALL

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

APPROVAL OF MINUTES

The minutes of the meetings held in July are not drafted or ready for approval. The Council Members discussed how to approve the minutes without having to wait another month until the next meeting.

Council Member Huefner made the motion to approve the minutes when they are received, corrected via e-mail, and returned to the clerk. Council Member Pugmire seconded the motion. All in favor and the motion carried.

TOWN ENGINEER REPORT

The Town Engineer is not in attendance and did not send a written report.

PUBLIC WORKS DEPARTMENT REPORT, Travis Hobbs

Mr. Hobbs reported that they are still having some issues with the treatment plant when the power goes out. The power went out this week so they are trying to re-set the things that they need.

Mr. Hobbs said that the backhoe and the skid steer lease are up so we need to decide what to do about those 2 pieces of equipment. The Council discussed the options and decided to go with John Deere for the backhoe and stay with Cat for the skid steer, which the lease for the skid steer will not change but we will get a new skid steer for the new lease.

Council Member Huefner said that she had a citizen ask her if we use the equipment, if it is necessary to have this equipment. Mr. Hobbs said they use them all the time. They use them both to keep the roads open in the winter and to clear the bike path. They use the backhoe on all the water projects.

Council Member House made the motion to switch to the John Deere backhoe and keep the skid steer as we have with the current lease. Council Member Pugmire seconded the motion. All in favor and the motion carried.

BUILDING INSPECTOR REPORT

Mr. George Peart is not in attendance. Mayor Spuhler explained that he has had a couple of issues with a property in Lochwood. Mayor Spuhler said that he has sent all the information to our attorney and is going to let him deal with this problem. All future contact from the property owner will be referred to Mr. Martineau.

CODE ENFORCEMENT REPORT, Andy Stokes

Mr. Stokes reported that Raspberry Days wasn't too bad. There were some noise issues and parking issues which he did issue some citations. Mr. Stokes said that there was a situation of people blocking an access to properties. He said that the only ordinance he

could find to cite these situations for was just the general parking ordinance. He suggested that we update the ordinances to make it more of a fine for someone blocking a public access. He will work on updating the ordinance.

He is working on the sign ordinance with each of the businesses, and he will continue to work with every business.

Mr. Stokes explained that he now has a general schedule that he will try to stick to, he will work code enforcement on Wednesdays, and weekend nights. His other hours will be for the public works dept.

CITY ADMINISTRATOR REPORT, Danny White

Council Member House read Mr. White's report.

There was significant discussion regarding the hours that Mr. White is working and if he needs to be relieved of some of the tasks he is working on. Mr. Pugmire said that Mr. White is working on a lot of tasks and feels that we should have Mr. White focus on the most important project other than having him work on so many different things. Mayor Spuhler said that when Mr. White was hired he was told that he would have multiple projects he would be working on at the same time and he was okay with that. If Mr. White feels like he has too much on his plate he needs to let us know so we can decide how to delegate better.

Council Member Pugmire said he would be happy to take over on the sign ordinance to allow Mr. White to focus on other tasks. Mayor Spuhler said that he would like Mr. White to be engaged in the sign ordinance.

Mayor Spuhler said that we need to start working on our Master Plan again to quantify it. Mr. White can help with the planning and working on the Master Plan.

Mayor Spuhler said that he has found out that it is an unbelievable amount of work to get a scenic byway designation so we may want to re-think opting out of the scenic byway.

RASPBERRY DAYS REPORT, Nikki Weston

Council Member Huefner read the review of the craft fair revenues and expenditures. This is just the craft fair, not the entire Raspberry Days Festival. She received great reports from vendors and there were a lot of people here for the festival. It seemed like a great success.

Mayor Spuhler asked about traffic and if there was any problems. Council Member Huefner said that she watched the traffic all 3 days and it was pretty slow on the boulevard. 3rd west will be a great benefit for Raspberry Days. The Council agreed that it needs to be moved to the new park as soon as possible.

Mr. Hobbs requested that we send another letter to UDOT requesting they create or mark the crosswalk across Logan Road and on the south end of town across Bear Lake Blvd. It is important to get those crosswalks in because they may be a huge liability issue. We can also thank them in the letter for all the things they have done for Garden City this past year.

BUSINESS LICENSE DISCUSSION/APPROVAL

The Gourmet Coffee Café, Mike and Linda Jones

Council Member Pugmire has not talked with the Gourmet Coffee Café. Council Member Pugmire said that he will follow up with them to make sure what their plan is and if they are going to change anything on the inside. No discussion regarding this business license request. This will be postponed until the September meeting to give Council Member Pugmire time to contact Mike & Linda Jones.

Just Dance, Tara Wride

Council Member Pugmire said that this request is to have dance lessons at her house. Parking should not be a problem because the people will bring the kids, drop them off and leave.

Council Member Pugmire made the motion to approve the business license for Just Dance, Tara Wride. Council Member Argyle seconded the motion. All in favor and the motion carried.

Discussion regarding Poppy's Bounce House, Ken Hansen

Mr. Ken Hansen said that he is here regarding the business license for Poppy's Bounce House. Mr. Hansen asked if the business license is revoked. He showed the current business license that was renewed January 1, 2012. Council Member Pugmire said that the business license was issued for 48 W. Logan Road and now the business there is Jake's place. Council Member Pugmire said that this should be a transient business. The Council discussed the transient vendor business license per the Municipal Code.

There was extensive discussion regarding the ordinance and also the business license for Poppy's Bounce House. The Council agreed that what needs to happen is to change the address to a new physical location.

Mayor Spuhler said that we may need to contact our attorney for advice on requesting liability insurance information for each business when they apply for a business license. Mr. Hansen said that we need to be careful because once we start requiring this then that would make the city liable to make sure all businesses are insured. Mayor Spuhler said that it would be worth asking our expert to give us some advice.

Mayor Spuhler said that he feels that the business license for Poppy's Bounce House should be reinstated. Council Member House said that he should be able to do this business just like a home based business. Council Member Pugmire said that he is concerned that they would be allowed to move from location to location, any time or any where they want. He is concerned with that. Mr. Hansen said that there are a lot of businesses that come to do business here that travel from place to place.

Mayor Spuhler said that we may want to look at the ordinance and see if we need to make any changes.

Council Member Argyle made the motion to re-instate the business license for Poppy's Bounce House. Council Member Huefner seconded the motion. All in favor and the motion carried.

Mayor Spuhler asked about making sure that local businesses, with a current business license have a buffer so we can use businesses in the area. We need to keep our business local. It's all about rural Utah and keeping the money local. It may be something important that we can look at in the future and how we can help the local businesses. We also need to make sure that the businesses are collecting the appropriate sales tax and that it is recorded to come to Garden City.

SHORT TERM RENTAL LICENSE DISCUSSION/APPROVAL

JCM Holdings, LLC. 21 E 75 N Suite A

Council Member Pugmire said the only thing they need is the parking diagram and the site plan.

Council Member Huefner made the motion to approve the short term rental license for JCM Holdings contingent on them marking out the parking lot and the proof of ownership for each unit. Council Member House seconded the motion. All in favor and the motion carried.

Chad Schilleman, 420 Spruce Circle

This short term rental request is in Buttercup Estate Subdivision. They can have 11 people there so they need 3 parking spots, which they have.

Council Member Pugmire made the motion to accept the short term rental license for Chad Schilleman. Council member House seconded the motion. All in favor and the motion carried.

DISCUSSION/APPROVAL OF INTENT TO APPLY FOR \$200,000 LOAN FUNDS

Council Member House made the motion to table the discussion/approval of intent to apply for the loan. Council Member Huefner seconded the motion. All in favor and the motion carried.

DISCUSSION/APPROVAL OF A BUILDING PERMIT WAIVER FOR THE RELOCATION OF THE BEAR LAKE HOSPITAL SIGN

Mayor Spuhler said that the sign has already been moved, this is just a formality.

Council Member House made the motion to approve the waiver of the permit fee for the relocation of the Bear Lake Hospital sign. Council Member Huefner seconded the motion. All in favor and the motion carried.

REVIEW AND CREATION OF THE CDA MAP

Mayor Spuhler explained that the CDA is related to the Water's Edge project, and is a more flexible version of the RDA. We want to be realistic on what we want for the CDA area. The Council discussed many areas that would work for the CDA.

The Council thought that Mr. Sant was going to create the CDA map. Mr. Mecham asked the Council to come up with a map for them to use to create the CDA.

This will be discussed again next month so we can create the map. Ms. Gooch said that the revenue money that is collected is to improve areas like the downtown area, areas that are in the CDA.

MISCELLANEOUS ITEMS

Council Member House said that he has talked to the County Commissioners regarding the trails and they are very supportive and willing to do whatever needs to be done for the Garden City trail to the sinks and Hodges Canyon.

Council Member House said that people are getting very large water bills. He is wondering what we should do as a city, do we give them longer than a month to fix the leaks? Mayor Spuhler said that we need to give them a notice and then shut them off. Mayor Spuhler asked if we could send a certified letter? Council Member Pugmire said that sending a certified letter doesn't work because they won't pick them up. The Council discussed and decided that we need to call the people that will be turned off. We need to document that we made the call and then we shut them off if they pass the payment date. Council Member Pugmire said that the Public Works Department also needs to put a red card 24 hour notice on the property before we turn them off.

Mayor Spuhler received an e-mail regarding the trash cans in Garden City. The e-mail said that they are from out of town and we need to be more accommodating to them. He told her that they should be treated the same as they are where they live. Council Member Huefner said that the city has looked better without the trash cans lining the streets.

Council Member House said that he has had a few requests that the street lights be turned on at roads that are on the highway, which will be 3-4 lights. Mayor Spuhler said that we have been saving about \$700 per month for just over a year. He said that he is okay to turn the lights on for public safety or emergencies, but they cost about \$20 each per month. We will be getting the solar lights soon. Council Member Pugmire said that he can understand the lights being off during the winter months but feels that they should be turned on during the summertime. Council Member House agreed. Mayor Spuhler said that there is a cost to turn them on and off so if we want some of the lights turned on we should leave them on, just let him know for sure which ones need to go on.

The Council talked about getting some LED lights, but they are extremely expensive. We should continue to work on getting more solar lights throughout town.

Council Member Huefner said that we should use the TRT grant money on the lights and finish that project or we can use it on the trails. The bike path is in good shape right now so we really don't need to use that money on the bike path. Council Member Pugmire said that the new park will take a lot of money. The Council said that we should keep our options open.

Mayor Spuhler said that he has been talking with the State DNR and he will have another meeting with them to talk about a possibility on extending the marina to the south.

The Council discussed the League Conference in September in Salt Lake City. Mayor Spuhler encouraged everyone to attend that conference if they could go. Council Member Huefner and Council Member Argyle will go.

Council Member House said that the water was turned off at 745 S. Cambry Lane. Someone turned the water on and it has been on for a while without getting a bill. The Council said that Mr. Stokes can talk to the new property owner and let them know the rules and that they are not allowed to touch the meter and he can decide, based on their attitude, if he wants to give them a ticket or not.

COUNCIL MEMBER REPORTS

Council Member Argyle said that everything on Heritage Days is going well. Mayor Spuhler said that he needs to pour cement by the pond for what the tightrope walk.

Council Member Pugmire said that he thinks Raspberry Days needs to be moved off the city parking area. He realizes it may take time, but we need to get working on it so we can get it moved. We need to move it off the only parking area that the city has. He

knows that it brings money back to the city and doesn't want to get rid of it, but we need to, within the next 2 years, get it off the parking lot. It makes no common sense to have it there, when we need the most parking we take it for Raspberry Days. Council Member Huefner said that we really need to make sure that parking is the number 1 priority for next year. Council Member Huefner said that they really didn't plan for parking this year. She told the committee that if the booths go down from 90 to 75, that would be good. Mayor Spuhler said that we do need to look at this long term.

Council Member Huefner said that Mr. LaFollet gave us a timeline for the Scenic Byway restroom. He said that the restroom should be done by September 15th. We just need to get all the bills in and to the federal highways so we don't have any further issues with the grant.

Council Member Huefner asked if we have an environmental delineation for 100 west? Mayor Spuhler said that he didn't think it was done yet, but he would like to give Mr. Nielson 1 more chance to get it done.

Council Member Huefner said she is still waiting to hear from the Corp. of Engineers to see what can be used to replace the boardwalk.

Council Member Huefner said that she received a cooperative agreement between the State of Utah and Garden City for the Historic Garden City Trail improvement. The State agrees to provide funding for the cost of the project not to exceed \$1,500. They want us to lay road base on the Garden City trail to Bridgerland. She'll leave it in the office for Mayor Spuhler to sign. Council Member House said that he'll call and get the real one so it can be signed.

Mayor Spuhler explained that the Sula Permit is a 3 year permit and we have 1 more full year on the permit. The state has allowed us to decide who is going to be a sub-leaser, or not allow anyone. The State will not issue a Sula Permit, it will have to go through Garden City.

Council Member Argyle said that the swimming pool was shut down for a couple of days because there were no lifeguards available. The Council agreed to advertise for a new Pool Manager. The Council agreed that we still want to try to keep the pool open during the winter months.

Council Member Argyle said that the Library is doing good. There are 2-3 Board Member positions that will be open so they will need to be filled the first of the year. Mayor Spuhler said that we can advertise for the Board Members or they can have a smaller Board.

Mayor Spuhler said that we may want to look at creating a bikers trail so bikers don't have to use the roads for the events. The Council discussed a route that would work for this type of trail.

Council Member House said that Logan City, Cache County, and the State Engineer have come up with a plan to put the Logan Canal into a 60” pipe but the property owners are fighting it because they put the existing canal into their landscaping.

PAYMENT VOUCHERS

The Council Members reviewed the checks and vouchers.

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

ADJOURNMENT

There being no further business to discuss, Council Member House made the motion to adjourn at 7:00 p.m. Council Member Argyle seconded the motion. All in favor and the motion carried.

APPROVED:

John Spuhler, Mayor

Attest:

Kathy Hislop, Town Clerk