

**THE MINUTES OF THE
TOWN COUNCIL PUBLIC HEARING OF
GARDEN CITY, UTAH**

The Garden City Town Council held a Public Hearing on Thursday, October 9, 2008 at the new Garden City Conference Center located at 69 N. Paradise Parkway, Building A. Mayor Hansen opened the meeting at 4:40 p.m.

Council Members present:

Ken Hansen, Mayor
Laraine Schnetzer
Brian House
Bess Huefner
Mike Leonhardt

Others Present:

Sharlene Millard	Jason Linford
Anita Weston	Don Huefner
Bobbie Coray	Phil Gertge & son
Gloyd & Nadean Sprouse	Dan Kurek

SHORT-TERM RENTAL ORDINANCE

Mayor Hansen explained that this Public Hearing is in regards to the Short-Term Rental Ordinance. The change that will be made is to insert the terminology that short-term rentals will be allowed in all zones.

Anita Weston asked why this change is being made. Mayor Hansen said the town is not going to differentiate and want the Homeowner's Association to govern themselves. Ms. Weston said there's no way to stop it in certain neighborhoods. Mayor Hansen agreed.

Short-term rentals are already allowed in the commercial zone.

OPEN HOUSE

Mayor Hansen wondered if he would be ready in time for the Open House, but the ladies in the community came together and got it done. He appreciates that.

Mayor Hansen closed the Public Hearing at 4:45 p.m.

APPROVED:

ATTEST:

Ken Hansen, Mayor

Assistant Clerk

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CDBG GRANT

Mayor Hansen said this is the first Public Hearing of a series of several for the Community Development Block Grant. The Public Hearing is to consider potential projects for which may be applied under the CDBG small cities program for 2009. All requests will be submitted, both verbally and in writing. He said the funds for this years program will be discussed, along with the range.

He read about how the meeting should be conducted. Approximately \$690,000 of funds are expected to be available in the Bear River region for CDBG projects. \$12,000 of which will be for projects to be rated and ranked. All of the allocated funds must meet a HUD national objective and benefit low to moderate-income individuals.

Mayor Hansen said we have selected a particular project; Dan Kurek said he went to the CDBG meeting and there are more applicants this year than last year. He's looking at putting in some new fire equipment; possibly a new brush truck and maybe some matching funds to increase their opportunity to get those funds.

Mayor Hansen said that's a worthy project. We just don't know the likelihood of getting the grant. This money is allocated through the tri-county region; Box Elder, Cache and Rich. In the past, the water system has received about \$180,000, money for another water project, and more recently, funds to purchase some property for the library, last year an additional \$35,000 for infrastructure within the library and they were gracious enough to change the parameters of the grant to fund all of the \$95,000 for infrastructure inside the library we're currently renovating. That was a great thing to happen and it wasn't an easy task. We're grateful for the participation that BRAG has given us in terms of the CDBG.

Mayor Hansen introduced Dan Kurek, the new Fire Chief. He appreciates those in the past who have gotten us this far.

Council Member Huefner said the town's first CDBG grant went to ball equipment for the baseball field.

Mayor Hansen closed the Public Hearing at 5:00 p.m.

APPROVED:

ATTEST:

Ken Hansen, Mayor

Assistant Clerk

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

The Garden City Town Council held their regularly scheduled meeting on Thursday, October 9, 2008 at the new Garden City Conference Center located at 69 N. Paradise Parkway, Building A. Mayor Hansen opened the meeting at 5:00 p.m.

Council Members Present:

Ken Hansen, Mayor
Laraine Schnetzer
Brian House
Bess Huefner
Mike Leonhardt

Others Present:

Sharlene Millard	Jason Linford
Anita Weston	Don Huefner
Bobbie Coray	Phil Gertge & son
Gloyd & Nadean Sprouse	Dan Kurek
Greg & Carol Bills	Dave Jensen
Donna Hansen	Jackie and McKenna Sealy

Mayor Hansen welcomed everyone to “our new home”. He said it’s the Town Council’s first official meeting here. It’s a good thing and a good time for our community to have this facility.

MINUTES

The minutes of the Town Council field trip and regular session of September 11, 2008 were presented. Council Member Huefner made the motion to accept the minutes as from the meeting on September 11, 2008. Council Member House seconded the motion. All in favor and the motion carried.

RECOGNITION

Mayor Hansen said the town is totally out of control right now. It’s good to be out of control and he hopes it continues. We’ve had more acts of kindness and service now than ever. He doesn’t remember a time that there’s been a better feeling than now; it’s been outstanding. He couldn’t be more appreciative to the community for what has been accomplished this year.

Mayor Hansen said he has some awards he'd like to present to some individuals. He knows there's a risk of not recognizing everyone by name; but everyone has been great. We also have people doing acts of service for each other. Our unity is just outstanding.

He asked Gloyd and Nadean Sprouse to come up. He said they go about their work quietly. These people have been opening and closing the park for many years, every morning and every night. He said he appreciates them very much and presented them a plaque.

He asked Don Huefner to come up. He said Mr. Huefner should get an award just for trying to be his Scout Master. He's done a lot of things over the years, along with his wife, Bess. They've done a lot of beautification. He's worked with the snowblower on the streets last year. No one even asked him and it was very appreciated. He has also taken care of our park and made sure the grass was fertilized and the trees trimmed, the sprinkler system fixed, etc. He is very much appreciated for this great service to the community and Mayor Hansen presented him a plaque.

He asked Bobbie Coray to come up. He said Laraine Schnetzer pushed really hard to get a new facility, that's why we bought the property next to Buttercup. But it didn't materialize because we decided it cost too much and was a huge financial commitment. Then the Canyon Cove came up for sale and she pushed it and made us all commit. As a result, we purchased this complex. We got a huge deal; 4 1/2 acres of land, a pool, this building, a nice garage, the building with the current city offices, and library with community center. There is also enough land for other buildings, if needed. It cost us \$1.5 million, of which we had saved \$600,000 from the Resort Tax, which we had saved for about 9 years. Then we borrowed \$1 million to finance this building over a 30-year note. We pay about \$50,000 a year for this complex. The resort tax generates about \$150,000 a year, so we only pay 1/3 of that tax for this. The good thing about that is that we still have some decent funding to do other good things.

So, after we bought the building, we had the task of how to renovate it. Mayor Hansen came up with Bobbie Coray's name and knew that it would get done. She said she would do it and didn't even hesitate. We'll have a beautiful complex as a campus-style setting and it will be outstanding. It will help our community draw together. She has worked tirelessly, very willingly and very smart. She has purchased items on a budget and saved the town a lot of money – with no compensation. Her heart is in the right place. He doesn't know how many hours she's worked, but it's been many.

Mayor Hansen said she's not a member of the town; she lives outside the town limits, but is a member of the community by all standards and rights. He presented her a plaque.

Mayor Hansen showed the plaque that Bobbie Coray made up showing the names of who volunteered to help. Ms. Coray said when she went to get it framed at Al's Trophies, and they were so moved, they asked to donate the frame for free. Mayor Hansen read the inscription.

Over half of the people that volunteered probably don't even live in the town limits, but they are a part of the community. Our town clerks have needed a nicer place to work and now they have it and everyone else has a nice place to come. It's a happy, cheerful place.

Town Clerk, Kathy Hislop and Assistant Clerks, Sharlene Millard and Tami Bowen presented Mayor Hansen and Bobbie Coray baskets and gift certificates to say thank you for all of the work they have done to make a nice office for them to work in.

Nadean Sprouse said she's heard good comments from Montpelier to Laketown wondering how we've all helped with the renovating.

Mayor Hansen said it comes from a controlled town council who budgets their money wisely and saves for things that are meaningful. This will have a lasting effect for our community. This complex will serve the community for a long time.

Mayor Hansen said the new building will also house the Bear Lake Regional Commission. They're taking 3 offices, which will be a good thing for them. The Chamber may also move in. He's hoping it will help them get moving. We also have a Building Inspector's office.

In the library, we'll have state of the art phones, and \$96,000 worth of Internet, computers and shelving. Even the picture in the conference room was given to us at a good price. There will also be a sheriff's office. They are anxious to move in. They'll have a satellite office and will save the county a tremendous amount of money and keep the deputies off the road from here to Randolph.

We want the people of the community to come in and wear it out. It'll be a great place for quilters and church groups. Plus, we have 5 rooms to rent to help offset the cost.

Mayor Hansen said as for the pool, he has some ideas to make the pool affordable – long term. We'll work through that. We have a lot of great people and a great engineer to help us through it.

TOWN ENGINEER REPORT

Mayor Hansen said 3rd West has now been paved and the turning lane is in progress. The bid has been awarded and the notice to proceed will be next week. We hope to have that all completed before the snow falls.

Town Engineer, Jason Linford, said congratulations. This is a nice place. He's been in a lot of places and it's nice to see this.

Swan Spring Culinary Water Project

Jason Linford said they are moving forward. Things are going smoothly. They poured the floor of the 500,000 tank this morning. The walls should be completed in 2 weeks.

They don't think they'll get the building dried in before the snow hits. It will probably be for next spring before they get that going.

There has been a lot of traffic this summer on the Swan Spring road, and with that and the cement trucks going up and down the road, the old water line has broken again. They will probably be working until tomorrow to get water. It's an old line. Travis, Riley and several others will probably be up there most of the night to replace about 300' of pipe in the area that's most prevalent. Hopefully that will be helpful.

Hodges Canyon Road

He said the Hodges Canyon Road has been completed. The bid came in about \$15-20,000 less than we thought and the completed project actually came in about \$2,000 less than the bid. They did a good job for us.

50 S. Parking Lot

He said Consolidated Paving was awarded the bid for that project and will start next week. We just need to review their bonds. The town attorney approves the bonds. The trees will be coming out on Monday. This parking lot will give us over 100 more parking spaces.

300 W.

He said 300 West has been paved. It's really nice to drive on. The sewer district is doing some work before the turning lane goes in. They have hired a contractor to do some new work, so they won't have to tear up our new pavement. They should have it done by next week.

Impact Fee Changes

He is still working on the impact fee changes. He recommends that any approvals that are made be subject to the new impact fees. Mayor Hansen said that would be hard to do, because it has to be done by ordinance.

Mr. Linford wondered about putting something on the plat that states upon sale of a lot is when the impact fee is due. We have to provide the infrastructure so that when they're ready to build, it's ready. As each lot is recorded, it's recorded that the Impact Fees be paid.

Phil Gertge asked if it's collected each time a lot is sold. Mayor Hansen said it's only on the initial sale.

SHORT-TERM RENTAL ORDINANCE #08-16

Mayor Hansen said this ordinance is to allow short-term rentals in every zone. It will clean up this ordinance and won't be in conflict with permitted uses.

Council Member Schnetzer made the motion to accept the Ordinance #08-16 to allow

short-term rentals in every zone. Council Member Leonhardt seconded the motion. All in favor and the motion carried.

Mayor Hansen said this way, it will be up to the Homeowner's Association to be more restrictive if they choose to.

VACATION OF DUNHAM SUBDIVISION, Dave Jensen

Mr. Jensen said Dell Loy Hansen wanted to get with the other lot owners and put together a plat that shows how the land is actually being used.

The Dunham subdivision was never developed and so they've taken about a year and talked with the other lot owners and they come up with an agreement and gotten signatures to vacate the original subdivision. This is a new subdivision with 4 lots and existing roads and infrastructure already in place. There is no change to roads, water, sewer and power.

Jason Linford said it's very similar to what they had to do to the Swan Spring Subdivision. Basically, vacate the original subdivision and re-plat as what's on the ground.

Mayor Hansen said with the old subdivision, all the lots would be non-conforming. It's a good way to clean it up.

Council Member Huefner made the motion to vacate the Dunham Subdivision. Council Member Schnetzer seconded the motion. All in favor and the motion carried.

FINAL PLAT APPROVAL FOR LAZY D RANCH, Dave Jensen

Mr. Jensen explained that the little dashes on the plat show what was in place in 1917 for the Dunham Subdivision. It will come off with the recorded plat. It will just show the 4 lots.

Mayor Hansen said the town attorney said it's a good thing to do. He would like the roads shown and better defined on the subdivision plat in case it's subdivided in the future. Mr. Jensen said he'd do that, name them and put Lazy D on the plat.

Dell Loy Hansen did not acquire Ellouise Satterthwaite's home.

Council Member Schnetzer made the motion to accept the plat with changes that we discussed; roads, add subdivision to the name and take off the little lines. Council Member Huefner seconded the motion. All in favor and the motion carried.

BIG BEAR TOWNHOMES

They won't be here tonight.

FINAL APPROVAL FOR RASPBERRY RIDGE PHASE I, Phil Gertge

Jason Linford said he's concerned with Mr. Gertge's and Kent Fisher's survey matching up for the road. Mr. Gertge said his engineer matched everything to Lighthouse Pointe. He said he's been working with Rulon Crosby and Mel Larsen. He's working on incorporating their area into a future phase of their subdivision.

Mr. Linford asked about storage; he's requiring all developers to provide their own storage. That will basically encourage the developers to work together to work with larger tanks so there's not a smattering of smaller ones. He thinks working with Shundahai will help with his storage. We just need to keep track of each developer contributing to each tank and when the storage is used up, then other tanks will need to be built.

Ken Hansen, who is with Shundahai, said when they reach an agreement and both people sign it, they'll give a copy of it to the town. There's enough there to accommodate the needs of Shundahai and Raspberry Ridge. No agreements have been signed yet. The suggested storage for the town is a little over 2,000,000 gallons, which could be served with the 500,000 gal. with the new tank, 500,000 gal. with Elk's Ridge and the 1,000,000 gal. of Shundahai's.

Mr. Linford said we need to make sure the water shares get transferred before the plat is signed. The State of Utah is also requiring all subdivision plans be reviewed by them as far as water service, so they'll need to do that.

Mr. Linford said for the cross section for roads; the town has a minimum standard on sub-grade of 10". If a geo tech wants more that's fine. We also need a storm drainage plan. Mr. Gertge said he's already filed a drainage plan. Mr. Linford said he'll check, but just needs a stamped copy of the calculations.

Mr. Linford said we do need a new water source; He recommends that we obtain a new source prior to hooking any of these buildings to our water system. One main reason is because of the water line break we had tonight.

Mayor Hansen said this project has gone through more Public Hearings than most people. Mr. Linford asked about the turning lane. Mr. Gertge said he hasn't received comments back from UDOT. They did say that Phase I won't require a turning lane. Depending on the other phases and how 3rd West lines up, it can be determined later. As they put in 3rd West, they'll have the turn lanes done up front, so they don't have to go back and do it later.

Mr. Gertge said he has three of the four parcels purchased. By the end of November, it should all be final. The owner has signed the applications. Mayor Hansen said it will have to be in order before the plat is signed.

Mayor Hansen said, in reference to a letter sent by Dan Margolis, an adjacent property

owner, that a new development is stressful for those who live here already, but anyone who lives here, doesn't create any less impact. We all impact the town. Who's to say who comes here creates more of an impact. The town continues to grow and we all have to grow by the laws.

Council Member Huefner said we don't have the right to tell others they can't come.

Mr. Gertge said he thinks Mr. Margolis thinks they'll have bright lights and loud noise, etc., but that would degrade his project. The people that want to come here want to see the stars at night and have a quiet, enjoyable place to bring their families and go to the beach, etc. He will have rules that will eliminate the noise and amount of people in one spot. He understands what he's saying, but he wants his project to be successful. He doesn't want to change the environment, just allow others to have the same opportunity.

Mr. Gertge said he's trying to talk with the sanitation department, they're flexible.

Mayor Hansen said Mr. Gertge will need to get with Ken Tuttle for water calculations.

Council Member Leonhardt made the motion to accept Phase I of the Raspberry Ridge PUD, with the conditions that 300 W. lines up, the water shares be calculated with Sunrise, a minimum of 10" road base as was stated by the Engineer, make sure there's a drainage plan in place, plans submitted to state, agreement with Shundahai for the water tank. Council Member Schnetzer seconded the motion. All in favor and the motion carried.

70/30 OPEN-SPACE

Mayor Hansen wanted to clarify the 70/30 open-space. This whole thing started because of a miscommunication in the ordinance about 25% open space -which got published. It wasn't our intention to have it in there and we didn't catch it. But by the time Big Bear Townhomes saw it, they used it. It has since been taken out of the ordinance.

Mayor Hansen went through the Ordinances about Open Space, Lot Area and a definition to explain his findings.

Greg Bills said the Planning Commission realized that Mr. Harmon's was presenting a total different project to them.

Mayor Hansen said we've got to be very careful with the open space. He would like the Planning Commission to look at the open space first and then 30% is what they can build on after the roads and driveways are taken out. Then active open space can be added back in. We have to require the electronic file so it makes it easier for the Engineer to figure the open space.

Council Member House said there's also a discrepancy on their plat about the amount of acreage they're building on.

Mayor Hansen said we need to really know the lot area and open space. He'll try to write it so it's explained better.

SCENIC BYWAY GRANT

Council Member House said the meeting for the Scenic Byway Grant is next week, but no answers yet.

CDGB

This has already been discussed.

UPDATE OF PROGRESS FOR NEW LIBRARY, Bobbie Coray

Bobbie Coray asked if a grant paid for the phones in our offices. Mayor Hansen said yes. Ms. Coray said then the cost for the town offices was under \$50,000.00

As far as the new library; they're doing the final framing right now. She's going to try and get the drywall done and then get together every week to watch the money. No one else will know, so we don't go over-budget. Council Member Schnetzer has the CDBG budget and will be ordering computers, shelves, desks, etc.

The prison and some other companies will be able to bid on them.

MISCELLANEOUS

Emergency Services Grant

Dan Kurek said they have been allowed \$4,000. They presently have 9 people in the EMT class. Most of the training should be here in Garden City. The county is also providing some funds. He would like to see if they'd pay half of all the training and then use some of the funds for a second class.

Council Member Leonhardt said one of those being trained said they wouldn't be riding on the ambulance. They're just going to be first responders. He wondered if that's how it's working. Mr. Kurek said if you're a basic EMT, you couldn't transport a patient. You just need one intermediate and then you can transport. Council Member Leonhardt said he doesn't think that's really clear to some of them.

Mr. Kurek said they just want people in this community to help those in this community. He would eventually like it to evolve so that we have a transporting unit right here.

Mayor Hansen said we've dedicated a good portion of the funding to help this cause and this week we had a little glitch with the health clinic who is working to do the same thing with about the same amount of people. It was a mis-communication. When we said we would support them, they thought we meant financially. We weren't making any commitments financially.

Mr. Kurek said he wants the EMT's to know that we're not working as a city or a county; we're working as a community.

Mayor Hansen said Kathy Hislop found him \$4,000 and with Council Member Leonhardt's approval, he would like to open the budget and increase funds to fund them. We've got 16 people that would be willing to EMT's.

Mayor Hansen told the clinic that he won't a mediator and fight the battles. He wants them to have an accountability of what's going on. He wondered if the council agrees.

Council Member Leonhardt said he won't make the decision tonight. The ambulance crew seems to be excited. The present EMT's need a break. Mr. Kurek said those who are going through the class now will be EMT's in the State of Utah, who are offering their services to the community, not working as the town or county.

Council Member Schnetzer said if we could get another group trained as EMT's who would respond to emergencies, it would be money well spent. Mayor Hansen said especially if they are willing to make the commitment to go all the way, and not just as a first responder.

Council Member Leonhardt agreed, but he would like to spend a little time with Kathy Hislop and see where the money will come from.

They will make a proposal for the special meeting.

COUNCIL MEMBER REPORTS

Council Member House said the Byway Grant meeting is next week.

Council Member Huefner said everything that they've been doing, all the roads, everything, has gone to bid and assigned and we're waiting to pay the bills. Council Member Leonhardt said there's room in the budget. It's so good to see all this stuff come about.

Mayor Hansen said sometimes you get good things by waiting and having patience.

300 W.

Mayor Hansen said we don't have to build a trail for ATV's now. The state now lets ATV's on the road. He thinks 35 mph is a good speed to have on 300 W. going north. We need to stripe the center with a double yellow line with white lines on the side and make it a real road. There will be a lot of traffic on it.

Council Members Leonhardt and Huefner feel 25 mph would be good. Mayor Hansen wants everyone to drive it and see what they think.

Mayor Hansen said KOA will have a one-way road in and out onto 300 W. which will help with their congestion.

Council Member Schnetzer said they're going hot and heavy on the library. We need to establish a library resolution in order to have the library. We need to approve the people that are on the board and their terms. It can be officially accepted at the next meeting.

Council Member Leonhardt said financially we are in good shape and with all the projects, we've done well with managing our money. The Regional Commission will be utilizing the facility and there will be some major changes which he can't discuss. The Regional Commission is Idaho and Utah with elected officials to make up a board. It was a war to get it to Utah, but it's calmed down. The Commission does a lot of things and having them here will only enhance our area. Their meetings are the last Wednesday of every month at 7:00 p.m.

Mayor Hansen said the Regional Commission is a by-state organization that was set up to deal with regional issues of Bear Lake. Because it's between two states, it needed a cooperate effort to fund it. Its primary purpose was to provide clean water, sewer, write grants, get planning & zoning up and going.

Council Member Leonhardt is the liaison to the Regional Commission. There are about 10 people on the board. Al Harrison is the director and will retire December 31, 2008.

VOUCHERS

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

ADJOURNMENT

Council Member Schnetzer made the motion to adjourn the meeting at 7:00 p.m. Council Member Huefner seconded the motion. All in favor and the meeting adjourned.

APPROVED:

ATTEST:

Kenneth Hansen, Mayor

Assistant Clerk

