

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

The Garden City Town Council held their regularly scheduled meeting on Thursday, November 13, 2008 at the Garden City Conference Center located at 69 N. Paradise Parkway, Building A, in Garden City, Utah. Mayor Hansen opened the meeting at 5:05 p.m.

Council Members Present:

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

Others Present:

Sharlene Millard	Tony Johnson
Don Webb	Eric Lofthouse
Brian Hirschi	Carol Bills
Anita Weston	Frank Smith
Jorunn Akre	Chuck Stocking
Connie Hunsicker	Chris Webb
Travis Hobbs	Robyn Baird
Skip Duffin	Dan Kurek
Zac Covington	

Mayor Hansen welcomed everyone to the meeting.

ENGINEER REPORT, Jason Linford

Treatment Plant

Mr. Linford wasn't here tonight, but sent a paper explaining the projects in town. Mayor Hansen went over it and said the 500,000 gal. tank at the treatment plant has had their floor and walls poured. He sent pictures around showing the tank under construction. The footings have been poured and the pipe chases completed. The piping to the tank and pump vault is 75% complete.

The contractor's plan is to complete all the foundation. They will work as long as they possibly can as long as the frost is not prohibitive. The project, as a whole, is about 20% complete as of October 30th.

He showed the materials for the treatment plant and said we need to make some decisions. He showed the rock that Mr. Linford has planned to use on the building. The council gets to decide on a color for the roof. He showed their choices. They decided on a dark copper color.

300 West

The paving is completed and they are waiting to pave the turn lane. Grading is 95% complete. TBP hopes to pave on Tuesday, the 18th if the temperature allows.

50 S. Parking

The grading was finished today. They will pave on Monday.

300 W. Roadway

The road is complete and accepted. The warranty period started October 15, 2008. Richard Bodrero helped to re-locate the bike path. We had to cut through his corner to help us find it. We will get a written agreement stating that that was okay. TBP is doing a good job. The speed limits need to be determined throughout town.

LIBRARY PROGRESS/COMMUNITY CENTER

Mayor Hansen said the library is taking shape. The upper floor is taped. They would like painted casings and doors upstairs, with knotty alder downstairs in the library. The plumbing was finished today. The heating guys will be there another two days at the most. There's a total of 6 furnaces, so we can regulate the heat and air conditioning efficiently. They're doing a great job and it's coming together really well.

Mayor Hansen said they're thinking of painting everything upstairs one color with the ceiling being a half tone. It's open for anyone to take a look. There will be three different types of lighting, a nice audio/video system and a plasma TV and fireplace upstairs. He thinks the place should be wired for a satellite dish. They will be moving the ice machine to that building also.

There should be enough outlets for the phones. Mayor Hansen we need to make sure we have the cat 5 in everywhere. They've re-planned the Internet and will be adding more shelves. It will be much more functional.

Carol Bills asked if we could put pictures on our website of the rooms. Mayor Hansen said they are planning to do that and the tourism will also have it on their website.

Mayor Hansen said the elevator will arrive in 2 more weeks. He is hoping to have the Christmas party upstairs with Santa riding the elevator up.

It's his intention to make this complex self-sufficient. The conference room is getting used every day. The regional commission has moved in and we have more people thinking of renting rooms.

BUILDING INSPECTOR REPORT, John Abraham

The Building Inspector is gone for training.

WATER OPERATOR REPORT, Travis Hobbs

Mr. Hobbs will be here soon. He's presently helping at an EMT training class.

BUSINESS LICENSE

Child Nutrition Association of Utah. Connie Hunsicker

Ms. Hunsicker said she works with a federal program that reimburses childcare providers for meals they serve children while in their care. It can be used for daycare centers or homes and those who babysit.

She is the liaison between the federal program and the interested childcare providers. They organize and conduct training, menu planning, record keeping, etc. and help ensure the guidelines are being followed.

She feels this program could be a benefit to the families in this community. It can be a resource and a referral to help others become childcare providers.

Council Member Huefner made the motion to accept Connie Hunsicker's business license application for Child Nutrition Association of Utah. Council Member Schnetzer seconded the motion. All in favor and the motion carried.

Her office will be in Harbor Village at the main office. She has worked with this organization and has the tax and license number.

Bear Lake Storage, Chuck and Chris Webb

Mrs. Webb said they purchased the Bear Lake Storage and would just like to put it in their name. They don't need to have a sales tax number.

Council Member Huefner said last year, her husband cleared the snow and it's real tight. There's nowhere to put the snow. Mrs. Webb said she knows and they have a dump truck to take care of the snow.

Council Member Huefner made the motion to accept the business license for Bear Lake Storage Services. Council Member Leonhardt seconded the motion. All in favor and the motion carried.

The Chocolate Workshop

Ms. Baird hasn't arrived yet. It will be addressed later.

WATER OPERATOR REPORT, Travis Hobbs

Mayor Hansen said he's been so used to being in charge of things that he just does everything. Everyone gets the impression he's the one to talk to. Travis Hobbs has taken the initiative to get things done. He has all the citizen's best interest at heart. He's handled himself very professionally. We need to be proud of the people that work for the town because they're extremely loyal.

Mayor Hansen said we have made a change. He is no longer the one to deal with. Anything that has to do with public works goes through Mr. Hobbs. He'll be charge of inspections, etc. We need to give him that responsibility. Also for roads, he'll talk with Council Member Huefner. Mayor Hansen said he'll be there to support and be involved with any money decisions. He appreciates Mr. Hobbs' willingness to do his job.

Mr. Hobbs thanked the Mayor and said he appreciated his help with the water breaks.

Mr. Hobbs said they've replaced 300' of ductile pipe along the Swan Creek road, which broke due to the cement trucks going to the new well. Instead of fixing a section, they've replaced all the lines that crossed the road.

They also had to replace the 8" line so people were without water for a while. It was a mess. Mr. Hobbs said he appreciates Troy Petersen and his people helping with the line break. He appreciates everyone in town with their patience.

Mr. Hobbs said the walls on the tank are poured. The new water meters are getting installed. He thinks they are 2/3 done. Hopefully, it can be done before all the snow comes. We probably won't read them until spring. There were a lot that are too deep. There are a few places along the Idaho border that don't even have meters. 300 W. is paved to the turn lane. TBP is hoping to pave this weekend. The 50 S. parking lot is ready to pave if they can get 2 days of warm weather. Hopefully, they can do it this weekend. They've been putting up delineators around Buttercup so they don't fall off the edge in the snowplow this winter.

Mr. Hobbs said Hodges Canyon is almost done. They've put rock in the ditches. They would like to add some topsoil along Larry Hodges place. But it will probably be spring before that's done. The plows are ready to go. Their new backhoe will be coming tomorrow.

Mayor Hansen said he is helping Mr. Hobbs and Mr. Argyle locate all the valves. They're trying to get some new maps done with transferring all the information onto a Mylar. Sunrise Engineering will print off some aerials and he'll transpose those figures onto the new maps.

Mr. Hobbs said the new Public Works building is almost done. They need another coat of primer so they can paint. Mayor Hansen said he could come and spray it on real fast. Mr. Hobbs said they need to get out of the fire station and into their own building.

Mayor Hansen said they've cleaned up the Public Works yard nicely. Mr. Hobbs said he will get a load of salt to mix with the sand and they should be in good shape. It's good stuff and they got a real good deal on it.

Mayor Hansen said we've received a grant from the Bear River region to install a local public am station in our community. It will be here in Garden City. It will be based at the city park and will reach a 10-mile radius. He would like to put in the water billings that information will be on that station about water breaks, etc. We are looking for someone with a nice voice who can talk clearly and slowly.

Mr. Hobbs said the leak has never been found at the Elk's Ridge water tank. It's not our system yet, so we don't have anything to do with it. It's finished; they just need to tidy it up.

Council Member Huefner wondered if there were extra pavement, would the KOA road be able to be done? Mr. Hobbs said he'll talk with them and get it done. Mayor Hansen said it's not quite ready to be paved.

Council Member Huefner asked if the hole at the corner of Harry Bennion's could have some road base added to it? Mr. Hobbs said yes. There should be extra asphalt.

Dave and Julie Stringham have requested that their cul de sac be paved. Mayor Hansen said before we do that, we need to have a meeting. There's no cul de sac planned there.

Council Member Huefner asked if Mr. Hobbs could pull up the trees at 350 S. Mr. Hobbs said it would depend on the snow.

ENCUMBRANCE, Brian Hirschi

Mayor Hansen explained that this encumbrance is for lots 77 and 78 of the Buttercup Mobile Home Park. He would like to build a deck along the property lines but it doesn't leave the proper setback.

Mr. Hirschi asked if the decision is reversible. If he moves, can the deck be cut back and then sell the other lot. The council said yes. Mr. Hirschi wondered about the rises and how far would he need to be off the lot. Mayor Hansen thought he would need to come out 5' to get the rise to the building. Mr. Hirschi wondered if he could get that in writing? Mayor Hansen said no, we don't know if the setbacks will change or what the future will bring.

Council Member Leonhardt made the motion to encumber lots #77 and 78 of Buttercup Mobile Home Park for Brian Hirschi. Council Member Schnetzer seconded the motion. All in favor and the motion carried.

ORDINANCE

Mayor Hansen said he wishes increasing the size of the cul de sacs would end. He said having ones that size on mountainous areas is really hard. Fire Chief Dan Kurek showed the fire code on cul de sacs. He said the code does give leeway for certain provisions.

Mayor Hansen wondered if some places can't handle the 96', would Mr. Kurek be willing to work with them. Mr. Kurek said yes. It's not written in stone.

It was decided to change the terminology as; 96' in diameter. Any deviation from this ordinance would require approval through the local fire authority.

#08-17

Council Member House made the motion to accept the changes to Ordinance #18-17 regarding the cul de sac requirement with the change as mentioned. Council Member Leonhardt seconded the motion. Council Member Huefner wondered if the code should be attached. Mayor Hansen said no. It will change and then we'll have to change the ordinance. All in favor and the motion carried.

#08-18

It was decided to insert the same verbage to this ordinance as the previous ordinance.

Council Member Leonhardt made the motion to approve Ordinance #08-18 with the amended verbage on "i". Council Member Huefner seconded the motion. All in favor and the motion carried.

#8c- affordable housing ordinance will be combined with #11 Bear Hollow discussion.

RESOLUTION #08-12

Mayor Hansen said Nims is a lot of nonsense. Dan Kurek is the new emergency plan coordinator. He suggested we just look at Hyde Park's plan and chop it up.

Mr. Kurek said any county or city organization that wants federal grants, has to follow federal guidelines and training and be Nims compliant. There are different organizations in emergency medical services, emergency services and also sheriffs, private contractors, etc. and teaching them to be able to work together in emergency and non-emergency situations.

There are several classes. The Town Council would need to take the 100 and 700 classes. The class 400 is for public elected officials. If we would like to put on a class to make everyone compliant, they could do that in the next few months.

Three tests need to be taken. It can be done online. Mr. Kurek would like to put on a class the first part of next year.

Council Member House made the motion that we accept Resolution #08-12 and that the city will adopt the National Incident Management System (NIMS). Council Member Leonhardt seconded the motion. All in favor and the motion carried.

PRELIMINARY FOR PICKLEVILLE COMMONS, Don Webb

Council Member Schnetzer said there seems like a lot of people that have concerns with this. She wondered if the concerns have been addressed. Mr. Webb said their biggest concern was the parking, garbage, and water. The sanitation dept. wanted them to put a dumpster right off the highway. He doesn't think they should back off the highway to get to the garbage. They also don't want a dumpster right at the entrance. So they will try to hide it with pine trees.

They have made an agreement with the top developers of the western United States for water and storage, so he feels they're good with that. They did move a fire hydrant.

Mr. Webb said the engineer told him they need 8.8 acre-feet of water. So they've made arrangements to buy water and the storage. He had a letter stating that they're willing to sell it to them. They will then turn the shares over to the town.

Mr. Webb wondered if they could have a reduction of fees for the smaller units. They wouldn't have the usage that a large house would have. Mayor Hansen said it's residential, so there's nothing that can be changed. They wondered if it could be changed in the bond. They weren't sure if it's stated within the bond or not. They have enough parking as if all of the units were short-term rentals.

Mayor Hansen said if this were a motel, there is a formula that the town would go by, but where they are being sold individually, that's where the problem is. He said he's working on an affordable housing ordinance. There's a rental part and an ownership part. It may be that some of the smaller units could work with that. Maybe they would work with an incentive.

Mr. Webb said he's really struggled with coming up with affordable housing it's been tough. They do need to make a little project. It's harder than he anticipated. They're still looking at the larger units being valued at about \$200,000, the smaller units at \$100,000.

Council Member House made the motion to accept the plans for Pickleville Commons as the Preliminary Plat. Council Member Leonhardt seconded the motion. All in favor and the motion carried.

Mr. Webb will need to bring the final plat and water agreement to the next Planning Commission meeting.

Mr. Webb wants to get this done soon, but it will depend on financing.

BUSINESS LICENSE

The Chocolate Workshop DBA: The Rendezvous, Robyn Baird

Ms. Baird said she's leasing the old Mitch's Grille. She would like to have an indoor play space for children in the front. There will be no alcohol, just a fun place for children. She would also like to have a retail chocolate business in the same building and serve drinks and snacks. She would like to work in some food service eventually.

In the play area, there would also be a scrapbooking place or a place to just get away.

Ms. Baird said everything is already established, she just needs a name for her license here.

Council Member Huefner made the motion to accept the Business License application of the Rendezvous. Council Member Leonhardt seconded the motion. All in favor and the motion carried.

BEAR HOLLOW DISCUSSION, Tony Johnson, Eric Lofthouse

Mr. Johnson said affordable housing for the community is really driven by the IRS tax code. Either a housing authority or a city can issue bonds, which helps the developer to build the project. In return, a developer agrees to rent the buildings at certain income levels. Bond projects don't necessarily work well.

He talked about real estate and tax credits. Tax credits are used by each state. They take the allocation which is used for multi or single-family projects. Often times, it's used for student loans and industrial revenue bonds.

He's proposing this for the Bear Hollow Apartments, which is a 9% tax credit project. Every year, the State of Utah has a competitive round. You earn points based on how low your rent will be for the project. He intends to create 48 units. They will do it in phases. They have applied for the first phase of 24 units and were allocated on. They recently submitted for the second phase and were denied. They do have some timing issues. Their tax credits can be preserved if it is approved by the end of the year.

The rent should be from \$200-600.00/month.

They want to do 24 units. They will have 2, 3 and 4 bedrooms. There will be 4 apartments in each building. Every unit will have a garage. If they get the partnership closed, they can maintain their cost.

They can drop the heating costs from \$300 to \$100.00 by using geo thermal heat. Mayor Hansen said they're seeking an energy star rating. The duration of this affordable housing is 99 years. They can't be sub-rented out.

They're going to have special meetings with the Planning Commission and Town Council if they're prepared well enough to accomplish getting it done. Mayor Hansen wondered if the Town Council is willing to work with them. If they can't get it done in time, they won't get the tax credits. They have to close this by the end of the year or it won't work.

Mayor Hansen this will come in as a PUD because it's a mixed use.

Mayor Hansen wondered if the Town Council is willing to work with them to get this through. It may require workshops in the interim. We need to work with them. It all comes down to if the Town Council is committed and willing to work with them to help the town.

They're going to sign one-year leases, not six months.

Mayor Hansen said it will be more of the Town Council's time for workshops, etc., so when they come, everyone's on board and the questions are answered, it will go in faster.

Council Member Huefner said they have a tremendous amount of work to do.

LIBRARY

Council Member Schnetzer presented the names for the new members of the Library Board; Mike DeBloois – Chairman, Marty Adams, Melissa Spuhler, Anita Weston, Carrie Knapp, Loretta Fidler and Susann House.

Council Member House declared a conflict of interest.

Council Member Leonhardt made the motion to approve those members for the Library Board. Council Member Huefner seconded the motion. Roll Call Vote: Council Member Schnetzer for, Council Member Leonhardt for, Council Member Huefner for, Council Member House abstained.

NEW BUILDING DISCUSSION

Fee Rental

Council Member Huefner said she feels the fees are comparable and lower than what is on the Internet. Mayor Hansen suggested a daily rate. The deposit should match the fee. There should be a 100% deposit on the daily rate. Then only refund a certain portion.

The Council would like to get set up for credit cards so we can use them to accept deposits.

The Town Council would like to adopt this by resolution at the next meeting.

Garden City & Tourism website

Mayor Hansen said the town is adding the building rentals on our website as well as the tourism website.

Hiring person for rentals of buildings

Mayor Hansen said we will entertain someone as a concessionaire and do it on a percentage basis. They will be a facilities manager.

GRANT PROJECT UPDATE/DISCUSSION

Scenic Byway Grant

Council Member Huefner said we will never get the grant because of the new President.

CDBG

Mr. Kurek said we're waiting for the NIMS resolution to be adopted and an updated capital improvement list. On the second week of December, they'll turn in the application.

LIBRARY UPDATE

Mayor Hansen said Bobbie Coray has done a good job and is continuing to do so. Everyone is still working hard for this project.

CAPITAL IMPROVEMENT LIST

Council Member Schnetzer made the motion to accept the Capital Improvements Plan. Council Member Leonhardt seconded the motion. All in favor and the motion carried.

MISCELLANEOUS

New Website Review and Update

Mayor Hansen said we need someone to work on the verbage about our town for our website. Council Member Huefner said she'll work on the verbage. It was suggested to get pictures from Cathy Pope, Trudy Garfield and Tammy Calder for the website.

Festival of Trees

Council Member Huefner said Bryce Huefner has 5 people who want to do trees for the first annual Festival of Trees. It will cost adults \$3.00 admission and \$2.00 for kids. That will just take care of the heating of the building. There will be 15 vendors and music. Mayor Hansen wondered why they are supporting Bear Lake County? Council Member Leonhardt asked why not? Mayor Hansen said it's been hard to meet the demands of Rich County in years past.

Council Member Schnetzer said it's a private organization; they can help whomever they want. Mayor Hansen agreed.

Town Ordinance Book

Mayor Hansen explained the new way we're going to do our ordinance books. It's been very difficult to keep them up to date. We're putting together a master of the ordinances. That way when a change is made, it can be done digitally. We'll keep two masters, one as a backup. It will be kept safe. It's time to go electronic and bring your own computers. You can download it onto your hard drive. Everything can be kept up to date. Queries can be done. Agendas will be on the computer. We can get our screen put up and show it on the wall. All the documents can be electronic.

Waiver of Fees for Bear River Assoc. of Governments

Mayor Hansen said the Bear River Association of Governments should be okay to not have to pay the fees.

Council Member Leonhardt made the motion to waive the fees. Council Member Schnetzer seconded the motion. All in favor and the motion carried.

COUNCIL MEMBER REPORT

Council Member Huefner said we've already talked about the roads, KOA, parking and engineering. She asked the Mayor about submitting it to UDOT. He said we'll just get an encroachment permit.

Mayor Hansen said he'll call Sheriff Stacey about the trailer of Joel Parrish's. It has to be impounded and then eventually sold at a state auction. It has to be towed by a bonded towing company.

Council Member Huefner asked if Karl Koenig could sell property in his subdivision? Mayor Hansen said it's already subdivided into lots anyway. We don't have to worry about making the roads wider.

Council Member Huefner asked if the town needs to make sure the Gloyd Sprouse road near Frank Smith's subdivision is accessible. Mayor Hansen said it's a county issue.

Council Member Huefner asked about a trail in Hodges Canyon. Mayor Hansen said they are working with Mr. Wilson and Mr. Trujillio to get it done. The county just needs to vacate the two worthless right of ways going down the hill.

Council Member Huefner asked about putting a fence around the parking lot. Mayor Hansen said we'll plant small ornamental trees.

Council Member Huefner asked about the sewer at Hodges Canyon. Mayor Hansen said we need to work it out with the state, because the agreement hasn't worked out the way it was agreed to be. Council Member House said he has a conflict of interest. Mayor Hansen said he'd be willing to help, but we need to know who will be maintaining it. Council Member House and Dan Kurek said they have been cleaning it.

Council Member Huefner asked about turning off the two lights at the park this winter. Council Member Schnetzer said it's a good idea, but wondered about security. Mayor Hansen wondered about having the skating pond there, where there are lights and restrooms.

Council Member House said there has been no decision on the byway grant.

Council Member Leonhardt said the Regional Commission is now in our building. Mayor Hansen said the town needs to be very cautious about spending money. He doesn't know what the future holds and if property taxes will get paid. Council Member Leonhardt said we have spent a lot of money getting things done. We just need to be careful for a while.

Council Member Schnetzer wondered about putting the manger in front of the new office building or in front of the clinic. It all needs to be spruced up a little.

There was discussion about where to put a new skating rink.

PAYMENT VOUCHERS

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

EXECUTIVE SESSION

Council Member House made the motion to go into Executive Session at 8:05 p.m.

Council Member House made the motion to adjourn the Executive Session at 8:17 p.m. Council Member Huefner seconded the motion. All in favor and the motion carried.

ADJOURNMENT

Council Member House made the motion to adjourn the meeting at 8:18 p.m.
Council Member Huefner seconded the motion. All in favor and the motion carried.

APPROVED:

ATTEST:

Ken Hansen, Mayor

Assistant Clerk

**MINUTES OF THE
EXECUTIVE SESSION OF THE
TOWN COUNCIL OF
GARDEN CITY, UT**

The Garden City Town Council held an Executive Session on Thursday, November 13, 2008 at the Garden City Office, located at 69 N. Paradise Parkway, Building A. Mayor Hansen opened the meeting at 8:05 p.m.

Council Members Present:

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

Others Present:

Sharlene Millard

EXECUTIVE SESSION

Council Member Leonhardt talked about the Regional Commission. They're not sure how much funding they'll have until after the legislature meets. Once Al Harrison retires, the chairman, vice chairman and secretary will take turns being the regional director until they find enough money to hire one.

Mayor Hansen wondered why they didn't take David Cottle's offer of doing it for free. Council Member Leonhardt said there are several people who would do it without pay. This is only for the interim.

Council Member Leonhardt said January, February and March is a pretty slow time for the Regional Commission. They are basically doing county Planning & Zoning items. He said he will be there a lot to see what's going on and to see if they need help. It will be for only 3 months and then they will open it up for the Commissioners. It may be only one position. If Mitch Polson doesn't get the job, he may have to be let go. There will only be one opening instead of two.

Council Member Leonhardt said Rocky Mountain Power has previously donated a lot of money, but they won't this year. They're concerned about the direction the Regional Commission is going lately. He said the board is trying to turn it around and do what the Commission should be doing.

Council Member Leonhardt said they have spent several hours in executive sessions the last few weeks trying to decide what to do. They do have money to finish paying Mr. Harrison. The Board has realized that they have made mistakes the last few years in that they weren't running the regional commission, Al Harrison was. They are taking it upon themselves to re-write the bylaws, positions, responsibilities, etc. The whole thing will change. Whoever the new director is, will answer to the board.

Mitch Polson hasn't been the leader-type at this point. The Regional Commission is really turning around.

Mayor Hansen asked what the role is of the County Planning and Zoning Commission? Council Member Leonhardt said both counties are looking into having their own chairman of each board and having the regional commission be there to help, instead of running it. More of an advisory board.

Council Member Huefner made the motion to go out of Executive Session at 8:17 p.m. Council Member House seconded the motion. All in favor and the motion carried.

APPROVED:

ATTEST:

Mayor Hansen

Assistant Clerk