

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

The Garden City Town Council held their regularly scheduled meeting on March 11, 2010 at the Garden City Office, located at 69 N. Paradise Parkway, Building C. Mayor Spuhler opened the meeting at 5:00 p.m.

Roll call of Council Members Present:

John Spuhler, Mayor  
Bess Huefner  
Brian House  
Mike Leonhardt  
Dan Kurek

Others Present:

Kathy Hislop  
Rod Jacobsen  
Anita Weston  
Travis Hobbs  
Milt Erickson  
Jean Erickson  
Chaz Crookston  
Ken Hansen  
Scott Livingston  
Anna

Mayor Spuhler asked for a roll call of the Council Members present, Mayor Spuhler, Council Member Leonhardt, Council Member House, Council Member Huefner, Council Member Kurek.

**APPROVAL OF MINUTES**

Minutes of the meeting of February 10, 2010.

Council Member Huefner suggested we correct a spelling error, which was done.

Council Member Leohnart made the motion to approve the minutes of February 11, 2010 with the spelling correction. Council Member House seconded the motion. All in favor and the motion carried.

## Minutes of the Public Hearing of February 10, 2010

Council Member House made the motion to approve the minutes of the Public Hearing held on February 11, 2010. Council Member Leonhardt seconded the motion. All in favor and the motion carried.

### **TOWN ENGINEER REPORTS**

#### Treatment Plant

Mayor Spuhler explained that Mr. Linford will not be attending this meeting but he did send some notes for review by the Council, which he read through with the Council Members. He explained that Pall Corp will start testing the components and testing everything which will make the plant run. The operational date should be around the 15<sup>th</sup> of April when we will start running water through the system and working through all the bugs. The grand opening for the treatment plant should be sometime around May 15<sup>th</sup>.

#### Paradise Parkway

Mayor Spuhler explained that he has spoken with Mr. Mike Sobieski, from the Buttercup HOA, and they agreed to move forward and to adopt the roads with some agreements that are fair to both sides. He said that over the next 3 years we will make necessary changes to the road which will be acceptable to both sides. We are ready to move forward on both sides with whatever makes sense for both parties.

Mr. Travis Hobbs explained that we had a lot of bids for the paradise road project. He explained that we should look at paving the road to and around the treatment plant and right now we may get a good price for it because the contractors really need the work right now. He said that he may have some funds left in the water budget to help pay for paving that road. We may also have some funds on the treatment plant left over that we can use. He is going to get a rough cost estimate to see what it will cost. Council Member Leonhardt told Mr. Hobbs to get some pricing and if we have some money left at the end of our fiscal year we can do that project.

Eventually we will be required to fence around the treatment plant. Council Member Kurek will check into getting a grant from Homeland Security for fencing. Mayor Spuhler said that there is also a possibility of getting a grant for solar power for that building. Council Member Huefner is looking for a schedule for solar for our buildings, including the treatment plant.

### **PUBLIC WORKS DEPT**

Mr. Hobbs explained that they will be starting the bridge project over the Swan Spring Creek soon, which will require our water line to be moved. We don't have to pay for that re-location but we did decide to upsize that section of line to a 12" and we will pay just

for that upsize of the pipe. We will also add an extra valve at our cost while they are there. There will be a short time that the water will be shut down, but it should only affect the users north of the spring. We will contact the citizens that will be affected by the water being turned off.

## GIS

Mr. Bob King is coming here next week to help get trained with our GIS. We hope it will be the last training for us. Mayor Supher said that we really need to write down the goals of how we are getting from step one to step two. We need deadlines so we can accomplish these goals. We may have to upgrade our GIS software program.

## **BUILDING INSPECTOR REPORT**

Mr. George Peart explained that this has been a learning month for him. Utah will probably be going on line with the 2009 IBC IRC Code in July 2010. There will be a couple changes as far as code but Utah is not going along with the residential sprinkler requirement. They are also changing the requirement for a permit from 120 square foot or less does not require a building permit to anything over than 160 square feet requires a building permit. He said that as a municipality we can opt to leave it at 120 square feet. Council Member Leonhardt said that we can be more strict than the state and leave it at 120 square feet.

Mr. Peart said that he has done a couple short term rental inspections and is now familiar with that process. He has done several final inspections and he is trying to get some of the old permits cleaned up so we can close them out.

Mayor Spuhler explained that we have some builders that don't understand the height requirements. Mayor Spuhler explained that because of the violations which have been happening he sent a letter to all the contractors explaining that we appreciate their business but that the contractor is responsible to understand what setbacks and height restrictions are according to our ordinances. He gave them 2 weeks to provide us any specific projects which are not in compliance. Moving forward if they are not on the list they will be considered in violation. Mayor Spuhler did receive some phone calls discussing some of the violations that they are aware of.

Mayor Spuhler explained that at this time we need to contact Mr. & Mrs. Hancock and explain to them that we need to get the set back issue resolved.

Mr. Peart explained that he will be watching setbacks really close because it has become an problem throughout town.

He has one permit that he is working on getting ready to issue. He also has talked to some of the contractors and they have some projects coming in.

## **DOWNTOWN PRESENTATION, Ken Hansen**

Mr. Ken Hansen and Mr. Scott Livingston showed his slideshow of pictures of his vision that he would like Garden City to eventually look like. He suggested that communities that are quaint or unique seem to be more successful and draw more tourists.

The Council discussed the parking on the new parking lot. The Council agreed that we should have no overnight parking there. There is a Garden City resident that parks his semi there when he is in town. Mr. Hobbs will check to see how much fill was brought in when the parking lot was built so we know if any heavy trucks can park there.

Mr. Hansen said that he would like to work on bringing a farmers market etc., in the parking lot this summer. Mayor Spuhler said that a farmers market is a great idea. He would also like to open an area in the new park property for citizens to have a small garden. They can then sell their produce at the farmers market.

## **SIGN LOCATION DISCUSSION, Rod Jacobsen**

Mr. Jacobsen passed out a picture of the sign that they would like to put back up. He explained that the original sign was up for the past 19 years but had to be moved when 3<sup>rd</sup> west was started. He thought that the sign would just need to be moved a little so that it wasn't in 3<sup>rd</sup> west but he learned that the highway is a scenic byway and the state won't let it go back up. As long as the sign stayed there it was grandfathered but if you move it then they won't give permission for it to go back up on the scenic byway. Mr. Jacobsen explained that as a city we can segregate a portion of the scenic byway and then it won't have to comply with the scenic byway rules.

Mr. Jacobsen explained that he has talked with Mr. Jeff White and he is willing to allow a sign on his property. We would have to vote to approve to segment property there so we can install the sign. Council Member Leonhardt explained that there really is no downside to putting up the sign. It really is an informative sign, the clinic, the Memorial Hospital in Montpelier and the Logan Hospital are all listed on the sign.

It is a double sided sign and the back side coming down the canyon would be informative about the Bear Lake Memorial Hospital itself. The side going up will have Logan Hospital and clinic information. He would like to build it 8' x 16'. He needs to check the sign ordinance to make sure that it fits within the ordinance.

Mr. Jacobsen asked about lighting the sign. The Council agreed that he shouldn't put lights on the sign.

Mr. Jacobsen suggested a motion from the Town Council approving to segment 20 feet from the scenic byway for the sign.

Council Member Huefner made the motion that we segment 20 feet of the Logan Canyon National Scenic Byway to allow an informational sign about the medical services for the Bear Lake area. Council Member House seconded the motion. Mayor Spuhler asked for another motion to include a stipulation of the area where the sign will be located. There was no vote taken so the motion died.

Council Member Huefner made the motion to segment the Logan Canyon National Scenic Byway for 20 feet to allow an informational medical services sign to be placed between the cemetery and the Chevron service station. Council Member House seconded the motion. All in favor and the motion carried.

### **PROCLAMATION FOR CHILD ABUSE PREVENTION MONTH.**

Ms. Anna is representing the Child and Family Support Center. She explained the services that they provide and showed a short video. Mayor Spuhler expressed his appreciation for what they do for Rich County. He suggested that they do some family support classes through the Library.

Council Member House made the motion to adopt April as the Child Abuse Prevention month and have Mayor Spuhler sign the Proclamation. Council Member Leonhardt seconded the motion. All in favor and the motion carried.

### **BUSINESS LICENSE DISCUSSION**

Council Member Leonhardt hadn't been able to contact either of the applicants, so this will have to wait until next month.

### **MISCELLANEOUS ITEMS**

#### **Easter Coordinator**

Ms. Sharlene Millard will coordinate the Easter Egg Hunt this year. The Hunt has been changed to Friday at 4:00 p.m, April 2nd.

#### **Rich High Education Foundation Donation**

Mayor Spuhler stated that this is a good thing and they give scholarships every year. Mayor Spuhler said that we spend money in a lot of different ways and this would be a good thing for us to support.

Council Member House made the motion to give the Rich High Education Foundation a donation of \$200. Council Member Huefner seconded the motion. All in favor and the motion carried.

### Cost of Renting the Facility

Mayor Spuhler explained that he would like to get some momentum in renting the facilities. He would like to see a reduction in the fees so we can get more rentals. He said that he has talked to Ms. Judy Holbrook and she can put a hot deal on her website so that we can offer a discount. Ms. Holbrook said that she is willing to advertise and promote the facilities a lot more through her website. The Council agreed that we should give a 40% discount if they rent through the hot deals.

The Council felt that the deposit should be 50% of the rental fee. They also discussed increasing the cleaning deposit for the free renters.

Council Member Kurek made the motion to reduce the fees by 40% on any reservations that come through hot deals. Council Member Huefner seconded the motion. All in favor and the motion carried.

### **COUNCIL MEMBER REPORTS**

Council Member Kurek explained that they are working hard on the Outdoor Expo and Gun Show. It will be the 10<sup>th</sup> and 11<sup>th</sup> of September. We are going to do a horse drawn parade in period clothing. There will not be anything motorized in that parade. We will also have a concert and we are trying to get Browning Firearms to help support the event. They will be using the RV spots for a Rendevous. We will also have a dutch oven cooking contest, a petting zoo, a fish pond, and an ATV poker run, etc. The committee is checking to see what the legalities are to having a shooting contest. Mayor Spuhler said that we need to do this well and not get too big and over our heads with too many events.

Council Member Kurek said that there are a lot of people who really want the pool opened. He has a list of start up things we should have before we open the pool. He said that there are a lot of pledges that people have already stated that they will donate. He is requesting that the city donate \$600 per month to get this going. After about 6 months we should be able to see how this will work. He said that he will look into retro fitting the building for solar so we can cut our costs for heating the building. He said that there is about 400 people who are ready to donate to the pool. The pool needs to be ran from a city perspective and according to city policy. The lifeguards will be paid. Mayor Spuler said that he would like to see a plan including a budget put together for the next Council meeting. The Council agreed that if a class is offered through the pool that some of the proceeds should come back to the city for the use of the pool.

We are down to one certified pool operator. There is a class in May that we need to send Council Member Kurek to so we have 2 Certified Pool Operators.

Council Member Huefner said that she is still working on the solar costs and looking for some help funding it.

Council Member Huefner said that she has had people contacting her for service projects. So if anyone knows of something that needs to be done they should let her know.

Mayor Spuhler said that he is working with the State and the County regarding the beach access program. He is working to get a right of entry permit which is required. The County is going to run their program and we will run our program. Council Member House said that the State Park's has offered to help the County with the law enforcement on the beaches.

Mayor Spuhler stated that he is working on getting a municipal court here and also an ordinance enforcement. He has talked to the County Sheriff so they know that we are working on this. He is working with Ms. Millard through the State to meet the requirements to start the municipal court.

Council Member Huefner said that she has been trying to get the issues with the turn lane settled and asked Mr. Ken Hansen to help with this.

Council Member Huefner said that she has the survey for the road from Buttercup through the new park property and she should be ready to get property owner signatures.

Mayor Spuhler asked Council Member Huefner to draft a letter to the owner of the old log cabin on Mr. Wamsley property telling him to move the cabin.

Council Member House said that there have been talks with the state to privatize the marina. Mayor Spuhler said that if it does go private the city should consider taking it over.

Mayor Spuhler said that he has talked to the Clinic and also to Ms. Holbrook and they agreed that the funds for the sign could be spent in a better way. He asked Ms. Holbrook to ask the County Commissioners if we can reapportion the funds in a more effective way.

We need to contact Mr. Ward and have him come fix the sign that he installed last year because it is leaning 4-5 inches to the south. He needs to fix it so it doesn't eventually tip over.

Council Member Leonhardt said that the Raspberry Days Committee would like to have a Bear Lake Coop in the Convention Center. He told them that we can do something similar to what we did for the Chocolate Festival.

The PRT will be coming this way again for the summer season. Last year we budgeted \$5,000 and the total cost was approximately \$10,000. Council Member Leonhardt said that we didn't budget anything but we should give them something. He suggested \$2,500. He feels that we shouldn't have to finance the majority of the cost because there are a lot of other communities that benefit. We will tell Ms. Holbrook that is what we are willing to do.

Council Member Leonhardt said that so far the Regional Commission will continue to exist but we don't know how much longer. The 2 states aren't going to help fund any part of it.

Council Member Leonhardt explained that we did hire 2 new employees that will be working 20 hours per week each. They will be doing everything that we need them to do in the town. There will be no overtime unless it is pre-approved and an emergency.

We have decided that we will issue the short term rental license and building permits to everyone based on the same requirements of the city but we will mail a copy of the licenses to the appropriate HOA.

**PAYMENT VOUCHERS**

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

**ADJOURNMENT**

There being no further discussion Council Member Huefner made the motion to adjourn the meeting at 9:10 p.m. Council Member Leonhardt seconded the motion. All in favor and the motion carried.

APPROVAL:

Attest:

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John Spuhler, Mayor

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Kathy Hislop, Town Clerk