

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

The Garden City Town Council held their regularly scheduled meeting on September 8, 2011 at the Garden City Office, located at 69 N. Paradise Parkway, Bldg C. Mayor Spuhler opened the meeting at 5:00 p.m.

Council Members Present:

John Spuhler, Mayor
Brian House
Mike Leonhardt
Bess Huefner
Pat Argyle

Others Present:

Kathy Hislop
Travis Hobbs
Anita Weston
Nadene Sprouse
Tammy Calder
Kathy Anderson
Darin Pugmire
Mark Stringham
Norm Mecham
Kevin Horn
Mrs. Horn
Jason Linford via speaker phone
Greg Bills
Carol Bills
Becky Green
Mike Madsen
Randall Knight
Ben Negus
Sharlene Millard

ROLL CALL

Mayor Spuhler welcomed everyone to the meeting and asked for a roll call of the Council Members present; Mayor Spuhler, Council Member Leonhardt, Council Member House, Council Member Argyle and Council Member Huefner.

Mayor Spuhler lead us in the pledge of allegiance. Council Member Huefner offered the prayer.

APPROVAL OF MINUTES

Minutes of the Town Council meeting held on August 11, 2011

Council Member Huefner made the motion to approve the minutes of August 11, 2011 meeting as written. Council Member House seconded the motion. All in favor and the motion carried.

TOWN ENGINEER REPORT

Treatment Plant

Mr. Linford was not in attendance so we contacted him by speaker phone. Mr. Linford reported that they had a conference call with Mayor Spuhler, Mr. Hobbs, Mr. Argyle, Sunrise Engineering, Build Inc. and Pall Corp. Issues were outlined and how they would be addressed. Each party assured the Mayor that we will have a treatment plant that is running correctly, soon. Also, they talked about the financial issue. Sunrise has committed that whatever they are doing from this point on to get the treatment plant up and running, will not be charged to the city, as well as Build Inc and Pall Corporation. Mr. Linford said that they are not here every day but they are working behind the scenes. They have spent about \$20,000 in time so far in their work.

Mayor Spuhler said that the warranty period for the plant should not have started until something is really working and that hasn't happened yet. Pall Corporation will stand behind their equipment even if there is an issue with the plant next year during the peak season. They will make sure that everything is working properly.

Mr. Linford said that the water hammer may be the reason things were breaking. Some of the valves were sticking and have been worked through. The plant will have to be turned back on before they can determine where the sand is coming from, which is a concern. They had to order some parts before the plant can go back on line. We will really watch the plant closely when it goes back on line.

Mayor Spuhler said that now that everyone is working together it is a better situation. There is 14 items on the punch list that needs to be fixed and there is a better understanding with all parties involved. Mayor Spuhler said that Mr. Linford has been a great resource on this issue.

Mayor Spuhler asked about the issue with water in general. The question is do we have enough water for Water's Edge. He said that it is not specific to that development, just regarding our water system ability. We need to get a water study done to determine what our resources are. After we get the August meter readings we need to do an estimate of the water usage. This year will be the best data we have so far. We will take the best and the most recent data that we have. Even though the plant was down, people were still

using water so we can look at that data. We need to see what the treatment plant can handle and what the system can provide.

Miscellaneous Water Projects

Mayor Spuhler said that we have recently done 3 things to improve our system, we have fixed issues with Payne Springs, ie., the meters, prv, and flow meter. We also have an agreement with Sweetwater to do a redundancy for our system and we have upsized the treatment plant. Those are all major improvements to our system.

Mayor Spuhler said that we are spending a lot for the Elk's Ridge pumps. Mr. Kent Glen is going to put in smaller pumps, which should save us a lot of money in pumping costs for Elk's Ridge. Mayor Spuhler explained that the cost for pumping there is very expensive. The new smaller pumps will reduce the pumping costs about 80%. The pumps that are there now will take care of the pumping for the entire subdivision, including phase II, which is extreme and not necessary at this point. They expect the bid to come in at \$7000 for the new pump.

The Public Works Department would like to resurrect the Pickleville well and get it online. It is temporarily shut down according to the state status. There is a lot better technology that we can use to resurrect the well other than trying to drill a new well. The main water line is across the street and there is power close to the well. We will check with the state to determine what it will take to get that well back on line. Council Member Argyle asked, if we drilled the well, could we pump in the spring, like a re-charge, and count that in the summer time when we need more water. Mr. Linford will look into that probability.

Mayor Spuhler said that those are the things that we need to work on now. Mr. Linford is already working on the financial data for those projects.

300 West

Council Member Huefner said that on the 19th of September, Parsons will pave the turn lane fix. TBP has up the permit from UDOT so they can move forward. After it is paved he will re-align the drainage ditch (sump box). The state and TBP is working together to get this project completed. TBP will inform Mr. Linford of what is going on with the project.

Council Member Huefner said that we are waiting for the mylar from Mr. Jeff Hansen on 300 west. We have everyone else's go ahead except Mr. Scott Calder and Mr. Ted Hildt to connect Buttercup to the highway, the section that is not constructed. We should be able to go forward with that project soon.

We did receive the scenic byway grant and are working on the documentation, then we will get started on bidding the project so we can get it completed soon. The grant is for a restroom at the 50 S. parking lot.

Mr. Hobbs needs to install a couple of stop signs on the frontage road along Logan road.

Mr. Norm Mecham said that Payne Spring is a very valuable resource, based on the figures that Mr. Hobbs gave it can take care of all of Ideal Beach.

PUBLIC WORKS DEPARTMENT REPORT

Cemetery Board Request

Mayor Spuhler said that the city has an option that anyone can utilize and suggested that the Cemetery Board turn off the water to the Cemetery when they stop watering in the fall. They can turn off the water at the end of the season and turn it back on in the spring, which would cost them \$200 each time. Mayor Spuhler said that it would save the cemetery district about \$3800 per year.

The city put in a new meter at the Cemetery and they are now being charged according to their line and meter size. Mr. Mike Madsen, a member of the Cemetery Board, said that since they are only watering grass they may be able to get a break for beautification. The Council indicated that they do not have the beautification grant option at this time.

BUILDING INSPECTOR REPORT

Mr. George Peart said that he issued building permits for 2 garages in August and 3 houses in September.

FIRE BOARD DISCUSSION

The Council asked those who have applied to be the Fire District Board Member to address the Council and express their interests and qualifications in the position.

Ben Negus; he has been a member of Garden City his whole life and he wants to help out and serve the community. He did work for the Garden City Fire District; he has been Firefighter 1, Hazmat operations, etc. He has also been a Captain for the Fire Department. He was on the Fire Department for about 10 years.

Mark Stringham, he said that he was on the Fire District as a Firefighter back when Don Huefner was the chief. He didn't have any certifications but he did do the required training. He quit the Fire Department about 15 years ago. He said that he would like to serve on the Fire Board and help with the affairs of the Fire District.

Randall Knight, he said that he is a full time resident. He would like to give back to the community. He is familiar with the valley. He has not ever worked as a Fire Fighter but has regularly attended of the Fire District meetings. He is pleased with the efforts of the Fire Board and the Fire Chief.

The Council will discuss their recommendations later in the meeting.

CODE ENFORCEMENT REPORT

Mayor Spuhler reported on the Code Enforcement Report, which will be e-mailed to all the Council Members.

BUSINESS LICENSE DISCUSSION/APPROVAL

Hislop Consulting, LLC., Jared Hislop

Council Member Leonhardt said that he looked at the business license and is okay to issue the license. The request is to do computer consulting work at Mr. Hislop's residence. There won't be any customers go to the residence.

Council Member Huefner made the motion to accept the business license application from Jared Hislop for Hislop Consulting Council Member Leonhardt seconded the motion. All in favor and the motion carried.

SHORT TERM RENTAL LICENSE DISCUSSION/APPROVAL

Home Away From Home Rental, Mark & Lydia Feinstein

Council Member Huefner said that sometimes they have a larger vehicle than they should have and it was parked over the asphalt/road. The council agreed that we could write the homeowner a letter suggesting that they park so as not to hang over the asphalt, and they should also make their renters aware not to park over the asphalt.

Council Member Leonhardt made the motion to accept the short term rental application for home away from home, Mark & Lydia Feinstein. Council Member House seconded the motion. A roll call vote was taken: Council Member Leonhardt, for; Council Member Huefner, for; Council Member House, for; Council Member Argyle opposed. Motion carried.

PLANNED UNIT DEVELOPMENT DISCUSSION/APPROVAL

Preliminary review/approval for Water's Edge, Phases 1, 2, 3, 4, and 5, Norm Mecham

Mayor Spuhler read from the agenda, this is a request for approval of the preliminary plat for the planned unit development at 50 S. Bear Lake Blvd, phases 1, 2, 3, 4, and 5. This project will be a multiple and mixed use with retail stores, commercial buildings, a hotel, and condominiums. This project was presented to the Planning Commission, and they approved the preliminary plat for all phases with the condition that the fire department request would be met as to the property fire equipment. They also suggest that the 8 parking spaces that are a problem are addressed and moved into the last phase. The title report was also addressed during the Planning Commission meeting.

The parking on 150 south was a huge contentious issue during previous meetings. After those meetings Mayor Spuhler asked Mr. Mecham to go back and look at a better solution and get their parking off 150 south. They did address that issue and created some underground parking in the project and took all the parking off the 150 south road. There is parking along 150 south but it is all on their property. The entrance for the parking structure is off of 150 S and will be at grade level.

They anticipate starting the commercial units during the first part of 2012, with the hotel coming on line in 2013.

The parking along SR30 will be on their property, it will be inside their property line leaving quite a distance for vehicles to back out. They are going to have to work with UDOT on a variance on that block, which will include some of the parking entrances into the property that are too close, the angle parking along SR30 for Water's Edge, and a request to reduce the speed limit to 25 mpg for that block.

50 South starts out at 99' at the west end and it reduces down to 66'.

Mr. Phil Hoyt sent a letter to the Town Council with his concerns regarding the project. One of his questions is that the plat indicates that the condo's have the ability for a lockout unit. He wants to make sure that the lockout units are included in the parking calculations. Mr. Horn said that the condo's are lockout units and they have been considered in the parking calculations.

Mayor Spuhler said that we received an e-mail from the president of Lake Meadow HOA, Curt Knudsen. One of his requests is that Water's Edge put up a fence along 50 south to separate the property line of the 2 developments. Mr. Mecham said that they could install some type of fence at the top of the development but down below it is wet lands so people won't be going through that area anyway and there really shouldn't be a need for a fence along the wetlands.

Mr. Horn went through the parking tables for every phase of the development and explained how they came up with the total number of parking spaces. He said that they will always accommodate the minimum parking requirements for each phase.

Mr. Horn showed the new plans for the dumpsters which fixes the concerns of the Rich County Sanitation Department and makes it easier for their garbage pickup.

The Council discussed at length what needs to be bonded for and what we should require bonding on.

Council Member Leonhardt made the motion to approve the preliminary plat for the Water's Edge Planned Unit Development, phases 1,2,3,4 and 5. Based on what was discussed tonight and the approval of the Planning Commission. Council Member House seconded the motion. All in favor and the motion carried.

ORDINANCE DISCUSSION/APPROVAL

Ordinance #11-11, an ordinance creating a new Hillside Estates zone within the Garden City Town limits.

Mayor Spuhler explained that this ordinance was not approved by the Planning Commission during their meeting last night. They felt that there were things that could be improved on with that ordinance and it will go back to the Planning Commission for more discussion during their October meeting. It will come back to the Town Council if the Planning Commission recommends it during their next meeting.

Ordinance #11-12, An ordinance requiring more parking in developments for ATV's and trailers.

Council Member House made the motion to approve the ordinance with a change to the title, An Ordinance Requiring ~~more~~ parking for ATV's and trailers. Council Member Huefner seconded the motion. All in favor and the motion carried.

Ordinance #11-13, An ordinance requiring an agreement of height of buildings by agreeing on average undisturbed existing grade elevation before building.

Mayor Spuhler said that he has talked to the Building Inspector and he agrees that this is a good ordinance. He will set a stake at a point where the average grade will be, which will be the measurement for the building height. He may need a transit to set the average grade, which we can order for him.

Council Member Huefner made the motion to accept ordinance #11-13, an ordinance requiring an agreement of height of buildings by agreeing on average undisturbed existing grade elevation before building. Council Member House seconded the motion. All in favor and the motion carried.

MISCELLANEOUS ITEMS

Discussion regarding the Special Event Cooperation with Bear Lake Regional Commission and Garden City, Mitch Poulson

Mayor Spuhler said that he really doesn't want the Regional Commission coordinating our special events. If it is just an informational thing the Council is okay with the coordination but not for them to be in charge of the events. Mr. Poulson will come to the meeting next month.

Street Light Discussion

Mayor Spuhler said that there are some new street lamps that are a combination of solar and wind. They are LED bulbs so they are very bright. We will look into what it will

take to buy these street lights and install them and have more discussion regarding purchasing of the new street lights.

New Planning Commission Member Appointment, Nate Gracey

Mayor Spuhler said that Mr. Gracey did accept the opportunity to serve on the Planning Commission.

Council Member House made the motion to accept and appoint Nate Gracey as a Planning Commission Member. Council Member Huefner seconded the motion. All in favor and the motion carried.

Rich County Tourism Grant Application discussion

The Council decided that they should use the funds from this grant to purchase and install the street lights that we are looking at installing for beautification and safety of the downtown area. We will apply for \$25,000 to put towards this project.

Council Member Huefner made the motion to apply for the Rich County Tourism grant and use it for street lights. Council Member House seconded the motion. All in favor and the motion carried.

Water pumps for Elk's Ridge Subdivision

Mayor Spuhler previously discussed the option of having Mr. Kent Glen install new pumps that would save the city a lot of money in pumping costs. Council Member House said that at this point he is not so sure that we want to install the pumps at this time. He would like to know more about where we are with the funds and if we are covering our bills.

COUNCIL MEMBER REPORTS

Council Member Argyle reported that the Heritage Days is ready to go. It will be a good weekend.

Council Member Huefner reported that the slurry seal has been done and looks good. She is also going to be working on a Tiger Grant to help finish 3rd west. We are just waiting for the Mylar from Jeff Hansen.

PAYMENT VOUCHERS

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

EXECUTIVE SESSION

Council Member Huefner made the motion to go into executive session at 8:00 p.m.
Council Member House Seconded the motion. All in favor and the motion carried.

Council Member House made the motion to end the executive session at 8:15 p.m.
Council Member Leonhardt seconded the motion. All in favor and the motion carried

ADJOURNMENT

There being no further discussion, Council Member House made the motion to adjourn
the meeting at 8:16 p.m. Council Member Leonhardt seconded the motion. All in favor
and the motion carried.

APPROVAL:

John Spuhler, Mayor

Attest:

Kathy Hislop, Town Clerk