

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

The Garden City Town Council held their regularly scheduled meeting on Thursday, August 13, 2015 at the Garden City Lakeview Building located at 69 N. Paradise Parkway, Building C. Mayor Spuhler opened the meeting at 5:10 p.m.

Town Council Members present:

John Spuhler, Mayor
Darin Pugmire
Chuck Stocking
Bruce Warner
Bess Huefner

Others Present:

Kathy Hislop
Riley Argyle
Bob Peterson
Anita Weston
Nadine Sprouse
Craig Schaar
Joan Akre
Zan Murray via speaker phone

ROLL CALL

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

APPROVAL OF MINUTES

Minutes of the Town Council Meeting held on July 9, 2015

Council Member Huefner made the motion to approve the minutes of the regular Town Council meeting held on July 9, 2015. Council Member Warner seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

BUSINESS LICENSE DISCUSSION/APPROVAL

Claudia’s Cleaning Service, request to conduct a cleaning company in Garden City. Claudia Lopez

Council Member Huefner made the motion to accept Claudia’s Cleaning Service. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

SHORT TERM RENTAL LICENSE DISCUSSION/APPROVAL

1006 Snowmeadows Drive. Benchmark Realty Management, LLC. Kent Blatter

Council Member Stocking said that the parking diagram shows street parking. There is enough parking without the street parking; they just can’t use the street parking for the short term rentals.

Council Member Stocking made the motion to accept the short term rental application for 1006 Snowmeadows Drive, Benchmark Realty Management, LLC, Kent Blatter, with the contingency that the on street parking shown on the building sketch is not usable space for parking. Council Member Huefner seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

2176 S. Bear Lake Blvd, #185 & 186. David & Mary Wagner

Council Member Pugmire made the motion to accept David & Mary Wagner at 2176 S. Bear Lake Blvd, #185 & 186 as a short term rental. Council Member Huefner seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

737 S Spruce Dr., Torben Walters and Dieter Walters

Council Member Huefner made the motion to accept 737 S Spruce Dr., Torben Walters and Dieter Walters as a short term rental. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

Ideal Beach Condo #172, Owner is Ronald Reaveley
Ideal Beach Condo #117, owner is Mike Ford
Ideal Beach Condo #430, owner is Dean Anderson
Ideal Beach Condo #102, owner is Mike Marston
Ideal Beach Condo #472, owner is Micah Christensen
Ideal Beach Condo #263/264, owner is John Curtis

Council Member Huefner requested to approve all these condominiums together since they are all at Ideal Beach Resort. Council Member Warner said that we don't need a plat map with the application because they are all part of the Ideal Beach Resort.

None of the applications have the proof of insurance or proof of ownership. Mr. Schaar explained that the resort carries a blanket insurance coverage, in a master policy. It covers everything but the contents of the condo. Mayor Spuhler said that we need the liability coverage that covers the renters inside the condo.

The Council Members approve agenda item # d-I, but we still need item B & D of the short term rental application.

Council Member Pugmire made the motion to approve condo's #172, 117, 430, 102, 472, and 263/264 with the contingency that they need to turn in proof of ownership for each unity and proof of insurance for each unit showing that they are licensed for those units. Council Member seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

Short Term Rental Discussion, Brian House

Mr. House explained that he had a few short term rental owners at the last Administrative Court that are under the impression that they are working with a Council Member to get things done. They were under the impression that they were ok to rent until they got the final things to be done. Mr. House requests that the Town Council put their approvals in writing with a drop dead deadline. The Council Members agreed that these things need to be documented and put in their file.

COVENANT TO RUN WITH THE LAND DISCUSSION/APPROVAL. Request to encumber parcels #41-21-49-201, 41-21-49-202 , 41-21-49-203, 41-21-49-204, 41-21-49-205, 41-21-49-206, 41-21-49-207, 41-21-49-301, 41-21-49-302, 41-21-49-303, 41-21-49-304, 41-21-49-305, 41-21-49-306, and 41-21-49-307, Stan Goodell, Season's Resort Community

The Council Members discussed the Season's Resort recorded plat. That plat included open space that is required for the resort. We will write Mr. Goodell a letter explaining that they will be required to provide open space for the project if they ever decide to construct more condominium units.

Council Member Huefner made the motion to encumber a covenant to run with the land from 41-21-49-201, 41-21-49-202 , 41-21-49-203, 41-21-49-204, 41-21-49-205, 41-21-49-206, 41-21-49-207, 41-21-49-301, 41-21-49-302, 41-21-49-303, 41-21-49-304, 41-21-49-305, 41-21-49-306, and 41-21-49-307 for the Season's Resort Community. Council Member Pugmire seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

GARDEN CITY CEMETERY DISTRICT REQUEST TO DISCUSS WATER RATES,
Randall Hansen/Tammy Calder

Mayor Spuhler said that he would love to give them a break on their water bill, but the state has said that the city has to pay for our own water use. If we don't make the cemetery pay for their water use then we would have to pay for it.

Council Member Warner said that if we grant the relief that they are requesting then the water users would have to make up the difference and end up paying more. The Cemetery District has the ability to pass this along to a geographical area that is bigger than our city. It includes an area outside the city limits.

They can't pump up from the canal so they can't use canal shares.

Mayor Spuhler said that they are a taxing entity and they can pass it on to their taxing area.

PUBLIC COMMENTS

Ms. Joan Akre said that we need to acknowledge the law enforcement in Garden City during Raspberry Days. They did a fantastic job. Also, Mr. Peterson did a great job during Raspberry Days.

Ms. Nadine Sprouse said that we need a dog leash ordinance in the park, it is a big problem. Council Member Huefner said that she has ordered 4 new signs for the park. Mayor Spuhler said that we have dog poop bags on the beach so people can clean up after their own dogs.

Mr. Craig Schaar said that there is tremendous impact to Garden City when people come to the city as tourists and they should pay for that impact. He said that he feels that the fire inspection for short term rentals is a great idea, but he feels that the people that come to Ideal Beach and the time share are owners. He asks the Council to be prudent with regard to raising the rental license fees.

PUBLIC HEARING

Mayor Spuhler opened the public hearing at 6:00 p.m.

ROLL CALL

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

ORDINANCE DISCUSSION

Ordinance #15-28, an ordinance updating the requirements for a Short term rental license

Mayor Spuhler explained that there aren't a lot of changes to this ordinance but they are significant. He explained the changes in the requirements for the emergency contact person. The proposed ordinance would require that the contact person must have their own insurance policy or be added to the insurance of the property management company.

The Council Members went over the ordinance and made changes to reflect the intent for the requirement of insurance for the contact person. We need someone that is skilled to do the job and knows what to do if they are called to address issues.

The Council Members made changes to the ordinance to cover the insurance requirement.

ADJOURN THE PUBLIC HEARING

Council Member Huefner made the motion to close the public hearing at 6:15 p.m. Council Member Warner seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

ORDINANCE DISCUSSION/APPROVAL

Ordinance #15-22, an ordinance updating the exemptions of height limitations

The Council Members said that the Planning Commission made the changes that the Council suggested. The Council Members made a few minor changes to the ordinance.

Council Member Huefner made the motion to accept the changes on ordinance #15-22, an ordinance updating the exemptions of height limitations. Council Member Warner seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

Ordinance #15-28, an ordinance updating the requirements for a Short term rental license

The Council discussed the changes that need to be made to the ordinance. We will strike item D.

Council Member Warner made the motion to Ordinance #15-28 with the changes that were just mentioned, an ordinance updating the requirements for a Short term rental license, which includes changes to the liability insurance requirements. Motion died for lack of second.

The Council Members revised the ordinance as follows:

Change item E to say; proof of liability insurance for all of the following:

- Owner
- Property management company/entities
- Contact person

Council Member Warner made the motion to approve Ordinance #15-28, an ordinance updating the requirements for a Short term rental license, revised to strike item D under 8-603 and change item E to say, proof of liability insurance for all of the following:

- Owner
- Property management company/entities
- Contact person

Council Member Pugmire seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

RESOLUTION DISCUSSION/APPROVAL

Resolution #R15-06, a resolution of the Town Council of the Town of Garden City, updating land use fees and miscellaneous fees for services rendered and providing an effective date.

The Council Members reviewed the proposed resolution and made a few changes to the proposed resolution. The Council Members reviewed the proposed license fees.

Council Member Warner made the motion to approve Resolution #R15-06, as amended and discussed in earlier comments. Council Member Pugmire seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

MISCELLANEOUS ITEMS

Discussion regarding the ULCT proposed transportation tax

Mayor Spuhler said that the Utah League of Cities and Towns are proposing a .25% increase in sales tax that will go directly into roads, or transportation projects.

Tonight is just a discussion, it isn't an approval. It would have to go on the ballot for the people to vote on.

Council Member Warner said that this passed the legislature based on the needs of the Wasatch front, not based on the needs of our small community. He said that he has asked in previous meetings for us to identify our road needs or what we specifically need to determine if we really need to do this. He said that he doesn't feel that we need to do this and he is opposed to this tax increase, because he doesn't want to put anymore taxes on the citizens unless we can demonstrate that there is a need that is not being met that would require us to raise taxes.

Council Member Pugmire said that we have more parking spaces that will require upkeep and maintenance as well as the bike path. They need constant repair, which can be funded with the extra tax increase funds.

Mayor Spuhler said that this tax would impact the visitors more than the full time residents. He said that the ULCT feels that it would benefit small towns. Mayor Spuhler said that we should let the voters decide to do this or not.

Mayor Spuhler said that we definitely have needs. When 300 west is built we will have even more road maintenance.

COUNCIL MEMBER REPORTS

Mayor Spuhler explained the Rural Utah Conference that he attended. He said that it was good. He met with a guy that has written the history of cities as a musical. He did this for multiple cities. He said it would be nice to have a pageant at the new park. The Council Members agreed that it would be fun.

Council Member Warner explained that he would like the new commercial building inspector to look at our ordinances to make sure that we are compliant with all the building requirements and the city municipal code. The new inspector should look at our ordinances to make sure that we aren't deficient in the commercial requirements.

Council Member Pugmire said that we haven't been able to keep enough water to the pond. He said that we need to use what is naturally in the ground for the fish pond, not for sprinklers etc., because there isn't enough water for the sprinkler system. Council Member Huefner said that it has been resolved with cutting back on the amount of sprinkling.

Council Member Pugmire said that he is still looking into the Hodges Canal that is seeping out of the ditch and what to do with the seepage. Right now it is running into the lots below the canal.

Council Member Pugmire said that we need to start working on replacing some of the sidewalks in town.

Council Member Huefner said that the new metal art was installed at the bowery in the window holes. Council Member Huefner will work with Mr. Gomez to fix the tree.

Council Member Huefner said that the playground equipment has been delivered to Heritage Park.

Council Member Huefner said that she didn't do much for beautification this year but hopes there is more beautification done next year.

Council Member Huefner said that Raspberry Days went very well this year.

Council Member Huefner said that we have 3 more weeks of farmers market.

Mayor Spuhler said that he hired a drone to do a video of Garden City. The video will be done in a few weeks.

Council Member Huefner said that JUB is working on the design for the softball field at Heritage Park. It will cost between \$125,000 and \$150,000. We can apply for the TRT grant to help with some of the cost. Council Member Pugmire said that we need it to be for both softball and baseball.

Council Member Stocking said that he has had a request that the Library not charge for internet access. He will discuss this with the Board Members to see if they can come up with an option.

Mayor Spuhler explained that he met with a couple of the lobbyist that was here during the state meeting. They didn't like the fact that we were giving free beach access passes to Garden City registered voters. They suggested that we give free passes to those who volunteer so much time. We have a lot of volunteers in our city. This could include the full time residents in Garden City and the secondary residents. Mayor Spuhler said that it is reasonable that if they give us their time we can give them a free pass.

PAYMENT VOUCHERS

The Council Members reviewed the invoices and payment vouchers.

Council Member Warner made the motion to pay the vouchers. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

ADJOURNMENT

There being no further business to discuss Council Member Stocking made the motion to adjourn the meeting at 7:30 p.m. Council Member Huefner seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

APPROVED:

John Spuhler, Mayor

Attest:

Kathy Hislop, Town Clerk