

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

The Garden City Town Council held their regularly scheduled meeting on Thursday, July 13, 2023. This meeting was held at the Garden City Lakeview Building located at 69 N. Paradise Parkway, Building C. Mayor Leonhardt opened the meeting at 5:04 p.m.

Town Council Members Present:

Mike Leonhardt, Mayor  
Ken Hansen  
Martell Menlove  
Jordan Parry  
Council Member Argyle was excused.

Others Present:

Cathie Rasmussen  
Riley Argyle  
Baily Miles  
Andrea Cornellier  
Nadine Sprouse  
Angela and Wesley Suggs  
Ruben Nogueira  
Carl Stock  
Bess Huefner  
Quinn Dance  
Tyler Seaman  
Mark Smoot  
Alex Buxton

On Teleconference:

Glen Gillies

**Pledge of Allegiance and Prayer**

The pledge of allegiance was led by Mayor Leonhardt and a prayer was offered by Council Member Menlove.

**1. Roll Call**

Mayor Leonhardt asked for a roll call of Council Members present: Mayor Leonhardt, Council Member Hansen, Council Member Menlove, Council Member Parry and Council Member Argyle was excused.

## 2. Approval of Minutes

- a. June 2023 regular Town Council Meeting and the June 2023 Town Council Public Hearing

Town Council Member Menlove made the motion to approve the minutes of the regular June 2023 Town Council Meeting and the June 2023 Town Council Public Hearing. Council Member Hansen seconded the motion. A vote was taken: Council Member Hansen, for; Council Member Menlove, for; Council Member Parry, for; Mayor Leonhardt, for. Motion Carried.

## 3. Quarterly Reports

- a. Bear Lake Valley Convention & Visitors Bureau Report – Tami Leonhardt
  - Was not present.
- b. Garden City Public Works Report – Riley Argyle

Mr. Argyle reported on the progress of the bike path and on the baseball diamonds at Heritage Park. He's contracted with a company to start bringing in the infield sand after Raspberry Days.

The bike path will cross the sides of the road on 300 West after the Highway 89 intersection.

They continue to work on the parks, bike path, and cleaning out the canal and make it easier to clean in the future and help with flood prevention.

CM Parry asked about nets on the basketball courts and resurfacing them. The mayor said that could probably be done.

Argyle explained they will be moving the pipe to try and make repairs to the restrooms at Lakeside Park.

CM Hansen will handle putting in bike repair stations on the bike path. The council discussed buying a couple more stations to add to the additional section of the bike path. CM Hansen will have them placed by the next meeting.

Argyle discussed the ordinance regarding one lot, one owner, one meter. He explained the history of this ordinance for clarification to the Council. Mayor Leonhardt and Mr. Argyle explained why this ordinance has come to light with a recent encumbered lot.

CM Menlove asked about the USDA sign by the road. The response was that it's an old sign and Argyle will take it down.

- c. Bear Lake Valley Chamber Report – Mark Smoot

Mark Smoot reported that business and rentals are low for this time of year, other than restaurants. Mayor Leonhardt responded that the TRT and restaurant tax is up last time he checked. They are meeting with the legislature regularly and cheerleading the projects that are being discussed and going on.

The marina and bike trail have been discussed as the build the marina. Mr. Smoot is looking at grant opportunities for winter grooming of trails.

CM Menlove thanked Mr. Smoot for reaching out to people and bringing them into the meetings so that things can expand and grow in the town and the county and information can be communicated.

d. Building Inspector Report/Code Enforcement Report— Tyler Seamans/Glen Gillies

Tyler Seaman was present, and Glen Gillies was on the phone. Seaman reported that there are 34 new “big” permits since the last quarter. Not electrical or smaller permits. There are 46 total permits in pending status right now. \$237,490 generated in permit fees.

Seaman appreciated Riley Argyle’s discussion on one lot, one owner, one meter.

Glen Gillies reported that they are keeping busy, and that Tyler Seaman is keeping a really good eye on the buildings that are permitted and watching building heights, etc.

Mayor Leonhardt expressed his appreciation for all that Mr. Seaman is doing.

Glen Gillies reported on Code Enforcement that he is keeping very busy and is catching a lot of short-term rental infractions.

e. Town Engineer Report – Quinn Dance

Quinn Dance was present and reported that there are 3-4 in the plat review phase and 4-5 in the construction plan reviews right now.

CM Menlove said he sees Bear Lake Vista is moving a lot of dirt right now and wants to know where they are. They have submitted construction drawings and Quinn has given comments on some water lines and other items.

They have met with some property owners and have been able to get the property deeded over for Paradise Parkway. They are moving forward on design, road grade, and other items.

They are working on some GIS mapping with Public Works that has benefited them.

They are coordinating with Rocky Mountain power on Heritage Park.

They are updating the development design standards right now. He feels that will go quickly.

Contractors will be on site at 350 South and highway 30 and will begin working on that rebuild after Raspberry Days.

#### **4. Public Comments – 2 minutes limit**

Bess Huefner -- while walking, heard a family say this is the cutest town they had been in on their whole trip. She reviewed a couple of things she has asked Public Works to work on.

Mayor Leonhardt thanked her and the Beautification Committee for all of the improvements. She responded they could use some help with watering.

Carl Stock, on the HOA Board of Lake Meadow Lodge - expressed concern about public safety for the people on the east and west side of the garages. They wonder what the city, county, state, and department of transportation are doing to help with the runaway truck issues.

Mayor Leonhardt responded that the town has limited say in the highway. It is a US highway and cannot be shut down to commercial traffic. There is improved signage on the Logan side and even in Brigham City that this is a very steep and serious canyon. There will be more permanent signs installed. They have been manning the emergency brake check and educating drivers at that time. A new brake check area, one mile above the runaway truck ramp net is being built. It will be easier to enforce and if they get to that brake check and can't stop, they should use the catch net.

A dedicated lane from the new brake check to the catch net has been requested by the mayor to UDOT. There will also be a lighted OPEN sign at the catch net to direct drivers.

They are also trying to work with Google Maps because it is directing them to I-80. They want to state that this canyon is not recommended for long-haul trucking. They are trying to get 2 more highway patrol people in Rich and Cache County, one of which will be specific for truck traffic.

There is also discussion about filling the side of the road between 300 W and 100 W with sand and gravel as an option for trucks, but it will not be a dedicated truck ramp because the space is not long enough for a truck ramp.

#### **5. Business License Discussion/Approval**

- a. Experience Zen Massage – 1447 Chokecherry Drive, Rebecca Mouna

CM Martell clarified that she would be going to people's homes to provide services.

Town Council Member Hansen made the motion to approve business license for Experience Zen Massage. Council Member Menlove seconded the motion. A vote was taken: Council Member Hansen, for; Council Member Menlove, for; Council Member Parry, for; Mayor Leonhardt, for. Motion Carried

- b. Sun Outdoors – 2126 South Bear Lake Blvd. Sun Bluewater Beach RV LLC

CM Menlove explained it's just a change of ownership.

Town Council Member Parry made the motion to approve business license for Sun Outdoors. Council Member Hansen seconded the motion. A vote was taken: Council Member Hansen, for; Council Member Menlove, for; Council Member Parry, for; Mayor Leonhardt, for. Motion Carried

c. Teacups Teas and Things – 165 W Logan Road, Unit 6. Andrea L Cornellier

Andrea Cornellier was present. Explained she's going to take over the previous teashop that's there. She will add some game nights and art. She is going to try and be open year-round.

Town Council Member Menlove made the motion to approve business license for Teacups Teas and Things. Council Member Parry seconded the motion. A vote was taken: Council Member Hansen, for; Council Member Menlove, for; Council Member Parry, for; Mayor Leonhardt, for. Motion Carried

d. Farm Bureau Financial Services – Matt Mason Agency, 70 W Logan Road. Matthew Mason

Matthew Mason was not present, but council discussed where his office location will be.

Town Council Member Hansen made the motion to approve business license for Farm Bureau Financial Services. Council Member Parry seconded the motion. A vote was taken: Council Member Hansen, for; Council Member Menlove, for; Council Member Parry, for; Mayor Leonhardt, for. Motion Carried

e. Hammer Down Handyman Services, LLC, 1095 South Bear Lake Blvd, Bailey Miles

Bailey Miles was present. He will go do work on-sight.

Town Council Member Menlove made the motion to approve business license for Hammer Down Handyman Services. Council Member Hansen seconded the motion. A vote was taken: Council Member Hansen, for; Council Member Menlove, for; Council Member Parry, for; Mayor Leonhardt, for. Motion Carried

f. Ang's Vending LLC, 50 North Bear Lake Blvd, Angela Suggs

Angela and Wesley Suggs were present. She has placed an ice and filtered water vending machine near Water's Edge Resort.

Glen Gillies was asked if everything is good. He said that the electrical or other inspections haven't been done. Mr. Suggs responded that he's had an electrician inspect it, and he will call the town to do an inspection on it.

Town Council Member Menlove made the motion that pending the electrical inspection, to approve business license for Ang's Vending LLC. Council Member Parry seconded the motion. A vote was taken: Council Member Hansen, for; Council Member Menlove, for; Council Member Parry, for; Mayor Leonhardt, for. Motion Carried

**6. Amended Business License Discussion/Approval**

- a. Manage It Bear Lake, name change from HACQ Management Co. 545 Richland Valley St. Andrew Haacke

CM Menlove explained this is just a name change.

Town Council Member Menlove made the motion to approve the amended business license for Manage It Bear Lake. Council Member Parry seconded the motion. A vote was taken: Council Member Hansen, for; Council Member Menlove, for; Council Member Parry, for; Mayor Leonhardt, for. Motion Carried

- b. Water's Edge Properties, 188 S Bear Lake Blvd. Chris Shurian

Ruben Nogueira was present and explained they are following recommendations to amend their business license to allow Ang's water and ice vending machine.

The council discussed the plural of vending machines verses a single machine. Mayor Leonhardt would like to see something in writing from Mr. Shurian stating that they are allowing this vending machine on their property and the use of electricity and water.

Mayor Leonhardt explained that there are no regulations on vending machines because it falls under your business license. Glen Gillies stated that the biggest issue with this is running water and power for the vending machine. It does not require setbacks unless something is built over the top of it.

NO motion was made.

**7. Public Hearing at 6:00 pm**

- a. Ordinance #23-15 An Ordinance Adding Collection of Delinquent Accounts

Town Council Member Parry made the motion to leave the regular Town Council meeting and go into the Public Hearing at 6:06 p.m. Council Member Menlove seconded the motion. A vote was taken: Council Member Hansen, for; Council Member Menlove, for; Council Member Parry, for; Mayor Leonhardt, for. Motion Carried

Minutes were kept on a separate record.

Town Council returned to the regular meeting at 6:15 pm.

**8. Bond Discussion/Approval**

- b. Alex Buxton – Omnibus Amendment Agreement

Alex Buxton was present to explain the 2013B Water Revenue Bond refinancing. We are halfway through the 20-year bond. The first 10 years would be fixed interest, the last 10 years would be variable. They would adjust the rate every 5 years. It's been at 3.89%. The index used to determine the rate is now at Des Moines rather than the Federal Home Loan Bank of Seattle. The current rate is 4.2% at the FHLB of Des Moines. The Council needs to approve

this because of the index name change. The town can pay off the bond at any time. There's roughly over a million dollars left on the loan. The 4.2% does not include the 40 points.

Town Council Member Menlove made the motion to approve the Omnibus Amendment Agreement. Council Member Hansen seconded the motion. A vote was taken: Council Member Hansen, for; Council Member Menlove, for; Council Member Parry, for; Mayor Leonhardt, for. Motion Carried

#### **9. Short-term Rental Discussion/Approval**

- c. Amanda Lewis, 411 N Bear Lake Blvd
- d. Meredith Malan, 465 S Bear Lake Blvd, Manage It Bear Lake
- e. Donna Chipman, 530 Stump Hollow
- f. Bradley Holmes, 689 W Dee Drive, Manage It Bear Lake
- g. Andrea Rumsey, 679 Lakesite Dr. TMH/Hunsaker
- h. Frank & Andrea Adams, 2241 Beachcomber
- i. Jim Grover, 2238 Beachcomber Dr
- j. Nathan Plowman, 600 Cedar Dr
- k. John Hansen, 385 N Bear Lake Blvd
- l. Dean Gunter, 55 W Buttercup Lane #40
- m. Eric Kleven, 140 W 150 S, Bldg M #49

CM Menlove wanted to draw the council's attention to items "f and g" because the size of the home has greater occupancy than the parking allows. He is concerned about phase 2 of that development and the noncompliant issues there that are being allowed in phase 1 and grandfathered into phase 2.

Town Council Member Menlove made the motion to approve the short-term rental licenses for items "a through k." Council Member Hansen seconded the motion. A vote was taken: Council Member Hansen, for; Council Member Menlove, for; Council Member Parry, for; Mayor Leonhardt, for. Motion Carried

The Mayor called for a 5-minute break.

#### **10. Ordinance Discussion/Approval**

- a. Ordinance #23-11, An Ordinance Updating Short-term Rental Violation Penalties

Mayor Leonhardt reviewed the ordinance with the council. Glen Gillies was asked to explain the ordinance. He explained it's a "three-strikes and you're out" ordinance that the town needs to have in place to penalize violators.

The mayor expressed his opinion of renters understanding that they need to abide by the rules so that all can enjoy themselves.

CM Hansen would like item number 4 to just suspend the license for 24 months.

Town Council Member Menlove made the motion to approve Ordinance # 23-11, An Ordinance Updating Short-term Rental Violation Penalties with the change mentioned. Council Member Hansen seconded the motion. A vote was taken: Council Member Hansen, for; Council Member Menlove, for; Council Member Parry, for; Mayor Leonhardt, for. Motion Carried

- b. Ordinance #23-12, An Ordinance Updating Parking Space Definition Under Short-term Rentals.

Glen Gillies wants to take road base out of the multi-family units because you cannot mark and keep a parking space marked in gravel. CM Hansen brought up that restaurants need to do the same. Council discussed that they agree with that. This would be effective on any new licenses. Current and previous short-term rentals are grandfathered in on an ordinance change.

Discussion continued about requiring asphalt or concrete for short-term rentals and not allowing gravel or road base at all.

Town Council Member Menlove made the motion to approve Ordinance # 23-12, An Ordinance Updating Parking Space Definition Under Short-term Rentals with the following changes:

Parking Space shall mean an area with a width of not less than 10 feet and a length of not less than 24 feet located either within designated garages **or designated parking areas. All parking shall asphalt or concrete. One parking space shall be required for each four (4) occupants.**

- i. **Single Family Dwelling parking must be clearly marked and on the property of the dwelling.**
- ii. **All Multi-Family Dwelling parking, including approved off premise parking, must be clearly marked, and assigned to each unit.**

Council Member Hansen seconded the motion. A vote was taken: Council Member Hansen, for; Council Member Menlove, for; Council Member Parry, for; Mayor Leonhardt, for. Motion Carried

- c. Ordinance # 23-13, An Ordinance Updating Collection of Fines and Costs

Mayor Leonhardt reviewed the main points of the ordinance. CM Hansen had concerns about the town's ability to lien based on previous problems. There was also discussion if this was a tax lien or property lien. This is for a property lien.

CM Menlove changed the word "may" to shall in the last sentence under M. Failure to Comply and before the numbered list.

Town Council Member Hansen made the motion to approve the changes to Ordinance # 23-13, An Ordinance Updating Collection of Fines and Costs. Council Member Parry seconded the motion. A vote was taken: Council Member Hansen, for; Council Member Menlove, for; Council Member Parry, for; Mayor Leonhardt, for. Motion Carried

- d. Ordinance #23-14, An Ordinance Adding a Temporary Use Permit.



Mayor Leonhardt explained where this ordinance came from based on the town's recent experience. The town decided to create a temporary permit rather than require a conditional use permit for temporary storage needs. He suggested a 90-day limit and allowing extensions when needed. There was discussion of adding a \$500 deposit.

Any person installing a temporary storage container must first obtain a Temporary Use Permit and be approved by the mayor and either the building official or Planning Commission Chair. Permits shall be issued for 90 days. A \$500.00 refundable deposit will be required for each permit. The \$500.00 will be refunded when the container is removed from the property. Any container remaining on the property for more than the 90-day permit period will forfeit the \$500.00 deposit. Each container must be identified with a 3-digit number and the number recorded on the permit. The permit can be renewed for a one time additional 90 days if renewed before the expiration of the original permit.

Town Council Member Menlove made the motion to approve Ordinance #23-14, An Ordinance Adding a Temporary Use Permit with the changes stated. Council Member Hansen seconded the motion. A vote was taken: Council Member Hansen, for; Council Member Menlove, for; Council Member Parry, for; Mayor Leonhardt, for. Motion Carried

e. Ordinance #23-15, An Ordinance Adding Collection of Delinquent Accounts

Discussion about changing that the city "shall" collect from "will."

Town Council Member Parry made the motion to approve Ordinance # 23-15, An Ordinance Adding Collection of Delinquent Accounts with the word change of "shall." Council Member Hansen seconded the motion. A vote was taken: Council Member Hansen, for; Council Member Menlove, for; Council Member Parry, for; Mayor Leonhardt, for. Motion Carried

## **11. Miscellaneous**

CM Parry explained that he has been trying to keep people from sitting on the Pickleball Courts and was concerned that he did not have the authority. The mayor assured him that he and anyone who regularly uses them can ask that people follow the posted rules of using the Pickleball courts.

There was discussion about accommodating those sitting and watching. Moveable bleachers were discussed as an option. Mayor Leonhardt said he'd look into purchasing some for the spectators. Glen Gillies said he might be able to pick some up from arenas that are no longer being used.

Mayor Leonhardt discussed the electric bikes on the bike path. The new ones have no pedals at all on them and are electric dirt bikes. The mayor supports the county writing tickets for non-pedal assisted bikes on the path and the speed limit is 15 mph on the bike path. He asked Glen Gillies to put more on the bike path and additional signs stating pedal assisted.

The council would like to review the current ordinance before putting up a lot of signage. CM Hansen had a hand-out about a survey and rebranding that could be done for the town. This has all come about with the Beautification Committee. This is a survey for visitors and

residence and then they will take the information and help with rebranding the town and the beautification efforts. This is a \$10,000 commitment to have this college group do this.

They will work with the Town Council and the Beautification Committee. They've already identified four grant possibilities to assist with this project. The mayor felt this was a good way to spend TRT money. He has seen that the businesses are even stepping up with what's already been done to beautify the town.

## **12. Council Member Reports**

CM Parry – the 4<sup>th</sup> of July celebration was awesome. He thought it was cool. He'd like to thank the Livingston's somehow. The mayor agreed and they will discuss some ideas. He felt that even the rainbow was beautiful, and pictures were picked up by news stations and showed that our park is being used the way it was designed.

CM Hansen – discussed beginning hiring a full-time librarian for the new library expansion. He would like the mayor to be involved in the job description and the expected qualifications. He will be meeting with Scott Livingston to brainstorm what needs to be done to connect the two buildings. He'd like CM Parry to be involved in that discussion.

They'd like to have the community involved in the expansion as volunteers the same as with the building of the library. They will be having a special meeting on the 26<sup>th</sup> to start the project. They will advertise for two part-time librarians after the full-time librarian is hired.

CM Menlove – attended a trails meeting. The priority is to get the 300 West path done. He attended a quarterly UDOT meeting with the mayor. Commission Cox and Mayor Weston were there, Senator Wilson, Rep. Burkleland was on the phone, highway patrol, and other UDOT members were in attendance.

Bridgeland is in the middle of a major water project right now where they connect to the town's water system. Two pump houses will be built.

Council talked some more about UDOT and the discussions that have happened with trying to solve the runaway truck problem. He explained some of the things going on and the possibility of getting a UHP officer living in Rich County to oversee some of these concerns.

CM Hansen asked if there is any talk of them painting lines on the roads around town on the highway out of town. You cannot see the lines. Mayor Leonhardt will talk to them. Bess Huefner said it's on UDOTs schedule and that they are a month behind.

## **13. Payment Vouchers**

Town Council Member Hansen made the motion to pay the bills. Council Member Parry seconded the motion. A vote was taken: Council Member Hansen, for; Council Member Menlove, for; Council Member Parry, for; Mayor Leonhardt, for. Motion Carried

The mayor requested that the council go into an Executive Session.

Council Member Menlove made the motion to go into Executive Session at 8:12 p.m. Council Member Hansen seconded the motion. A vote was taken: Council Member Hansen, for; Council Member Menlove, for; Council Member Parry, for; Mayor Leonhardt, for. Motion Carried

Minutes for the Executive Session were kept on a separate record.

The Council returned to the regular meeting at 8:27 pm.

The mayor mentioned to the Council that the office is researching all of the mayors to display pictures in the breezeway.

The Council also wanted to talk about the south well project. Everything was positive, but the well is only producing 150 gallons a minute. The town is looking at a couple other sites to do a test well over by the pump station that goes up to the town's tank. Another person said that the town should go down to 700 feet at the south well site. It's currently at 400 feet. They should have his data in the next 30 days.

If they do move to another site south of the pump house, they will drill a small hole to see if it produces before they move forward. The town needs over 800 gpm from the well to be useful.

#### 14. Adjournment

There being no further business, Town Council Member Parry made the motion to adjourn.. Town Council adjourned at 8:34 p.m.

APPROVAL:

  
\_\_\_\_\_  
Michael Leonhardt, Mayor



Attest:

  
\_\_\_\_\_  
Cathie Rasmussen, Town Clerk