

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

The Garden City Town Council held their regularly scheduled meeting on Thursday, September 10, 2015 at the Garden City Lakeview Building located at 69 N. Paradise Parkway, Building C. Mayor Spuhler opened the meeting at 5:45 p.m.

Town Council Members present:

John Spuhler, Mayor  
Pat Argyle  
Darin Pugmire  
Chuck Stocking  
Bruce Warner

Others Present:

Kathy Hislop  
Riley Argyle  
Bob Peterson  
Anita Weston  
Nadine Sprouse  
Craig Schaar  
Joan Akre  
Zan Murray  
Norm Mecham

**ROLL CALL**

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

**APPOINT NEW COUNCIL MEMBER TO REPLACE THE VACANT SEAT OF COUNCIL MEMBER HUEFNER**

Mayor Spuhler explained that he has asked Ms. Pat Argyle to fill the vacant seat opened by Council Member Huefner.

**OATH OF OFFICE FOR NEW COUNCIL MEMBER**

The oath of office was administered to Council Member Argyle.

## **APPROVAL OF MINUTES**

### **Minutes of the Town Council Meeting held on August 13, 2015**

Council Member Pugmire made the motion to approve the minutes of the regular Town Council meeting held on August 13, 2015 as written. Council Member Warner seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

## **BUSINESS LICENSE DISCUSSION/APPROVAL**

### **Threshold Homes, request to conduct a General Contractor business in Garden City, Tom Johnson**

This business will be ran out of Mr. Johnson's home in Shundahai.

Council Member Pugmire made the motion to accept the business license of Threshold Homes, Inc. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

### **Coffee & More, request to conduct a café at 65 W Logan Road #6. Barbara Turnbow**

This was previously approved on a temporary bases as allowed by ordinance.

Council Member Warner made the motion to approve the business license for Coffee & More. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

### **Mizz Bee Havin, request to conduct a café at 65 W Logan Road #6. Linda Patin**

This was previously approved on a temporary bases as allowed by ordinance.

Council Member Warner made the motion to approve the for business license for Mizz Bee Havin. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

## **PETITION FOR ANNEXATION DISCUSSION/APPROVAL, Petition filed to annex parcel #41-16-00-022, Joan Young**

This request is to approve the petition to annex property into the Garden City limits. This approval will start the annexation process.

Council Member Warner made the motion to approve the petition for annexation. Council Member Pugmire seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

Mayor Spuhler said that he would like to look into annexing property north of the city limits to include the marina. We have tried this in the past and we were short just a little bit to get it to pass. He said that he would like to have them as part of the city. We will put this on the agenda for the October Town Council Meeting.

**TERMINATION OF COVENANT TO RUN WITH THE LAND**

**DISCUSSION/APPROVAL.** Request to terminate the covenant to run with the land for parcel's 41-30-09-082, 41-30-09-085, and 41-30-09-091. Shirl Tomlinson

This termination of the covenant to run with the land is so Mr. Tomlinson can sell one of the parcels.

Council Member Stocking made the motion to approve the termination of the covenant to run with the land for parcel's 41-30-09-082, 41-30-09-085, and 41-30-09-091. Council Member Argyle seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

**PLANNED UNIT DEVELOPMENT DISCUSSION/APPROVAL**

**Final development plan of phases 9 & 10 of the Lodge at Bear Lake, DBA the Water's Edge, approximately 100 E. 150 S., Norm Mecham**

Mr. Mecham said that phase 10 has 1 condo building with 5 condo units. The central hall is there so they can have access to both sides.

Mayor Spuhler said that the only thing that he has a concern about is the wetland delineation. He said that we are not the Army Corp and the delineation requirement is not in our ordinance. He said that the Planning Commission has gone through this development request and approved it. Mr. Murray said that he has reviewed the delineation. There is one area in the back that may be in question with the wetlands but all the buildings will be far enough away from it.

The Planning Commission reviewed the parking requirement and they are well within what is required by the new ordinance.

Mr. Mecham said that he is planning on doing phase 10 and the pool right now, but he is requesting approval for phase 9 and 10. Both buildings will have the same number of units/condominiums.

Mr. Mecham said that he will get the city a letter to hold the city harmless regarding the wetland issue and delineation.

The structural engineer will be doing the elevations which will go to the Planning Commission before he can get a building permit.

Mr. Murray also needs the drainage calculations for the retention before Mr. Mecham can get a building permit.

These are just action items and procedural things that Mr. Mecham needs to have done before he gets the building permit, it won't hold up the approval tonight.

Council Member Pugmire reviewed the parking with Mr. Mecham. The turnaround will be paved and will be contiguous together.

Council Member Warner made the motion to approve the final development plan for phases 9 and 10 of the Lodge at Bear Lake, DBA for Water's Edge. Council Member Pugmire seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

### **PUBLIC COMMENTS**

There were no public comments.

### **PUBLIC HEARING**

Mayor Spuhler opened the public hearing at 6:05 p.m.

### **ROLL CALL**

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

### **ORDINANCE DISCUSSION**

Ordinance #15-29, an ordinance updating the requirements for water meters

Mayor Spuhler said that this ordinance makes it much easier for businesses than it has been in the past. It helps with the water connection requirements for new buildings, residential and commercial. Everything behind the meter will be calculated as a flow or volume to determine what can be connected to a specific size of a meter. It is not determined by a building.

This ordinance doesn't change the water payment of impact fee. They will be calculated based on the new ordinance. This will be determined when they get a building permit.

### **ADJOURN THE PUBLIC HEARING**

Council Member Stocking made the motion to close the public hearing at 6:20 p.m. Council Member Pugmire seconded the motion. A roll call vote was taken: Council Member Argyle, for;

Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

**ORDINANCE DISCUSSION/APPROVAL**

Ordinance #15-29, an ordinance updating the requirements for water meters

Council Member Argyle made the motion to pass ordinance #15-29. Council Member Warner seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

Mr. Peterson will go to the Planning Commission to define a kitchen.

**RESOLUTION DISCUSSION/APPROVAL**

Resolution #R15-07, a resolution updating the Administrative Code Infraction Fine Schedule.

Mr. Peterson explained that some of the ordinances don't have a penalty assigned to it. This is just to assign a penalty to the ordinance.

Mr. Argyle explained what type of violations this would associate with.

Council Member Warner made the motion to approve the Administrative Code Infraction fine Schedule with Exhibit A as outlined plus adding theft of services as a \$5,000 infraction. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

Resolution #R15-08, a resolution to update the water impact fee and monthly usage multiplier for each commercial connection (ERU)

Mr. Murray said that he researched this to come up with some good figures for the calculations.

Council Member Pugmire made the motion to accept resolution #R15-08 with the change in it under condominium unit to .74 per unit. Council Member Argyle seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

Resolution #R15-09, a resolution to establish Table 2, which sets the fixture unit calculations.

Council Member Warner made the motion to approve resolution #R15-09. Council Member Pugmire seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

## Miscellaneous Items

### Appoint new Planning Commission Member, Tom Stevens

Mayor Spuhler proposed Mr. Tom Stevens and Mr. Ken Hansen for the Planning Commission. The Council Members agreed that they both would be excellent. Mayor Spuhler said that Mr. Hansen may not take the position, but Mr. Stevens has already accepted.

Mayor Spuhler explained that he has already talked with Council Member Bourn about both men.

Possible hardship payment schedule (for payment of impact fees over time) for qualifying new residential construction. This proposal would not include deferred payment arrangements for city out of pocket costs. It would only be applicable if a residential taxpayer can show a hardship (to be defined), Council Member Warner

The Council Members discussed this and determined not to pursue this at this time.

Alternative funding mechanisms for parking required of commercial businesses and conditions appurtenant thereto, Council Member Warner

The Council Members discussed this and decided to send this to the Planning Commission for more discussion and to come up with a new ordinance for alternative funding for parking.

Discussion of adding a recreation center/arts center to be funded by a revenue bond and taxes if approved by local residents, Council Member Warner

Council Member Stocking will look into this option for a rec center to add services that the citizens want. We could put this out to the community members to vote to determine if they want this or not.

Discussion of an enterprise zone or similar mechanism, such as tax waivers, for qualifying businesses that agree to add basic services that will reduce the need for residents to shop outside Garden City, Council Member Warner

Council Member Warner said that he would like to look into providing basic services to the residents of Garden City.

Mayor Spuhler explained that he is working with the state on a project with the SITLA project.

Discussion of exemptions/waivers or changes to zoning to permit non-impactful business facilities/temporary housing in residential zones, Council Member Warner

The Council Members discussed this and decided to send this to the Planning Commission for their review so they can come up with an ordinance to describe a home based business. This will help determine what type of a business can be located in a residential zone.

**COUNCIL MEMBER REPORTS**

Council Member Warner asked about the outcome of the gun range meeting and discussion. Council Member Pugmire explained that they had the meeting with the County Commissioners and 6 people came to the meeting. Some were opposed, and some were for the gun range. The County Commissioners said that they will wait until the end of September to get any information back. Then it will have to go through the State for the approval to use the property.

Council Member Pugmire asked the opinion of the Council regarding mag watering along the side of the highway. He said that it is not a city road and we shouldn't pay to do the work. Mayor Spuhler said that he will call Mr. Peterson from UDOT to see if they will mag along the highway to keep the dust down.

Council Member Stocking said that the Library is having some computer issues that they will address next week. Other than that they are doing well.

Council Member Stocking said that the pool is going well. They should start the painting project on the spa soon.

Council Member Argyle will take over the responsibilities that Ms. Huefner was in charge of and also marketing Garden City. Mayor Spuhler said that he would like her to look into creating a quaint community for people to visit. She will have to work with the Planning Commission and the business community.

It was explained that we received 1 bid on the dumpster pad project. Mr. Argyle suggested that we integrate the dumpster pad project into a bigger park project later in the spring. The Council agreed and did not award the bid, didn't accept the bid.

**PAYMENT VOUCHERS**

Council Member Stocking made the motion to approve the payment vouchers as presented. Council Member Warner seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

**ADJOURNMENT**

There being no further business to discuss Council Member Pugmire made the motion to adjourn the meeting at 8:00 p.m. Council Member Argyle seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

APPROVED:

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John Spuhler, Mayor

Attest:

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Kathy Hislop, Town Clerk