

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

The Garden City Town Council held their regularly scheduled meeting on Thursday, February 11, 2016 at the Garden City Lakeview Building located at 69 N. Paradise Parkway, Building C. Mayor Spuhler opened the meeting at 5:00 p.m.

Town Council Members present:

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

Others Present:

Kathy Hislop
Bob Peterson
Anita Weston
Dave Cook
Tom Johnson
Mike Weibel
Laura Cluff
Matt Cluff
Joey Stocking
Sharlene Millard
Cathie Rasmussen
Jayson Ward
Jayden Ward
Dewayne Gifford
Travis Gifford
Shaun Walker
Bryce Huefner
Ryan Hatch
Curtis Tonks

PLEDGE OF ALLEGIANCE AND PRAYER

The pledge of allegiance was led by Mayor Spuhler and the prayer was offered by Council Member Warner.

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.

APPROVAL OF MINUTES

Minutes of the Town Council Meeting held on January 14, 2016

Council Member Pugmire made the motion to accept the minutes of the regular Town Council meeting held on January 14, 2016 as they are outlined. Council Member Stocking 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.

Minutes of the Special Town Council Meeting held on January 14, 2016

Council Member Warner moved to approve the minutes of the Town Council Special meeting held on January 14, 2016. 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.

BUSINESS LICENSE DISCUSSION/APPROVAL

Summit Inn Pizza, request to conduct a restaurant and retail sales business at 70 W Logan Road. Matt & Laura Cluff

Ms. Cluff explained that they will be re-opening Lakeside under a new name.

Council Member Warner moved to accept the business license application for Summit Pizza, LLC., to be located at 70 W. Logan Road in Garden City. It's in the same building as Lakeside Pizza was in the past, but just a portion of the building. Council Member Argyle 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.

SHORT TERM RENTAL APPLICATION

108 Harbor Village, Jeff & Cindy Winter, Bear Lake Lodging

The Council Members reviewed the short term rental application. The emergency contact person is Cindy Winter.

Council Member Warner moved to accept the short term rental application for the property at 108 Harbor Village. Council Member Stocking 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.

CERT, COMMUNITY EMERGENCY RESPONSE TRAINING PROGRAM

Mr. Mike Weibel explained that he is from Bear River Health. They are excited about the CERT program. He runs a program called the Medical Reserve Program, which is a pool of volunteers of neighbors helping neighbors.

The CERT program was established in 1985. Mr. Weibel explained the things the CERT program can offer when there is a need.

Mr. Weibel said they would like to bring the cert training to Rich County. Mr. Mike Wahlberg, the Garden City Fire Chief, has agreed to provide some training for this program. The training would be the 3rd Saturday of March, April & May. The training is about 8 hours each day. We do need to find a coordinator.

Mr. Weibel said that it will cost about \$25 per person for the training. He is looking for some funding for that training.

Mayor Spuhler said that we should look at what we can do to prepare for an emergency in Garden City. We do need to coordinate this with the Fire Department.

There was discussion regarding liability and what the city would cover if the city got involved in creating a response team.

Mayor Spuhler said that we will keep in contact with Chief Walberg on this program.

SHUNDAHAI MASTER PLAN DISCUSSION, Norm Mecham & Ken Hansen

Mayor Spuhler said that we meet with Mr. Mecham and Mr. Hansen on this item. They will come up with the proposal and bring it to the Planning Commission and to the Town Council when they have a better proposal. The proposal will still keep the green space that everyone wants in the hillside estate zone.

PUBLIC COMMENTS

Rec Center Discussion, Dave Cook

Mayor Spuhler explained how the rec center discussion came about and the process to get to the point we are at. He said that people has brought up the idea of a rec center in the past. A rec center can be beneficial for a community. He said right now we are exploring and getting ideas, then it will go to the public for a vote. We are getting information so we all can make an informed decision. He said there will be meetings to discuss the rec center after we get more information.

Mayor Spuhler turned the time over to the public to voice their opinion.

Mr. Cook explained that he has had conversations with different people in town and he doesn't think that there is a problem with the rec center. He said that there are people that would like a rec center, but his concern is raising the taxes to pay for a rec center. He said there are people that can't afford to have their taxes raised for something that is non-essential like a rec center. He said that he's not opposed to a rec center, it's just how are we going to pay for it.

Mr. Cook said that from the people that he has talked to it doesn't appear that most of the people would like their taxes raised to pay for the rec center. He said that spending the \$5,000, for the study, would be a waste since it appears that the majority would vote against the rec center.

Mr. Cook proposed a survey be sent out to the city residents to see if they would like the rec center. He felt it would be better to get that feedback first before spending any money on the rec center.

Mayor Spuhler said that we are in the process of planning right now. We don't know how much the rec center will cost, we don't know how much it will cost in taxes. That's why we have to do the planning to know the numbers. Mayor Spuhler said that he has heard from people that want the rec center. People want something else to do in town. It's worth getting the right information to present to the people. When we have the facts we can make an informed decision. Let's give the opportunity to the people so they can make an informed decision.

Mr. Cook said that the Council can send out the survey to get the information without spending the \$5,000. Mayor Spuhler said that we need the cost information so that people can make an informed decision.

Mr. Tom Johnson said that he thinks a rec center would be a great thing for the community.

Council Member Argyle and Council Member Warner both stated that they would like to get the information so the people of Garden City can make an informed decision when this goes to a vote.

Mr. Peterson said that as communities grow we need places for people to gather. The rec center may be a positive economic impact to the community through creation of jobs and visitors spending money at other businesses in town. It is more than just a place for people to play.

ORDINANCE DISCUSSION/APPROVAL

Council Member Pugmire is concerned that the proposed area for this new zone is 40 acres. He thought it would only be 5 acres. There was extensive discussion regarding 5 acres vs. 40 acres and creating spot zones. Council Member Argyle agreed that she thought it was only 5 acres.

Mayor Spuhler suggested that we send this back to the Planning Commission and have them discuss the option of 5 acres instead of 40 acres.

Ordinance #16-02, an ordinance adding the C-4 zone

Council Member Warner moved to approve ordinance 16-02. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Argyle, opposed; Council Member Pugmire, opposed; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

Ordinance #16-01, an ordinance updating the C-2 zone

Council Member Warner moved to approve ordinance #16-01 as revised by deleting sexually oriented businesses from the language. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Argyle, abstained; Council Member Pugmire, opposed; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

DISCUSSION/APPROVAL OF RE-ZONE OF PROPERTY WITHIN ALL SUBDIVISIONS LOCATED ABOVE THE CANAL FROM HILLSIDE ESTATES ZONE TO RECREATIONAL RESIDENTIAL ZONE. FOOTHILL ESTATES WILL HAVE A PORTION OF THEIR SUBDIVISION AS RECREATIONAL RESIDENTIAL AND A PORTION AS C-3 ZONE.

Mayor Spuhler explained that the previous re-zone to hillside estates has created problems with the existing subdivisions above the canal. The Council Members agreed that they thought the re-zone didn't include the existing subdivisions. This re-zone just puts the existing subdivisions back to the original zone.

Council Member Stocking made the motion to approve the re-zone of property within all subdivisions located above the canal from hillside estates zone to recreational residential zone. Foothill Estates will have a portion of their subdivision as recreational residential and a portion as C-3 zone. Council Member Argyle 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.

DISCUSSION/APPROVAL OF RE-ZONE FOR PROPERTY #36-04-00-009 FROM RESIDENTIAL ESTATES ZONE TO C-4 ZONE

This re-zone is to apply the new C-4 zone to a piece of property. The Council Members decided to table this zone change until next month due to the ordinance discussion.

Council Member Warner moved to table agenda item #9 until next month. Council Member Stocking 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.

MISCELLANEOUS ITEMS

Approval of re-appointment for Board Members

The following Board Members have agreed to be re-appointed to their Board positions:

Planning Commission: Joey Stocking & Jim Stone

Council Member Argyle made the motion to approve the re-appointment of Planning Commission Members Joey Stocking & Jim Stone. 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.

Board of Adjustments: Clint England & Scott Tolentino

Council Member Pugmire made the motion to approve to reappoint on the Board of Adjustments Clint England & Scott Tolentino. Council Member Stocking 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.

Appeals Authority: Skip Duffin

Council Member Warner made the motion to approve to re-appoint Skip Duffin to the Appeals Authority. 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.

Review/Approval of Insurance proposal from Heiners Insurance Center and Olympus Insurance

Mr. Robert Peterson gave a proposal on the insurance. He explained that we started the process to bid the insurance in October. Each company sent us their recommendations, their cost for coverage, and what they can do for us. Mr. Peterson stated that we are recommending that we continue our insurance coverage with the Trust.

Mr. Peterson explained that with the Trust we can get a 3-5 year lock on the insurance premium if we want to contract with them.

Council Member Argyle made the motion to approve the Trust to keep our insurance property and liability policy. Council Member Stocking 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.

The Council agreed that we should sign the contract for 3 years.

COUNCIL MEMBER REPORTS

Council Member Warner

Council Member Warner said that the Library Board has a concern about the money from the fundraiser and how it is being accounted for. They feel that the city has absconded the funds and taken it away from the Library. The money has been donated to the Library through the rummage sale that they have every year. The money should remain with the Library and not taken over by the city.

Mr. Peterson explained that he has the documentation of the budget and funds for the Library. He said that the Library Board was under the impression that the funds from the fundraiser goes into a separate fund and the Library can spend it whenever they want to, which it has never come up in the past.

Mr. Peterson explained that the money has gone to pay for the lights, the operations and the salaries for the Library. He explained that the Library has run in the hole about \$60,000 over the last few years. The money that they are raising has gone to help fund the library, not to a special pool.

Mr. Peterson said that he is set to explain this to the Board at their next meeting.

Council Member Warner suggested that they appropriate that money as a line item on their budget to be spent so they can tell people how it is used.

Mayor Spuhler explained that the Library is part of the city, it's not its own independent organization. It works under the auspice of the city, and is funded by the city. We take direction from the Library Board, and we've always been willing to listen to their suggestions. We all want the same thing.

Council Member Warner said that there is a feeling that if the Library Board doesn't have a say as to how that money is spent, especially when they raise the money. Council Member Stocking said that they have a budget that they set each year, and everything that they have wanted in the past he has brought it to the Town Council and it has always been approved.

Mr. Peterson said that he hopes he can resolve the misconceptions when he goes to the Library meeting next month and explains what has happened in the past with the rummage sale funds.

Council Member Warner said that he feels it would help if they are able to tell the donor's how the money was used and what benefit it was bringing to the Library.

Ms. Weston asked what would encourage them to continue to do the rummage sale that takes so much time and effort. Mayor Spuhler said because we want to keep having the library. They are part of the team. We are going to do everything we can to keep the library afloat. This seems to be a communication issue. The money that they bring in is critically important so that they can keep operating. The Council agreed that they work very hard and they are extremely frugal.

Council Member Argyle

Council Member Argyle said that if we go forward with the rec center we should look into getting grants to help.

Council Member Stocking:

Council Member Stocking asked if they can move one of the thermostats in the Library and get power to a light that is outside the building. The Council agreed that they should get an electrician to see what he can do to fix the light and move the thermostat.

Council Member Stocking explained that he goes to all the Library Board meetings as the liaison from the Town Council. They need a new Board Member and asked him to fill that position. He asked if he could be on their Board. They didn't know if that was a conflict of interest. Mayor Spuhler said that he could be on the board. His interests are for the city and the Library.

Council Member Pugmire

Council Member Pugmire said that he still working on the 300 west road with Mr. Murray on the direction and layout. We are still on the STIP for 2017 for 300 west.

Council Member Pugmire is still working with the state and the county on the MOU for the gun range. Everyone is still in favor of the gun range.

PAYMENT VOUCHERS

Council Member Pugmire made the motion to pay the vouchers. Council Member Stocking 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.

ADJOURNMENT

There being no further business to discuss Council Member Pugmire made the motion to adjourn the meeting at 7:40 p.m. Council Member Stocking 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.

APPROVED:

Attest:

John Spuhler, Mayor

Kathy Hislop, Town Clerk