

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

The Garden City Town Council held their regularly scheduled meeting on Thursday, June 9, 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  
Darin Pugmire  
Chuck Stocking  
Bruce Warner via speaker phone

Others Present:

Kathy Hislop  
Bob Peterson  
Riley Argyle  
Anita Weston  
Zan Murray  
Nadine Sprouse  
George Peart  
Chris Coray  
Shawn Walker  
Shelley Walker  
Vicki Mercer  
Wendy Cronin  
James Blaisdell  
Cathrine Blaisdell  
Krista Payne  
Patrick Floyd  
Nancy Hansen  
Hassee Gifford

**PLEDGE OF ALLEGIANCE AND PRAYER**

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

## **ROLL CALL**

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

## **APPROVAL OF MINUTES**

### **Minutes of the Town Council Meeting held on May 12, 2016**

Council Member Pugmire made the motion to approve the minutes as outlined of the regular Town Council meeting held on May 12, 2016. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

### **Minutes of the Executive Session of the Town Council held on May 12, 2016**

Council Member Pugmire made the motion to approve the minutes of the Executive Session as outlined held on May 12, 2016. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

## **BUSINESS LICENSE DISCUSSION/APPROVAL**

### **All Season's Cleaners, Wendy Cronin**

Ms. Cronin explained that she has been doing short term rental cleaning in the past and is ready to branch out on her own and start her own business. She will be located at 10 S Bear Lake Blvd along with Bear Lake Condo Rentals.

Council Member Pugmire made the motion to approve the business license for All Season's Cleaners. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

### **Blind Coyote Trading Post, Vicki Mercer**

Ms. Mercer said that this is similar to what she has had in the past. It will be in the big building with the interior design store, next to the post office. She does have a Utah State Tax number, it's the same number as she had before.

Council Member Stocking made the motion to accept the business license application for Blind Coyote Trading Post. Council Member Pugmire seconded the motion. A roll call vote was taken: Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

### Escape at Bear Lake, Shawn & Shelley Walker

Mr. Walker explained that this is an interactive game with usually a party of 10 that has clues to help them escape a room. They have an hour to solve the clues to escape the room. Provo, Salt Lake, and St. George has the same type of business. There are only about 5 or 6 in Utah right now, but it is expanding.

Mayor Spuhler asked what it means to “have to get out” of the room? Mr. Walker explained that they have to go through all the clues to be able to get out of the building. He said that there will be cameras with people monitoring the game. They can also give one of the people in the room an emergency code so they can get out if necessary. There will also be an intercom system so there can be 2 way communications. Mayor Spuhler said that as long as there are mechanisms for people to get out of the room in case of an emergency he feels that it is okay.

Mr. Walker explained that they will have 2 different options, the escape room and the bank robbery room.

Ms. Walker explained that the room does have a window also.

Council Member Stocking said that there is also a few things that need to be finished for the fire inspection to be complete.

Mr. Walker said that they will require each participant to sign a waiver.

Council Member Stocking made the motion to accept the business license application for Escape at Bear Lake based on making sure that there is adequate ways for people to get out of the room in case of emergency with a code and an intercom, and also complete the fire inspector requirements. Council Member Pugmire seconded the motion. A roll call vote was taken: Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

### Ottley Enterprise, LLC., Natalie Ottley

Council Member Warner said that he feels that this is 2 very different businesses and it should be under 2 different business licenses.

We will contact Ms. Ottley and let her know that she will need to apply for a second business license for the small craft sales.

Council Member Pugmire made the motion to approve Ottley Enterprises LLC., to conduct as a brokering freight, located at 357 N Sunrise Drive. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

**SHORT TERM RENTAL LICENSE DISCUSSION/APPROVAL**

1019 Snowmeadows, Lucas Buckland

Council Member Pugmire made the motion to accept the short term rental license for Lucas Buckland. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Stocking, for; Council Member Pugmire, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

Ideal Beach, Suite #11, Ideal Beach

Council Member Pugmire made the motion to approve the short term rental license for Ideal Beach, Suite #11, Ideal Beach with the emergency contact person living within 15 minutes of that location. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Stocking, for; Council Member Pugmire, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

758 Cambry Dr, Wonderr Holdings

Council Member Pugmire made the motion to accept the short term rental license for 758 Cambry Dr, owner is Wonderr Holdings. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Stocking, for; Council Member Pugmire, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

Ideal Beach, Unit #337, Moutainwest RV, LLC

Council Member Stocking made the motion to accept the short term rental license for Mountainwest RV, LLC. Council Member Pugmire seconded the motion. A roll call vote was taken: Council Member Stocking, for; Council Member Pugmire, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

98 W Lake Circle, David Mills

Council Member Pugmire made the motion to approve the short term rental license for 98 W Lake Circle, David Mill. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Stocking, for; Council Member Pugmire, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

110 W Season's Lane, Unit A, MMFH, LLC.

110 W Season's Lane, Unit B, MMFH, LLC.

110 W Season's Lane, Unit C, MMFH, LLC.

110 W Season's Lane, Unit D, MMFH, LLC.

110 W Season's Lane, Unit E, MMFH, LLC.

Council Member Pugmire made the motion to give the short term rental license for 110 W Season's Lane Units A, B, C, D, & E. Council Member Stocking seconded the motion. A roll

call vote was taken: Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

**COVENANT TO RUN WITH THE LAND DISCUSSION/APPROVAL**

Terminate the Covenant to run with the land for Paul & Dottie Nance. Lot 2 and Lot 19 of Buttercup Farms Plat 1, 41-21-39-002 and 41-21-39-019

Council Member Stocking made the motion to terminate the Covenant to Run with the Land for Paul & Dottie Nance, lot 2 and lot 19 of Buttercup Farms Plat 1. Council Member Pugmire seconded the motion. A roll call vote was taken: Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

Covenant to Run with the Land. Lot 63 & 98 of Buttercup Mobile Home Estates, 41-21-32-063 & 41-21-32-098. James & Cathrine Blaisdell.

Council Member Stocking said that even though the lot numbers are way different they are right next to each other, they just have the 15 foot easement between them. He said that he doesn't see anything wrong with this encumbrance.

Council Member Stocking made the motion to for the Covenant to Run with the Land for lot 63 & 98 of Buttercup Mobile Home Estates, for James & Cathrine Blaisdell. Council Member Pugmire seconded the motion. A roll call vote was taken: Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

**ELK'S RIDGE WATER SYSTEM EASEMENT AND PROPERTY AGREEMENT DISCUSSION/APPROVAL**

Mr. Murray explained that he just received the document at about 5:00 p.m. today. He reviewed the document and made a few comments that he feels should be changed. Mr. Murray went through the Memorandum of Understanding with the Council and explained the minor changes he recommends.

Mr. Murray said that he needs to check on the 1 foot easement in Foothill because he feels that the water should tie in through that subdivision.

Mr. Murray explained the requirements of the city as outlined in the document. Mr. Murray said that he feels comfortable with the document with the changes suggested.

Mr. Murray said that it will probably take a month to get the other party signatures and he suggested we wait until next month to get the correct document and the signatures before approval. The Council agreed to wait until the next Town Council meeting for the approval. That will give them a month to review it.

## **PUBLIC COMMENTS**

Ms. Krista Payne, Mr. Patrick Floyd, Ms. Nancy Hansen, and Ms. Hassee Gifford, from the Raspberry Days Committee requested clarification of the discussion regarding charging an entrance fee for Raspberry Days. Mayor Spuhler explained the Council's opinion for charging for Raspberry Days.

There was discussion on this issue. Ms. Gifford explained that her concern, with charging this year, is that the vendors don't know yet that Garden City wants to charge an entrance fee and she feels they should know before we start charging.

It was determined to not charge the entrance fee this year. After a lot of discussion it was determined to raise the vendor fee next year to help raise the extra money. We will also build a donation box to keep at the information booth. This will help bring Raspberry Days to the next level.

## **PUBLIC HEARING**

Council Member Pugmire made the motion to open the public hearing at 7:00 p.m. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

## **ROLL CALL**

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

## **ORDINANCE DISCUSSION**

Ordinance #16-05, an ordinance updating the quiet hours in Garden City, Utah

Mayor Spuhler said that he has had people request that the Council change the quiet hours from 10 to 11 pm. He said that there are businesses that want to do different things later in the night since it doesn't get dark until 10. The Council Members discussed this and suggested that we keep the quiet hour at 10 p.m. We will table this until a later time after we collect some data to substantiate the change.

## **REVIEW OF THE FINAL BUDGET FOR FISCAL YEAR FOR FISCAL YEAR JULY 1, 2016 THROUGH JUNE 30, 2017. BUDGET FUNDS INCLUDE THE GENERAL FUND, BUTTERCUP SPECIAL IMPROVEMENT DISTRICT FUND, CAPITAL PROJECTS FUND, BEACH ACCESS FUND AND THE ENTERPRISE (WATER) FUND**

The Council discussed the proposed budget and changes that may be made. We do need an upgrade to the treatment plant. We will put it in the budget this year just in case we need to spend the additional funds of \$10,000. Also, Council Member Argyle requested \$75,000 in the park budget.

Council Member Stocking made the motion to close the public hearing at 7:17 p.m. Council Member Warner seconded the motion. A roll call vote was taken: Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

### **ORDINANCE DISCUSSION/APPROVAL**

#### **Ordinance #16-04, an Ordinance updating the parking restrictions in City Parking Lots**

Mr. Peterson explained that the changes to the proposed ordinance is due to a couple recent test cases. Also, Mr. Murray suggested a couple changes to the ordinance. Mr. Peterson explained the changes.

The Council discussed parking requirements for an existing building and a change of use. The Council felt that the new use should follow the new ordinance, they shouldn't be grandfathered. Ms. Weston said that they can't get an area for parking for a building that is already there. The Council discussed parking for established buildings at length.

Mayor Spuhler suggested that we lower the annual amount for the parking in lieu.

Council Member Warner said that he would vote against the ordinance if there is a change of use and they don't have to go to the Planning Commission for parking requirements.

Council Member Stocking suggested that we table this ordinance until next month when we have more Council Members present so we can get their opinion on the ordinance.

Council Member Stocking made the motion to table this ordinance #16-04, an Ordinance updating the parking restrictions. Council Member Warner seconded the motion. A roll call vote was taken: Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

### **RESOLUTION DISCUSSION/APPROVAL**

#### **Resolution #R16-02, a Resolution of the Town of Garden City adopting the 2015 Pre-Disaster Mitigation Plan: Bear River Region**

Council Member Stocking made the motion to adopt Resolution #R16-02 a Resolution of the Town of Garden City adopting the 2015 Pre-Disaster Mitigation Plan: Bear River Region. Council Member Warner seconded the motion. A roll call vote was taken: Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

### **BUDGET DISCUSSION/APPROVAL**

#### **Review the Budget for current fiscal year, July 1, 2015 through June 30, 2016. Open budget to approve over expenditures.**

The Council Members reviewed the current budget for over expenditures and determined that they made changes to the budget to cover the over expenditures last month and this month the budget is in compliance.

### Discussion/Approval for salary increases

The Council Member discussed a salary increase for the employees. Mayor Spuhler said that he looked over what other cities have done recently. He said that the average is between a 2.5% and a 5% increase. He said that he would like to do the increase across the board for all employees and Board Members. Council Member Warner suggested that the increase is 4% across the board.

Council Member Warner made the motion to approve across the board a salary increase for all employees of 4% for the next fiscal year. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

### Review and approval of the Final budget for fiscal year for fiscal year July 1, 2016 through June 30, 2017. Budget Funds include the General Fund, Buttercup Special Improvement District Fund, Capital Projects Fund, Beach Access Fund and the Enterprise (water) Fund

The Council Members looked over the figures in the proposed final budget, there were no further changes made to the budgets.

Council Member Stocking made the motion to approve the final budget for fiscal year July 1, 2016 through June 30, 2017. Budget Funds include the General Fund, Buttercup Special Improvement District Fund, Capital Projects Fund, Beach Access Fund and the Enterprise (water) Fund. Council Member Warner seconded the motion. A roll call vote was taken: Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

### **MISCELLANEOUS ITEMS**

#### Discussion/Approval of rental fees for fund raisers

Council Member Stocking explained that we have had a couple requests to use the park for fundraiser type of events without having to pay to use the park. He asked for guidelines on how to handle these requests. Mayor Spuhler said that we need to be careful because there could be requests that we wouldn't support. The Council discussed options for these requests and where to draw the line on how to address the fundraisers.

The Council determined that we need to charge the regular rental fees even for fund raisers. That way we aren't endorsing anything or giving special treatment to anyone.

### **COUNCIL MEMBER REPORTS**

#### Mayor Spuhler

Mayor Spuhler explained that we are looking to see where the water impacts are coming from during the summer time. We are pulling the data to make sure we know where that water use is coming from.

Council Member Stocking

Council Member Stocking said that the Library will be holding their rummage sale tomorrow.

Council Member Stocking stated that the pool is going well and they are doing the chemicals correctly.

Mayor Spuhler

Mayor Spuhler explained that he is still talking with Mr. Lyle Hillyard regarding the marina expansion.

**PAYMENT VOUCHERS**

Council Member Stocking made the motion to pay the vouchers. Council Member Warner seconded the motion. A roll call vote was taken: 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 8:40 p.m. Council Member Warner seconded the motion. A roll call vote was taken: Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

APPROVED:

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John Spuhler, Mayor

Attest:

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Kathy Hislop, Town Clerk