

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

The Garden City Town Council held their regularly scheduled meeting on Thursday, February 21, 2019 at the Garden City Lakeview Building located at 69 N. Paradise Parkway, Building C. Mayor Leonhardt opened the meeting at 5:00 p.m.

Town Council Members present:

Mike Leonhardt, Mayor
Pat Argyle
Ken Hansen
Howard Pope
Darin Pugmire

Others Present:

Kathy Hislop
Glen Gillies
Quinn Dance
Anita Weston
Bob Argyle
Ted Holmberg via speaker phone
Jeff Jorgensen
Mrs. Jorgensen
Randall Hansen
Norm Mecham
Bryce Huefner
John Spuhler
Joey Stocking
DeWayne Gifford
Hassie Gifford

PLEDGE OF ALLEGIANCE AND PRAYER

The pledge of allegiance was led by Mayor Leonhardt.

Roll Call

Mayor Leonhardt asked for a roll call of Council Members present: Mayor Leonhardt, Council Member Argyle, Council Member Hansen, Council Member Pope and Council Member Pugmire.

Executive Session

Mayor Leonhardt explained that we will be going into executive session to discuss a proposed sale of property.

Council Member Hansen made the motion to go into executive session at 5:01 p.m. Council Member Argyle seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Council Member Pugmire, for; Mayor Leonhardt, for. Motion carried.

Minutes of the executive session will be recorded on separate document.

Council Member Pope made the motion to go out of executive session at 5:12 p.m. Council Member Pugmire seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Council Member Pugmire, for; Mayor Leonhardt, for. Motion carried

Approval of Minutes

Minutes of the Town Council Meeting held on January 10, 2019

Council Member Argyle made the motion to approve the minutes of the regularly scheduled meeting held on January 10, 2019, the minutes of the Public Hearing held on January 10, 2019, and the Executive Session held on December 13, 2019. Council Member Pope seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Council Member Pugmire, for; Mayor Leonhardt, for. Motion carried.

Short Term Rental Discussion/Approval

Bear Lake Lodging, 740 S Buttercup Circle, owner is Marcus Smoot

Council Member Pugmire made the motion to approve the short term rental license for Bear Lake Lodging, 740 S Buttercup Circle. Council Member Pope seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Council Member Pugmire, for; Mayor Leonhardt, for. Motion carried.

Bear Lake Luxury Rentals, 660 S Bear Lake Blvd. owner is Scott Sechrest

Council Member Argyle made the motion to pass the short term rental license for Bear Lake Luxury Rentals at 660 S Bear Lake Blvd. Council Member Pugmire seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Council Member Pugmire, for; Mayor Leonhardt, for. Motion carried.

Mayor Leonhardt said that we are working to make some changes to the STR process and will eventually be making changes to the ordinance and the process.

Covenant to Run with the Land Discussion/Approval

Termination of encumbrance agreement and covenant to run with the land. Request to terminate the encumbrance on parcel #41-17-030-0028, 41-17-030-0029, 41-17-030-0030, 41-17-030-0031, 41-17-030-0032, and 41-17-030-0033, Carmen & Connie Vella

Council Member Pugmire made the motion to terminate encumbrance agreement to run with the land on parcel #41-17-030-0028, 41-17-030-0029, 41-17-030-0030, 41-17-030-0031, 41-17-030-0032, and 41-17-030-0033 for Carmen & Connie Vella. Council Member Argyle seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Council Member Pugmire, for; Mayor Leonhardt, for. Motion carried.

Request to encumber lot #41-17-030-0028, 41-17-030-0029, and 41-17-030-0030, Carmen & Connie Vella

Council Member Hansen made the motion to grant the encumbrance for those parcels. Council Member Pope seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Council Member Pugmire, for; Mayor Leonhardt, for. Motion carried.

Request to encumber lot #41-17-030-0031, 41-17-030-0032, and 41-17-030-0033, Carmen & Connie Vella

Council Member Argyle made the motion to encumber those 3 parcels as listed. Council Member Hansen seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Council Member Pugmire, for; Mayor Leonhardt, for. Motion carried.

Request to encumber lot #41-17-050-0050 and 41-17-050-0051, Robert & Cynthia Argyle

Council Member Pope made the motion to approve the encumbrance of lots 50 and 51 of Raspberry Estates. Council Member Pugmire seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Council Member Pugmire, for; Mayor Leonhardt, for. Motion carried.

Zone Change Discussion/Approval

Request to re-zone property at approximately 185 S 100 W to a Planned Unit Development zone. Waterdance, Norm Mecham

Mayor Leonhardt explained that this is just for the zone change for Waterdance. Once the zone is changed Mr. Mecham will need to come back to the Planning Commission for the preliminary approval. Mayor Leonhardt explained that this went to the Planning Commission and they did not approve it, however, after talking to each one of them they said that they should have approved it because it was just to change the zone and Mr. Mecham had brought everything in to

change the zone. Once the zone is changed they will need to go back to the Planning Commission for their preliminary plat.

Council Member Hansen stated that he has conflict of interest with this project because he is partners with Mr. Mecham, just not on this project. So he will remain because he doesn't have anything to gain from this project.

Council Member Argyle made the motion to do a zone change to a PUD from a C3 and a C1. Council Member Pugmire asked about the road on the north side of the property and giving it to the city. Mayor Leonhardt explained that it is not written that Mr. Mecham will donate that property, but he has given a verbal agreement. Council Member Pugmire said that he feels that should be done before we address the zone change. Mayor Leonhardt said that Mr. Mecham has already committed to donate that property. Council Member Argyle said that she will amend the motion to include a condition that he donate the road. Mayor Leonhardt explained that all he is doing today is a zone change and we can't require him to donate roads to change the zone. The road can be required in the condition use with the PUD. Council Member Pope seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, abstained; Council Member Pope, for; Council Member Pugmire, for; Mayor Leonhardt, for. Motion carried.

Subdivision Discussion/Approval

Request for preliminary subdivision approval at approximately 395 Logan Canyon Road. This request is for 4 commercial lots. Raspberry Farms, Ted Holmberg

Mr. Holmberg was on the speaker phone.

Mr. Holmberg discussed the proposed plat. He said that he went to the Planning Commission and have taken care of the issues that they had. He said that they would like to divide the remaining parcel from the storage units to the main highway.

Mayor Leonhardt said that Mr. Holmberg does have a letter from the canal company approving the subdivision. We also have a letter from JUB that all issues have been resolved. There are a few things that need to be completed for the final plat.

Council Member Hansen asked about the right of way through the property, that goes to the storage units. Mr. Holmberg explained that the easement has been recorded. There is a 15 foot public utility easement on each side of the access easement, which has been recorded. Mr. Holmberg said that he gave the easement for the access to the storage units. They will both participate with the maintenance of the easement.

Council Member Pope made the motion to approve the preliminary subdivision project review. Council Member Argyle seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Council Member Pugmire, for; Mayor Leonhardt, for. Motion carried.

Request for preliminary approval for phase I west of Cherimoya Subdivision. Long Ridge @ Bear Lake, Jeff Jorgensen

Council Member Hansen declared a direct conflict with this project and he left the room.

Mr. Jorgensen explained that he brought a preliminary plat that has all the changes made. The Council had the new plat.

Mayor Leonhardt reported that we have several comments from our city attorney and also from JUB. They went through the comments to see what has been taken care of.

Mr. Jorgensen explained the reason that he can't get a title report at this time. He can get one for the final plat. He requested that we approve the preliminary plat and move on to get it during the final plat. Mr. Jorgensen said that he should get the title report next week. Mayor Leonhardt said that we can make it a stipulation with the motion.

Discussion ensued regarding the ingress and egress. Mr. Jorgensen stated that ingress and egress is primarily for emergency vehicles. Mr. Jorgensen said that this is really an extension of Cherimoya Subdivision. He also stated that once Paradise Parkway is in they will have 2, ingress/egress. Council Member Pugmire said that according to our code Mr. Jorgensen does need an ingress and egress. He said that this is a separate subdivision from Cherimoya and he will need an ingress and an egress.

There was extensive discussion regarding Paradise Parkway. Mr. Jorgensen said that they understood that we were working on Paradise Parkway soon. Mayor Leonhardt explained that we don't have all the easements for that road and it will be at least 4-5 years before we get any funding to start working on that road.

Mr. Jorgensen said that they are only doing the subdivision because the city came to them requesting an easement to do the water lines.

There was extensive discussion regarding open space and what is required. The Council discussed what can be considered open space, which includes roads. Open space doesn't have to be open to the public, it just needs to be open to the subdivision owners.

The Council agreed that they need to figure out the ingress/egress because it is a separate subdivision from Cherimoya.

There were no approvals made for this agenda item. Mr. Jorgensen needs to work through the ingress/egress issue.

Public Comments, 2-minute limit

No public comments.

Discussion regarding support of a resolution proposed by Bear Lake Watch

Mayor Leonhardt explained the resolution. He also explained that this is just on the agenda so that we are aware of it. He said that we want to do everything we can to protect Bear Lake and to show support of the resolution. The Council all agreed that they are in favor of the resolution.

Miscellaneous Items

Council Member Argyle suggested that we change the ordinance to allow a taller fence between a commercial and a residential area.

Council Member Hansen suggested that we change the height restriction from 25' to 35' in the Beach Development zone.

Council Member Reports

Council Member Argyle reported that they have been working on Raspberry Days. The parade will be a little different. She will review the stage plans next week.

Council Member Pope said that there was an issue at the pool, but it has been resolved. He also reported that we have a new boiler at the pool that will pass the state inspection.

Council Member Pugmire said that the road crew has done a great job this year. He said that he is still working with the property owners around Kimball Lane to get the road issue resolved there. He is trying to get some trees moved and has asked for some bids.

Mayor Leonhardt said that we should go to the county and ask them to participate with 300 west.

Council Member Hansen reported that there is a person that owns property in Garden City. He would like to do a charitable donation. It could be something that can help the library. Our library is always in need of new computers.

Mayor Leonhardt explained that he had JUB give us some information on charging stations. There are lots of opportunities for funding stations. There may be some grants to help.

Mayor Leonhardt explained that he is working with UDOT on a runaway truck ramp and new signage for Logan Canyon. UDOT will be doing road work in the canyon again this summer. In 2020 they will be fixing the road from Tony Grove to the intersection. The hotspot money that was granted to Garden City will be available in 2020.

Payment Vouchers

Council Member Hansen made the motion to pay the bills. Council Member Pope seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Council Member Pugmire, for; Mayor Leonhardt, for. Motion carried

Adjournment

There being no further business, Council Member Pope made the motion to adjourn the Town Council meeting at 7:15 p.m.

APPROVAL:

Attest:

Michael Leonhardt, Mayor

Kathy Hislop, Town Clerk