

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

The Garden City Town Council held their regularly scheduled meeting on Thursday, June 13, 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

Others Present:

Kathy Hislop
Jordan Parry
Anita Weston
Glen Gillies
Nadene Sprouse
Zan Murray

Pledge of Allegiance and Prayer

The pledge of allegiance was led by Mayor Leonhardt and the prayer was offered by Council Member Pope.

Roll Call

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

Approval of Minutes

Minutes of the Town Council Meeting held on May 9, 2019
Minutes of the Town Council Public Hearing held on May 9, 2019

Council Member Hansen made the motion to approve the minutes of the Town Council meeting and the Public Hearing held on May 9, 2019. Council Member Pope seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Mayor Leonhardt, for. Motion Carried.

Business License Discussion/Approval

GB's Fab Shop, James B. Davis. Request to conduct a metal art, fabrication and light repair business at 1499 S. Bear Lake Blvd.

This business license wasn't discussed as there was not anyone at the meeting to answer questions about the business. We will contact them and have them come to the meeting next month.

Bear Lake Lookout, Tamara Myers. Request to conduct a short term rental management company at 886 Cambry Drive.

This business license wasn't discussed as there was not anyone at the meeting to answer questions about the business. We will contact them and have them come to the meeting next month.

Bridgerland Adventure Park, Clair Webb. Request to conduct a business for recreational activities and serve food at 722 S First Light Drive.

Mayor Leonhardt explained that they already have a temporary approval. They are open and going and it is very nice up there.

They are still waiting on their final approval for the building permit.

Council Member Argyle made the motion to approve Bridgerland Adventure Park with the conditions that when things are finished we need to make sure that things are done right. Council Member Pope seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Mayor Leonhardt, for. Motion Carried.

Bike Bear Lake, LLC., Kirk Topham. Request to conduct a bike/E-bike rental and maintenance business, with retail sales of miscellaneous items.

Mr. Topham explained that they would like to rent E- bikes and regular bikes. They would also like to do repairs and sell bike parts. He would also like to set up outside on the deck to carve bears.

The Council discussed the bear carvings, which will be at the construction trailer next to the bike shop. He will rope off the area where he is going to carve so there is a barrier. Council Member Hansen asked if he will use a gas or electric chainsaw. Mr. Topham said that he would like to use both. Mr. Hansen said that the gas chainsaw will be loud and there are neighbors living right next to the location. Mr. Topham suggested a time frame that he would be able to use the gas chainsaw. He also said that he would hate to give up the gas chainsaw, but he could just use the electric chainsaw. The owner of the restaurant and the condos want him carving bears at the location.

The Council discussed the chainsaw and discussed a trial period. There was a lot of discussion regarding the chainsaws. Mr. Topham said that he is willing to change and use the electric saw if there were a lot of complaints. He also said that he won't operate on Sunday. Mayor Leonhardt suggested that we do a 2 hour time limit for the gas chainsaw.

Mr. Topham said that he researched the e-bikes. Anyone 15-18 can ride the e-bikes but they have to have their parents with them. Helmets are required and provided with the rental. The Municipal Code allows e-bikes on the bike path as long as they are 20 miles per hour or less.

The Council agreed that there are a lot of people that use the bike path for different type of activities. Mayor Loenhardt said that his only concern on the bike path is the family use. Ms. Topham read the ordinance that allows e-bikes. The Council discussed this at length.

Council Member Hansen made the motion to accept the business license for Bike Bear Lake, LLC., with a months trial period on the gas chainsaw, then we will review it. There will be no time limits on the chainsaw, we will just review it next month. Council Member Argyle seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Mayor Leonhardt, for. Motion Carried.

Short Term Rental License Discussion/Approval

Rhett Tatton, 576 Aspen Drive

Council Member Argyle made the motion to approve the short term rental application for Rhett Tatton. Council Member Pope seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Mayor Leonhardt, for. Motion Carried.

B Ball, LLC., 207 Snowmeadows Circle

Council Member Hansen made the motion to accept the short term rental application for B Ball. Council Member Pope seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Mayor Leonhardt, for. Motion Carried.

Chuck Stocking, 30 W. Tamarind Way, Vacasa LLC.

Council Member Argyle made the motion to approve the short term rental application for Chuck Stocking, with Vacasa. Council Member Pope seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Mayor Leonhardt, for. Motion Carried.

Lynette Kap, 983 Snowmeadows, Vacasa LLC.

Council Member Argyle made the motion to pass the short term rental application for Lynette Kap, at 838 Snowmeadows. Council Member Pope seconded the motion. A vote was taken:

Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Mayor Leonhardt, for. Motion Carried.

Devin Olson, 616 S Maple Dr., Vacasa, LLC

Council Member Aryle made the motion to pass the short term rental application for Devin Olson, 616 S Maple Dr., Vacasa. Council Member Hansen seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Mayor Leonhardt, for. Motion Carried.

Derek & Diane Eliason, 567 W. Raspberry Patch Rd.

Council Member Pope made the motion to approve the short term rental application for Derek & Diane Eliason, 567 W. Raspberry Patch Rd. Council Member Hansen seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Mayor Leonhardt, for. Motion Carried.

PUD Discussion/Approval

Request for final approval for Phase 1 of Waterdance, A Planned Unit Development located at approximately 185 S 100 W, Norm Mecham

Mayor Leonhardt explained that this was approved by the Planning Commission last week.

Mr. Murry said that they have worked through the concern with the storm water and they have been working with Rocky Mountain Power. Mr. Mecham said that he has completed everything that was on Mr. Murray's list.

The Council discussed drainage and a pipe that needs to go under the road to drain to the ditches. Mr. Mecham said that will be done with a future phase.

Council Member Argyle made the motion to pass the Waterdance final approve with the last few things that Mr. Murray needs to approve to have it signed off. Council Member Pope seconded the motion. Council Member Hansen declared his conflict as an affiliate with Mr. Mecham, but he is still going to vote. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Mayor Leonhardt, for. Motion Carried.

Long Ridge Subdivision Plat ratification of changes to the roadway alignment

Mr. Murray showed the Council the plat for the new roadway alignment. He explained that he has been working with the property owners on getting the easements and to clarify a few items on the alignment of the road. This plat revision just tweaks the road, the number of lots is the same and the plat meets all the requirements. The Attorney has reviewed the plat and it meets his requirements.

Mr. Murray said that we have been working on that road in conjunction with the water project. There has been a lot of work going into this project.

The plat with the new road alignment will be recorded at the County Records office.

Council Member Argyle made the motion for the approval of the realignment of some of the roads to match them up a little bit better on Long Ridge Subdivision. Council Member Pope seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, abstained due to a conflict of interest; Council Member Pope, for Mayor Leonhardt, for. Motion carried.

Public Comments, 2- minute limit

Mr. Norm Mecham said that it is almost impossible to have someone install an 8 foot fence. The Council explained that the reason for the changes in the ordinance are to help protect a residential residence that is right next to a commercial property.

PUBLIC HEARING

Council Member Pope made the motion to go into public hearing at 6:00 p.m. to discuss the final budget for the General Fund, Enterprise Fund, SID Fund, Capital Project Fund, and Beach Access Fund for Fiscal year July 1, 2019 through June 30, 2020. Council Member Argyle seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for Mayor Leonhardt, for. Motion carried.

The minutes will be kept on separate record.

Council Member Argyle made the motion to close the public hearing at 6:10 p.m. and return to the regular meeting. Council Member Pope seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for Mayor Leonhardt, for. Motion carried

Ordinance Discussion/Approval

Ordinance #19-08, and ordinance updating the height definition

Mayor Leonhardt read through the changes to the ordinance. Council Member Hansen explained the definition and how this is measured. He said that the 35 feet will be measured from the subfloor. If it is on a slope then all 4 corners will be marked and measured, then transferred to the corner of the lot and marked.

Council Member Argyle made the motion to approve ordinance #19-08, with the changes that were made including copula's and chimneys not to exceed 20 square feet. Council Member Pope seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Mayor Leonhardt, for. Motion Carried.

Ordinance #19-17, an ordinance updating the allowable height for a fence

The Council Members discussed who will approve the necessity of a fence and the height. The Council determined that it should go to the Planning Commission for approval.

Council Member Argyle made the motion to approve ordinance #19-17, with the change of up to 8 feet. The Motion was amended by Council Member Hansen to include; in a C3 zone when an establishment of a business next to a resident the business owner will be required to provide up to an 8 foot fence between the 2 properties for privacy. Council Member Pope seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Mayor Leonhardt, for. Motion Carried.

Ordinance #19-18, an ordinance updating the allowable height for a fence

The change to this ordinance was discussed during the previous ordinance discussion.

Council Member Argyle made the motion to make the change to ordinance #19-18 of 8 feet. Council Member Pope seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Mayor Leonhardt, for. Motion Carried.

Budget Review/Approval of the final budget for July 1, 2019 through June 30, 2020 for the General Fund, Enterprise Fund, SID Fund, Capital Improvement Fund, and Beach Access Fund.

The Council Members reviewed the budget reports. Everyone has reviewed the budgets and there were no questions. Mayor Leonhardt said that we have done very well on the budget for the past year.

Mayor Leonhardt explained that the proposed budget shows a 3% increase for all city employees.

Mayor Leonhardt said that we are doing some good things for the community.

Council Member Argyle made the motion to approve the final budget for the General Fund, Enterprise Fund, SID Fund, Capital Improvement Fund, and Beach Access Fund for the fiscal year July 1, 2019 through June 30, 2020. Council Member Hansen seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Mayor Leonhardt, for. Motion Carried.

Miscellaneous Items

Appointment of a new Library Board Member

Council Member Pope made the motion to approve the appointment of Melinda Hislop as the new Library Board Member. Council Member Argyle seconded the motion. A Vote was taken:

Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Mayor Leonhardt, for. Motion carried.

Council Member Reports

Council Member Hansen reported that Ms. Barbara Turnbow is the new Library Board Chairman. Ms. Menlove did a lot of great things for the Library. There is a food bank in town and it needs to be used. We all need to get the word out so people know they can get help with their food if needed. We also have the senior services that will help with computer use, etc. The Library Board is working hard to make the most of the grant they received from Mr. & Mrs. Johnson.

The Library is providing a lot of great programs that will greatly benefit the community. Council Member Hansen explained to the Board Member's that they need be over the projects and not the Librarian. The Library Board Member's work very hard and do a great job.

Mr. Murray reported that the water project is coming along fine.

Council Member Pope explained that they are working on the trails and helping to get a plan for trail maintenance. The Council discussed trails and what we need for Garden City. There are more people coming all the time, so we need to prepare what we can.

Mayor Leonhardt reported that the hot tub is now fixed. We need to get a good maintenance schedule worked out.

Council Member Argyle reported on Raspberry Days. She explained the kids parade that is new this year. We have the t-shirts done, and the games are made.

Mayor Leonhardt reported that the 2 new crosswalks should be done before Raspberry Days. There will be one at 1st west and Logan Road, and the second one will be at 75 N and Bear Lake Blvd.

Council Member Hansen suggested that we move forward on the density based ordinance.

Payment Vouchers

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

Appointment of new Council Member

Mayor Leonhardt reported that we need to appoint someone to fill the vacant Council Member seat. He has asked Mr. Jordan Parry to be a Town Council Member and he has accepted. So he recommends Mr. Parry be appointed to the Town Council.

Council Member Hansen made the motion to appoint Mr. Jordan Parry to finish the Town Council term for Mr. Pugmire. Council Member Argyle seconded the motion. A Vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Mayor Leonhardt, for. Motion carried.

Council Member Parry will be sworn in next month.

Executive Session

Council Member Pope made the motion to go into executive session at 7:40 to discuss possible litigation. Council Member Hansen seconded the motion. A vote was taken; Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Mayor Leonhardt, for. Motion carried.

The minutes will be keep on separate record.

Council Member Hansen made the motion to adjourn the executive session at 8:05 p.m. Council Member Argyle seconded the motion. A vote was taken; Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, 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 8:05 p.m. Council Member Argyle seconded the motion. A vote was taken; Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Mayor Leonhardt, for. Motion carried.

APPROVAL:

Michael Leonhardt, Mayor

Attest:

Kathy Hislop, Town Clerk