

MINUTES OF THE
TOWN COUNCIL MEETING OF
GARDEN CITY, UTAH

The Garden City Town Council held their regularly scheduled meeting on Thursday, April 14, 2022. This meeting was held 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:

Pat Argyle
Ken Hansen
Jordan Parry

Others Present:

Cathie Rasmussen
Glen Gillies
Hal Christiansen
Shawn Walker
Alyna Ohling
George Peart
Matt Nelson
Thomas Burningham
Seth Porter
Steve Wright
Quinn Dance
Travis Eborn
Chuck Methany
Ernie Willmore

On Teleconference:

James Peterson
Dan Kurek

Pledge of Allegiance and Prayer

The pledge of allegiance was led by Council Member Argyle and a prayer was offered by Council Member Parry.

1. Roll Call

Council Member Argyle conducted the meeting in the mayor's absence. Ms. Argyle asked for a roll call of Council Members present: Council Member Argyle, Council Member Hansen, and Council Member Parry. Council Member Argyle excused Mayor Leonhardt and Council Member Menlove later during the meeting.

2. Approval of Minutes

- a. March Town Council regular monthly meeting.

Council Member Hansen made the motion to approve the minutes of the March 10, 2022 Town Council meeting. Council Member Parry seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Parry, for. Motion Carried.

Council Member Argyle changed the agenda order to accommodate conducting town business while a quorum was present and because some attendees were not yet present.

3. Business License Discussion/ Approval

- a. Fast Stop 1122 Inc, 25 N Bear Lake Blvd. Saud Shahram

Council Member Hansen made the motion to approve the business license of the Fast Stop 122 Inc., 25 N Bear Lake Blvd, Saud Shahram. Council Member Parry seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Parry, for. Motion Carried.

- b. Fast Stop 1122 Inc., Class A Beer License, Saud Shahram

Council Member Hansen made the motion to approve the Class A Beer License for Fast Stop 1122 Inc. Council Member Parry seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Parry, for. Motion Carried.

- c. Bear Lake Marina Side KOA, 485 N Bear Lake Blvd. Kamgrounds of America, Inc.

Council Member Parry made the motion to approve the business license for Bear Lake Marina Side KOA, 485 N Bear Lake Blvd. Kamgrounds of America, Inc. Council Member Hansen seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Parry, for. Motion Carried.

- d. Bear Lake Trail Side KOA, 145 N 300 W. Kampgrounds of America, Inc.

Council Member Hansen made the motion to accept the business license application for Bear Lake Trail Side KOA. Council Member Parry seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Parry, for. Motion Carried.

- e. Nature N Stone LLC, DBA Adelia's Garden, 65 W Logan Road #3. Carol Judd

Council Member Hansen asked if it was a gift shop, to which the response was yes.

Council Member Hansen made the motion to approve the business license for Nature N Stone. Council Member Parry seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Parry, for. Motion Carried.

- f. 3DB Rentals, 6057 W 9740 N, Highland, UT. Multiple STRs. Benson Cluff, Kimball Cluff and Chris Cluff

Council Member Parry made the motion to accept 3DB's Rentals Business Application. Council Member Hansen seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Parry, for. Motion Carried.

4. Encumbrance Discussion/Approval

- a. Buttercup Mobile Home Estates Lot 87 and 88, as well as adjacent 15' easements to both lots. James Peterson

Council Member Argyle stated that all the paperwork to encumber the lots and the easements are complete and with the town office.

Council Member Hansen made the motion to accept the encumbrances for lots 87 and 88 as well as the adjacent 15-foot easements to both lots. Council Member Parry seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Parry, for. Motion Carried.

- b. Long Ridge @ Bear Lake, Phase 4, Lot 38 and 39. Kenneth Kimball

Council Member Hansen made the motion to approve the encumbrance of lots 38 and 39 for Kenneth Kimball at Long Ridge. Council Member Parry seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Parry, for. Motion Carried.

5. Subdivision Discussion/Approval

- a. Requests Final Approval for Buttercup Acres, Thomas Burningham

Thomas Burningham and Matt Nelson were both present. Planning Commission Chair, Dan Kurek was on the phone and addressed the Council with the Planning Commission's requests for the building envelope. Quinn Dance was asked to the table to discuss the revised plans with the unbuildable area. Mr. Dance mentioned the ordinance that states no open canals at the rear of the lot. Mr. Nelson said they are going to be piping part of the canal. Mr. Dance stated that they can mark it as "no inhabited buildings" rather than "unbuildable."

Council Member Hansen said that because the ordinance says it's supposed to be piped that there needs to be documentation releasing the city from any liability if they approve it. The canal company has provided letters stating that piping will be required for approximately 100 ft. Hansen reiterated that the ordinance states that a canal cannot be in the rear of the property. There was discussion about the liability of the city.

Mr. Nelson offered to change the lot lines or combine lots to meet the ordinance requirements. There was discussion about reducing the lot, if Mr. Nelson would have enough acreage to meet the zone requirements. Nelson suggested donating the land to the city or calling it open space. He cannot make it open space because there is no HOA to take care of it.

Mr. Dance read the ordinance stating that it is ok if the canal is on the rear or side property line. Mr. Nelson suggested some changes that the council agreed to look at but could not make a motion on until they see it.

Council Member Parry made the motion to deny Buttercup Acres final plat. Council Member Hansen seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Parry, for. Motion Carried.

6. PUD Discussion/Approval

- a. Requests Approval of updated Preliminary Plans for Phases 2 & 3, Conestoga Ranch.
Seth Porter.

Seth Porter and Steve Wright were present. Mr. Porter offered to review the changes he's made since the last time he received approval. He stated that they are still working on dumpster locations. Each home will have a 2-car garage and 2 outside parking spaces. Mr. Porter also stated that the lots will be sold, not rented. The RV stalls can be rented by the owner as well for nightly rentals.

On the cabin side, they have 24 ft road and will not be paved. Council Member Argyle stated her concern over the size of the garages cannot accommodate 2 vehicles. Mr. Porter stated they have an additional 23 parking stalls on the west side. Council Member Hansen brought up the concern about the cabins becoming nightly rentals and the requirements of on-site parking. Because it's a PUD, they can count the overflow parking as part of the parking requirement, but they must be designated stalls.

Mr. Porter stated that he has a 25 ft set back, so a 20' x 25' pad is not a problem for his short-term occupancy. He also pointed out the additional parking set aside for boats and larger vehicles.

Council Member Argyle explained the concerns of parking. Mr. Porter stated that if he changes the footprint of the cabin, they would be able to meet the parking requirements.

Council Member Parry made the motion to accept the Conestoga Ranch expansion's Preliminary review. Council Member Hansen seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Parry, for. Motion Carried.

- b. Requests Approval of Preliminary Plat for Bear Lake Vista's (formerly Blue Vista Hills).
Hal Christiansen

Hal Christiansen, Chuck Methany, and Ernie Willmore were present.

Mr. Methany jumped in by stating they took to heart the suggestions of improving their flow of traffic and increasing their right of ways to 60' as well as other safety issues. Their garages are 34' by 36'.

Council Member Hansen asked if they have a report from UDOT. The response was it's on its way. Hansen argued the importance of the report and the effects it has on the town council's decision.

Council Member Hansen asked if there is sufficient parking for the phase presented. The answer was yes. If there are changes in the future, there will be increased parking.

Quinn Dance said the storm drain calculations are in. There is enough volume in the 2 proposed vaults and the routing of the water. Perc tests have been done to this phase. There is an MOU with the county to use the county road along the property. They do have a letter. Council Member Hansen asked to see a copy of the letter.

Council Member Hansen commented on the road cross-sections. He pointed out that it butts up against the townhome walls. Mr. Willmore stated that they are meeting the minimum requirements. They are going to allow short-term rentals in the development and expect approximately 25% will be used that way. Council Member Argyle asked if there will be a stipulation for long-term rentals. Mr. Willmore explained that in the CC& R's it will be noted there will be 1-year leases and no subletting.

Council Member Argyle stated that in meeting with the mayor about this plan, if approved, it needs to be conditional upon the UDOT traffic study.

Council Member Parry made the motion to approve Bear Lake Vista Hills, Phase 1, on their preliminary plan, conditional upon their UDOT road study. Council Member Hansen seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Parry, for. Motion Carried.

7. Short-term Rentals

- a. Adam Boswell, 260 S Bear Lake Blvd
- b. Brian Jones, 300 S 100 W
- c. Nic Cutler, 233 Seasons Lane
- d. Adam Mackelprang, 55 W Buttercup Lane #31, Bear Lake Cozy Cabins LLC
- e. Logan Hedin, 55 West Buttercup Lane #26, Bear Lake Cozy Cabins, LLC
- f. Stacie Riskin, 347 West Posies Dr
- g. Richard Wangsgard, 680 Cambridge Dr, Vacasa
- h. Skye Hughes, 2216 Beachcomber Lane, Vacasa
- i. Mike & Courtney Rogers, 941 N Newberg Dr #4
- j. Austin Gillis, 235 Seasons Lane
- k. Kimball Cluff, 2229 Beachcomber Lane
- l. MCDC Enterprise LLC, 325 S 110 W

There was some discussion between the Council and Mr. Gillies about short term rental item "h". Ms. Hughes has concerns over her occupancy limits.

Council Member Parry made the motion to approve short term rentals "a through g", skip h, and approve "i through l." Council Member Hansen seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Parry, for. Motion Carried.

8. Payment Vouchers

Council Member Parry made the motion to pay the bills. Council Member Hansen seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Parry, for. Motion Carried.

9. Ordinance Discussion/Approval

- a. Ordinance # 22-07, an Ordinance Requiring Two Ingresses/Egresses in Subdivisions.

Council Member Hansen stated that the code being referenced in the ordinance needs to be written out, not just referenced. Glen Gillies presented the IFC code referred to. Mr. Hansen said he wants it to be as simple as possible and rewritten. Mr. Gillies said he would do that.

Council Member Parry made the motion to not accept Ordinance #22-07, an Ordinance Requiring Two Ingresses/Egresses in Subdivisions, and send it back to the Planning Commission. Council Member Hansen seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Parry, for. Motion Carried.

Council Member Parry had to leave the meeting and was excused. There was no longer a quorum, and no official business was conducted at this point.

10. Capsa

- a. Alyna Ohling, CAPSA Community Engagement Director spoke to the remaining Council and other attendees.

Sexual assault awareness month. Ms. Ohling related statistics regarding sexual assault calls in the Cache Valley area in 2021 as well as 2022.

They work with the Bear Lake Community Health Center to provide services to community members, and they are accessing those services in Garden City.

April 22nd, they are doing an "Ask a Therapist Night" to allow the public to ask questions. They are also pushing the "I Believe You" campaign to honor a survivor's courage to share their story. Ms Ohling shared the story of an assault survivor and her success after receiving help, being believed, and being supported.

Ms. Ohling asked the council to sign a poster that pledges to support the victims of sexual assault.

Council Member Hansen asked if our community statics were on the incline. Ms. Ohling said she could send information on the trend, but they are hesitant to share too much information because of the size of the community. She mentioned that they offer programs to the schools as well. Mr. Hansen thanked her and the program for all they do.

11. Recreation Center Proposal Presentation Discussion

Travis Eborn and Shawn Walker were present. Mr. Eborn shared a survey with the council members in attendance. He stated that he felt there was a need for this kind of facility. He mentioned that most people state that they want a place to walk when they can't outside.

Council Member Argyle shared some financial concerns about the pool aspect of their plan. She stated that it costs just \$3000 to heat the small pool that the town currently has, let alone to hire, and keep lifeguards to staff the pool. Council Member Hansen commented that building it is the easy part. Maintaining it will be the challenge.

Mr. Eborn brought up TRT money that will be coming into the county. He feels the County Commissioners are fairly open to giving a good “chunk of money” to the citizens for a venture like this. When asked if they have come up with any actual figures, Mr. Eborn responded that they need money to complete a study. He heard \$50,000 would be needed to conduct that study, but he is not certain what the fee would cover.

Council Member Hansen is concerned about creating a special service district for this and the taxing authority it would have. Mr. Eborn continued to review the results of his survey and potential benefits.

Quinn Dance added the comment, that there is a parks and trails update on the master plan and suggested that there may be a component that can be added to the study.

Mr. Eborn asked if the council is aware of any money or grant ideas that might be available. JUB has some grant writing people and there are some Rec. Center funds out there. It was suggested that they also contact Mitch Poulsen with the Regional Commission for ideas.

Shawn Walker asked if adding EMS parking or building space would add to their chance of getting funding. They are looking at land on the south end of town for this project. Mr. Eborn stated that this project would mostly be overseen by the county, but he wanted to know if the town had anything to offer. He would like to set up a citizen meeting in the future.

12. Public Comments, 2-minute time limit

There were no public comments.

13. Miscellaneous

Glen Gillies asked if the town could make the HOA more responsible for policing ordinances. Can the HOA be held accountable as well on citations? Council Member Argyle stated that the HOA should have an enforcer and that that enforcer should not be the town’s ordinance officer. He feels the HOA should receive the citation then they can go after the homeowner.

Council Member Argyle would like this discussion to be on the next meeting agenda.

14. Council Member Reports

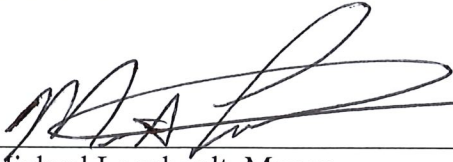
Council Member Hansen – the library is doing well right now. The Board is working well together. The addition has been delayed. He feels the best way to handle it is to have the town purchase the materials and put the labor out to bid.

Council Member Argyle –is getting ready for the Easter egg, and still moving forward on Raspberry Days.

15. Adjournment

There being no further business, Council Member Hansen made the motion to adjourn. Council Member Argyle seconded the motion. Town Council adjourned at 7:07 p.m.

APPROVAL:



Michael Leonhardt, Mayor

Attest:



Cathie Rasmussen, Town Clerk

