

MINUTES OF THE
TOWN COUNCIL MEETING OF
GARDEN CITY, UTAH

The Garden City Town Council held their regularly scheduled meeting on Thursday, June 9, 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:

Mike Leonhardt, Mayor
Pat Argyle
Ken Hansen
Martell Menlove
Jordan Parry

Others Present:

Cathie Rasmussen
Quinn Dance
George Peart
Tami Leonhardt
Lane Sprouse
Claudia Condor
Norm Mecham
Howard Fingerroot
Spencer Crab
Christie Nielson

Gregory Anderson
Trent Ferguson
Bess Huefner
Nadine Sprouse
Bryce Nielson
Brooke Bates
Nick Weaver
Ernie Willmore
Chuck Matheny

On Teleconference:

John Nielson
Aaron Wade
Marcus Keller

Pledge of Allegiance and Prayer

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

1. Roll Call

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

2. Approval of Minutes

a. December Town Council Meeting

Council Member Argyle made the motion to approve the minutes of the May 19th Town Council Meeting and the Public Hearing. Council Member Hansen seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Menlove, for; Council Member Parry, for; Mayor Leonhardt, for. Motion Carried.

3. Quarterly Reports:

a. Building Inspector Report – George Peart.

Mr. Peart handed out a report, year to date, for commercial and residential building in Garden City. He stated that there is a little more building than last year at this time. He noted the intake of fees and project costs to the Council this year compared to last year. Peart answered questions from the council about impact fees and projected building in Garden City.

b. Bear Lake Valley Convention and Visitor Bureau Report – Tami Leonhardt.

Ms. Leonhardt gave reports of the Wilford Woodruff home, the office, and the summit. They have started working with Vista View. This company deep dives into the analytics and found out that the Bureau is mostly spot on on where they are applying their resources. They did adjust their advertising with KSL and have seen a significant improvement in their analytics. They are working on a \$62,000 grant and were approved for a \$49,000 Idaho grant. They send out 62,000 emails quarterly. They have also begun doing YouTube videos that are 69% watched all the way through.

Busses are coming through and are stopping in town now rather than the overlook. They are also doing a lot in Paris at the tabernacle and in Montpelier. Bess Huefner also added that the brochures are helpful in showing people all of the activities that are available.

Raspberry Days brochures will be here the first of next week so they can go out in the water bills and be put at other locations as well.

c. Emergency Management – Bryce Nielson

Mr. Nielson wanted to discuss the town having a designated emergency manager, he has been the county emergency manager for 19 years. He feels the greatest emergency threat to Garden City is wildland fire. He is also concerned about extreme weather events, like possible flash floods, etc.

Mayor Leonhardt stated that he would like to get someone appointed as soon as possible to work with Mr. Nielson. He stated that he would also like to have generators back up the town buildings to assist when there are needs in the community. Nielson said if he could get some specs on what the mayor would like to have, he can see if there is funding when he attends his regional meetings.

There was also discussion about hooking the power back up to the radio at the park. Council Member Hansen said that Lance Bourne said he could get that hooked back up and the emergency manager could be over that.

Mr. Nielson stated that we have Code Red to assist in getting the word out to people and there is funding for it for the next 2 years.

4. Bear Lake Trails Foundation – Mark Smoot

Mr. Smoot asked to reschedule for next month.

5. Public Comments, 2-minute time limit

Bess Huefner discussed a list of items she had for the town. She would like to see the dyers woad taken care of. There is a broken sidewalk in front of Café Sabor. She wanted to see the area north of Ruca's cleaned up. Ms. Huefner pointed out that there are more people walking and there are a few pieces of sidewalk that need repaired, and it mowed. She also shared that a volunteer group is coming later in the month and asked if there was a project the town would like done.

Claudia Condor just wanted to know if the overlook was open now and if the new restrooms at the south end were open. The mayor responded that yes, they are all open now.

Nadine Sprouse asked if there would be beach access this year. The mayor responded it would remain closed until people could be hired to manage it. Ms. Sprouse knew of someone who would be willing to work, and Ms. Huefner added that Putnam's said they would also do it.

Lane Sprouse stated he is concerned about the development south of his property where his irrigation is. He wants to make sure that the wastewater does not come onto his property.

6. Business License Discussion/Approval

- a. Amended License: Bluewater Bistro & Bakery DBA Bear Lake Wedding Rentals, 65 W Logan Rd # 2, Brooke Bates
- b. Ofelia's Cleaning Service by Soapstar, 116 Yellowcreek Rd, Evanston WY. Ofelia Paucarpura
- c. Bear Lake Arms LLC, 664 S Juniper Circle, Dan Larsen

Council Member Argyle asked if they could make a motion on all three. Council Member Menlove shared that he had talked to Dan Larsen about Bear Lake Arms, LLC, and learned that the arms would be stored in a locked safe, and there will be minimal customers visiting his home. With that said, Council Member Menlove moved to approve all three. Council Member Argyle seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, against; Council Member Menlove, against; Council Member Parry, for; Mayor Leonhardt, for. Motion Carried.

7. PUD Discussion/Approval

- a. Requests Preliminary Approval for Bear Lake RV Resort, Sun Communities Acquisitions, LLC. Casey Pennington

Howard Fingerroot and Spencer Crab were present. Mr. Crab explained the revisions they have done to accommodate the requests of the Town Council and Planning Commission. They have realigned and regraded the road to the west of the irrigation canal. They have made one road out of 2 to provide access to Paradise Parkway. This road will be to automobile traffic only, not RV.

Offroad vehicles will be stored at an off-site location as well as boats and extra vehicles, much like their Blue Water location. Parking per site will remain at 3.

Council Member Hansen asked if 2 ingress/egresses will be in Phase 1 of the project. Mr. Crab responded yes and clarified that request for preliminary approval is for the entire project, the phases are just for construction purposes.

The council went over the UDOT study with Mr. Crab. Crab discussed the logistics of how people would be queued, the online check-in process, etc. Trails and other amenities will be available to the public with a day pass. Mayor Leonhardt asked if the trail that is planned to run along the canal will be open to the public. Mr. Crab expressed some concerns about that. Council Member Hansen brought up the idea of putting the path along Paradise Parkway rather than along the canal. Mr. Crab said that in the MOU they have left it open to work with the town on what the right of way will be when Paradise Parkway comes through. Currently it's 100 ft which should be plenty to allow for a trail. As that planning continues, Mr. Crab and Fingerroot said they will work with the town on that right of way.

Council Member Hansen made the motion to accept the Preliminary Plans for the Bear Lake RV Resort. Council Member Parry seconded the motion. Council Member Menlove stated his continued concerns about this being a PUD before the vote and that the appropriate easements are in place and the proposed trail is in the best place for the community. A vote was taken: Council Member Argyle, for; Council Member Hansen, against; Council Member Menlove, against; Council Member Parry, for; Mayor Leonhardt, for. Motion Carried.

Council Member Menlove made the motion to go into a Public Hearing. Council Member Parry seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, against; Council Member Menlove, against; Council Member Parry, for; Mayor Leonhardt, for. Motion Carried.

Council went into a Public Hearing at 6:26 pm. Minutes will be kept on a separate record.

Public Hearing closed and Town Council meeting resumed at 6:29 pm.

8. Conditional Use Permit Discussion/Approval

- a. Requests a Conditional Use Permit for an indoor storage facility and an office/retail building between 100 W and 300 W, Psion Homes, John Nelson

The conditional use permit was approved by the Planning and Zoning Commission but wanted the Town Council to approve it as well.

Christie Nelson was present, and John Nelson was on the phone. Ms. Nelson shared plans of the proposed facility with the council and explained the project. The height of the building will be 35 feet or under from the average grade of the lot.

The building will all be fenced in with 10 ft setbacks, and there will be a directional flow of traffic. There is a retention plan for the project with underground storage of the water that they will use for watering the grounds. The building will also have a sprinkler system and the outside

walls will have a minimum 2-hour fire rating. There will be onsite employees and after-hours contacts for emergency assistance.

Mr. Nelson stated that he had received Planning Commission approval based on the Town Councils approval and addressing a snow issue.

Council Member Argyle made the motion to approve the Conditional Use permit making sure the building is just to 35 ft and with the conditions the Planning and Zoning made and that it will be fenced. Council Member Parry seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, against; Council Member Menlove, against; Council Member Parry, for; Mayor Leonhardt, for. Motion Carried.

The mayor called for a 5-minute break.

9. PRUD Rezone Discussion/Approval

- a. Requests a Planned Residential Unit Development (PRUD) overlay of Recreational Residential zone. Park Place, Goldcrest Homes, Gregory Andersen and Adam Andersen

Gregory Andersen was present and shared the plans. The mayor stated some previous issues such as oversize parking. He clarified this is a gated community with no short-term rentals. Mr. Andersen said there are 42 unassigned extra parking stalls as well as the 2 parking spots outside of each unit.

Council Members Argyle and Menlove brought up east and west roads that are part of the master plan, a loop road, and dedicating land for future roads to which Mr. Andersen agreed that it had been discussed and they were agreeable to that dedication. Mr. Andersen stated that Matt Flanders has represented he'd participate in a road as well. CM Menlove suggested that all property owners participate, somehow, in getting the roads built. Mr. Andersen said he's willing to do his part. There was further discussion about future roads in that area between the council, Mr. Andersen, and other developers.

Mayor Leonhardt suggested that the council may make a motion on the rezone and the conceptual plan since Mr. Andersen was next on the agenda for conceptual plan approval of the development that had already been discussed.

Council Member Parry made the motion to approve the rezone overlay PRUD and the request for Conceptual approval of Park Place, Goldcrest Homes. Council Member Menlove clarified that it was 9a and 10a on the agenda. Council Member Hansen seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, against; Council Member Menlove, against; Council Member Parry, for; Mayor Leonhardt, for. Motion Carried.

10. Subdivision Discussion/Approval

- a. Requests Conceptual Approval of Park Place, Goldcrest Homes, Gregory Andersen and Adam Andersen

Approved in previous motion.

- b. Requests Preliminary Approval of Elk's Ridge Phase 2, Dream Developers, Lance Anderson

Trent Ferguson was present. Council Member Argyle had multiple questions about the proposed ingress/egresses and the grade of the road. Mr. Ferguson explained the proposed solutions, but the complication is that they do not own Phase 1 so working with those homeowners is complicated, but they are collaborating.

There was also discussion about garbage pickup to the subdivision. Mr. Ferguson has been researching his options on this as well.

The council discussed other options using access through Foothill Estates. Mayor Leonhardt said that he would meet with Mr. Ferguson and help facilitate a meeting with the surrounding areas to discuss some ideas and options for developing this area.

No motion was made.

Mayor Leonhardt called for a 10-minute break.

11. PID Discussion/Presentation – Nicholas Weaver

- a. PID Policy Statement – the adoption of a Policy Statement for the Town of Garden City for Public Infrastructure Districts. Nick Weaver

Mayor Leonhardt opened the discussion up to the council about putting a policy statement together. Council Member Parry is for adopting a PID policy statement. Council Member Hansen shared what he learned from other towns and mayors. He learned there is a lot of oversight the town has to do in addition to what the committee does and can be quite expensive. He still has questions about how a PID would affect the bonding of a development. Hansen doesn't like that the PID district lasts the full 30 or 40 years.

Nick Weaver and Ernie Willmore responded that they understood the note could be paid off early, but the district would exist until the end of the agreement. Clarification from an attorney will be needed. Aaron Wade, a public finance attorney was on the phone and said it all depends on how the district is structured. It could pay the bonds off early if it collects at a higher than needed rate. Mr. Wade said the performance bonding should not change because there is a PID. Most cities are still requiring them, and some are doing a variety of things with that bond. Wade also clarified that the district cannot levy any higher than the limit the town sets.

Marcus Keller from Zions Bank was on the phone also. He addressed the concern of the council on how many mills to set the levy at. He supported not doing a 15-mil levy and he sees more around 5 mills and finds that's less of a burden.

There was more discussion about adopting a PID policy.

12. Short-term Rentals

- a. Karen & Jeremy Higley, 356 Rendezvous Way
- b. Liz Fackrell, 373 W Rendezvous Way
- c. Martha Garcia, 315 E 1764 S

- d. Mike & Brittney Homquist, 411 W Overview Dr
- e. Kelly Passey, 1860 S Bear Lake Blvd
- f. Nathan Gubler, 594 S Aspen
- g. Kristie Bowcutt TTE Scott Family Trust, 862 Boosway Circle #74
- h. Kelvin Hendricks, 616 Lochwood
- i. Wahlquist (Baby Bear), 190 S Bear Lake Blvd
- j. Josh Webb, 601 S Amber Lane
- k. Wes Cook, 1020 Snow Meadows Drive

Council Member Argyle made the motion approve the short-term rental licenses for “a thru k.” Council Member Menlove seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Menlove, for; Council Member Parry, for; Mayor Leonhardt, for. Motion Carried.

13. Ordinance and Resolution Discussion/Approval

- a. Ordinance # 22-07, An Ordinance Requiring Two Ingress/Egresses in Subdivisions

Council Member Hansen said he will go over this ordinance and write it up. Hansen brought up that the attorney interprets this ordinance as that every phase of a subdivision must have two ingress/egresses. Council agreed that needs to be clarified. Hansen agreed to speak to the attorney about it. Council Member Menlove offered to work on this ordinance as well.

There was discussion about having someone go through the ordinances and come back with recommendations on what needs to be updated and corrected. CM Hansen said Jeff Jorgenson might be willing to look at it, to which the mayor said that was fine if is willing to do so.

No motion was made.

- b. Ordinance #22-11, An Ordinance Adding Garbage Disposal Requirements on Construction Sites

Mayor Leonhardt talked about public dumpsters being too full and construction sites needing to have their own dumpsters. He would like to see construction sites fenced as well.

Council Member Menlove made the motion approve Ordinance #22-11, An Ordinance Adding Garbage Disposal Requirements on Construction Sites. Council Member Parry seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Menlove, for; Council Member Parry, for; Mayor Leonhardt, for. Motion Carried.

- c. Ordinance #22-12, An Ordinance to Update Public Works Notification Time Frame

Council Member Menlove made the motion approve the changes noted in Ordinance #22-12, An Ordinance to Update Public Works Notification Time Frame. Council Member Argyle seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Menlove, for; Council Member Parry, for; Mayor Leonhardt, for. Motion Carried.

- d. Resolution #R22-03, A Resolution Updating the Mileage Reimbursement Amount for the Town of Garden City

Council Member Argyle made the motion approve Resolution #R22-03, A Resolution Updating the Mileage Reimbursement Amount for the Town of Garden City. Council Member Hansen seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Menlove, for; Council Member Parry, for; Mayor Leonhardt, for. Motion Carried.

Mayor called for a 5-minute break

14. Budget Review, Discussion/Approval

- a. Approval of the 2023 Budget for the General Fund, Enterprise (Water) Fund, SID Fund, RDA Fund, Capital Project Fund, and Beach Access Fund for fiscal year July 1, 2022, through June 30, 2023

Council went over the budget, discussed it, adjusted the budget, and increased all employee wages by 7%. Mayor Leonhardt will investigate the state statute on it, but he would like to play the Planning Commission based on meeting attendance, paid quarterly, \$100 per meeting. The council agreed to that. There were questions on the bank fees that are showing up on the budget. Mayor Leonhardt said he will speak to Zions Bank about the bank fees.

Council Member Hansen discussed the budget for the library addition. They have received a grant for \$20,000 from a private donor. He found that that would cover all the glass and doors. He estimates another \$50,000 will be needed to complete the enclosure. The mayor feels they can use the PPAL tax money to cover that.

Council Member Hansen brought up the well and that the Enterprise fund should cover that expense.

Mayor Leonhardt will work with the Town Clerk to balance the budget with the discussed changes and send the Council a copy.

Council Member Hansen made the motion approve the budget for 2023 with the actual balanced budget being sent out to the council by June 16, 2022. Council Member Argyle seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Menlove, for; Council Member Parry, for; Mayor Leonhardt, for. Motion Carried.

15. Planning Commission Appointment

Mayor Leonhardt suggested appointing Wes Thompson to the Planning Commission, to fill Joey Stockings vacated position. Council Members Hansen and Parry felt Mr. Thompson was a good choice.

Council Member Menlove made the motion to appoint Wes Thompson to the Planning Commission. Council Member Parry seconded the motion. A vote was taken: Council Member

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

16. Miscellaneous

Council Member Parry wanted to push for lights on the Pickleball Courts. The mayor explained that the lights are here, but Public Works must pour a base for them first.

17. Council Member Reports

Council Member Parry reported that the pool is doing good. They are struggling keeping lifeguards staffed. The biggest complaint is that it's not always open when scheduled. Water aerobics is very well attended.

Council Member Menlove has paperwork for the trails grant he is working on. The mayor signed it so it can be sent in. He would also like to review the ordinance on PUD's and PRUD's. He would like to change the word "and" to "or" so that a development does not have to have all 5 of the listed items to qualify. Mayor Leonhardt explained he will need to type it up and get it on the Planning Commission agenda.

Menlove discussed that the General Plan needs to state that the town will work closely with UDOT on the state roads. He feels the town needs to maximize the existing roads before creating new roads. If it is written in the Master Plan, then the transportation department can get it on theirs and move it up the list. Menlove was told to get with Quinn and make sure that it is detailed in the Master Plan. Council Member Argyle would like to be included in the email.

There was additional discussion about the roads, turning lanes, lights, signs and traffic and the support the town is getting from UDOT to help with the traffic.

Mayor Leonhardt reported the July 4th celebration would be on July 2nd. There will be a tribute for veterans and first responders on the big screen, a concert by Maddie Poppe, fireworks, and Dan Kurek and Thom Johnson will be doing a flyover. There will be some bounce houses and food trucks also.

Council Member Argyle is about ready for Raspberry Days, she is just looking for volunteers. She has purchased some kayaks from Al's and the mayor offered to pick them up. Ken and Donna Hansen will be the Grand Marshall's of the Raspberry Days parade. She stated that any cheerleaders or dancers need to be on a float.

The county was not able to hire a deputy that would dedicate some hours to the Town of Garden City.

Council Member Hansen reported the library is doing well and has their summer programs going. Hansen was able to finally get birdhouses done for a youth program. Mayor Leonhardt asked if the Library Board is involved in going into the library and assisting with cleaning, etc. Hansen reported he was not sure but guessed they probably don't. Mayor Leonhardt explained that he went in, and it was a mess. He felt it would best if the Library Board addressed that. CM Hansen said he would get ahold of the Library Chairperson.

CM Hansen reported that they did not get any bids to drill the well. They are going to allow for more time and repost the project for bids. The Water Protection Plan can now move forward now that the General Plan has been updated. He will review the numbers before it is submitted.

The extension of the water line for Bridgerland Village is being designed right now.


18. Payment Vouchers

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

19. Adjournment


There being no further business, Council Member Argyle made the motion to adjourn. Council Member Parry seconded the motion. Town Council adjourned at 9:38 pm.

APPROVAL:


Michael Leonhardt, Mayor



Attest:


Cathie Rasmussen, Town Clerk