

MINUTES OF THE
TOWN COUNCIL MEETING OF
GARDEN CITY, UTAH

The Garden City Town Council held their regularly scheduled meeting on Thursday, July 14, 2022. The meeting was held at the Garden City Lakeview Building located at 69 N. Paradise Parkway, Building C. Mayor Leonhardt opened the meeting at 5:03 p.m.

Town Council Members Present:

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

Others Present:

Cathie Rasmussen
Tonya Peterson
Jeff & Bonnie Jorgenson
Glen Gillies
Nadine Sprouse
Mark Smoot
Quinn Dance
Norm Mecham
Claudia Condor
Seth Porter
Lance Anderson
Trent Ferguson

On Teleconference:

Steve Wright

Pledge of Allegiance and Prayer

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

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

Council Member Hansen made the motion to approve the minutes of the June 9th, 2022, regular Town Council Meeting and the minutes of the June 9th, 2022, Public Hearing. 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.

3. **Bear Lake Trails Foundation**

a. Discussion on trails– Mark Smoot

Mark Smoot explained that the trails foundation is a 501(3)c with a goal to compliment and help build infrastructure trails and connectivity with the Forest Service and across state lines. They are working on a comprehensive plan and map of existing motorized and nonmotorized trails, then they will begin plans for development.

Mayor Leonhardt asked about the grant for a bike trail on 300 West. Council Member Menlove referred to the contract. Mr. Smoot said he would call tomorrow but did not know of any additional requirements. Mayor Leonhardt is wondering about any additional requirements and wants to be certain deadlines are not missed. Mr. Smoot will communicate with Council Member Menlove, Quinn Dance, and Public Works.

4. **Public Comments, 2-minute time limit**

Mark Smoot, Garden City, read a letter he prepared as a business owner about the need for parking downtown. He addressed the burden of inadequate parking at one business burdening neighboring businesses. He added additional garbage and requests to use restrooms by non-business patrons. He proposed the opportunity to work with the Town to address and improve this problem. Mayor Leonhardt asked that a copy of the letter be submitted to the Town Clerk.

Nadine Sprouse, Garden City, commented about E-bikes running around the park and infringing on park users. She also commented on people launching boats and then using all of the parking at the park to store their vehicles and trailers.

Claudia Condor, Garden City, asked about parking on the beach and a DNR sign that contradicts the 100 ft from the water's edge rule. She added that there is only one sign down by the rest area outside of the town limits.

Bess Huefner, Garden City, asked that the Town water the roads for Raspberry Days weekend. Council Member Argyle asked that Ms. Huefner send a text to her.

Council Member Argyle asked to make a public comment. People are parking so close to the intersection that you cannot see to get out onto Bear Lake Blvd. Mayor Leonhardt will contact UDOT. Council Member Hansen has had the same problem before, and he was told that until the city creates an ordinance about parking on the state highway right of way, they cannot do anything about it. Mayor Leonhardt asked CM Hansen for the person he contacted so he might contact the same person.

5. **Business License Discussion/Approval**

- a. Multiple short-term rentals. Buttercup Homes, LLC, 558 Maple Drive, Thurmond Dressen
- b. Multiple short-term rentals. Garden City, UT. Shawn Cook
- c. Bear Lake Fitness, operating a gym next to BLCHC. 325 W Logan Road, Andrew & Jamie Stokes
- d. Salty Bear, food trailer, serving hot foods and soda. 2295 S Paintbrush Dr, Ryan and Amanda Walker

Council Member Argyle made the motion to approve the business licenses for items. “a thru d.” 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.

6. PUD Discussion/Approval

- a. Requests Final Approval of Conestoga Phases 1 & 2, Seth Porter and Mike Knapp

Seth Porter was present and corrected the agenda stating the approval is for Phases 2 & 3. He addressed the issues from the Planning Commission. They have been able to get the road grade down to 8% around the top loop portion. Fire hydrants are now on the plat and all the lots are closed. Quinn Dance said he will need to see the corrections on the plat. Mr. Porter said the new construction drawings have been sent to Quinn, but he got them last Wednesday. The mayor asked if he has had a chance to look at them and be comfortable with signing them. Mr. Dance said he would like more time with them and double check them. Mr. Porter said the only change would have been the closing of the lots of the plat the day of Planning Commission.

Council Member Menlove asked if it would appropriate to put the planned trail on their plat because it will cross their egresses. Mr. Dance said they do not have an actual drawing of that and it is in the public right of way, so they do not normally.

Mr. Dance said he received an email from the engineer, Steve Wright since the Planning Commission meeting. Mr. Dance has not seen a plat with the existing fire hydrants or showing the closed lots on the RV lots. They are only on the construction drawings which do not usually get recorded.

Council Member Menlove mentioned the date on the plat is January 2022 and that it needs to be updated to reflect that it is current.

Mayor Leonhardt said he will need to be on the Town Council next month with all of the requirements on the plat.

No motion was made.

7. Subdivision Discussion/Approval

- a. Requesting Preliminary approval of Elk’s Ridge, Phase 2. Lance Anderson and Trent Ferguson.

Lance Anderson, Trent Ferguson, and Tonya Peterson were present. Mr. Anderson referenced an MOU that was signed by a previous mayor.

Council Member Argyle said she read the MOU and discussed the steepness of the road which is a 12 % grade. Mr. Anderson stated that if you make the grade less, the lots are inaccessible. The utilities and everything else will have to be lowered. It is discussed in the MOU, and nobody wanted to take on that expense.

Council Member Hansen pointed out the road and that it will eventually end in Swan Creek canyon. That was going to be the second ingress/egress, but they no longer own that property. He is concerned about creating a cul-de-sac.

Mayor Leonhardt read the MOU of what the Town will accept as ingress and egress for this phase and development. If the 12% grade is adhered to in Phase 2, Council Member Hansen wants it stated that it will not conform to the current ordinance and the town will not be liable to which Mr. Ferguson said the roads will be private anyway.

Mr. Anderson is working on two hundred North to address the garbage pick-up issue. There is a space between the pump house and the cell towers, and they would like to use that space for their sanitation issues. The water retention will be on the final plat also.

Council Member Menlove asked the zone. It has been rezoned to Foothill Estates. Mr. Anderson said 10% or less are under $\frac{3}{4}$ acre lots.

Council Member Menlove made the motion to approve the Preliminary Plat for Elks Ridge Phase 2. 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.

b. Requesting Preliminary approval of Long Ridge, Phase 6. Jeff Jorgenson

Jeff and Bonnie Jorgenson were present.

Mayor Leonhardt reiterated the conditions of approval given by the Planning Commission.

Council Member Hansen excused himself and left the building.

Mr. Jorgansen showed the required changes on the preliminary plat in red. He also noted some changes in the Developer Agreement that need to be made. Council Member Menlove asked about the current road. After being on the road, he wants to make sure the road is improved over what it is. They've agreed to put in the road base and get it to the state where the town can asphalt it. Hawk Rock has the same Developer Agreement for their road as well.

Mr. Jorgenson would like to amend the Developer Agreement with the town and Norm Mecham and solidify what is being done for the north end of the development on the Homestead Road. The mayor agreed to work that out with Public Works and Quinn Dance.

Mr. Jorgenson wanted to know if Paradise Parkway is part of the impact fee that is collected. Quinn Dance will look that up and find out.

CM Menlove asked about the property north of Mr. Jorgenson's property, and the possibility of stubbing a road. Mr. Jorgenson could not find a place where that would really work when he looked at it.

Council Member Parry made the motion to approve the Preliminary Plat for Long Ridge, Phase 6. Council Member Argyle seconded the motion. A vote was taken: Council Member

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

Council Member Hansen returned to the meeting.

8. Short-term Rentals

- a. Bill Spears, 1593 S Bear Lake Blvd
- b. Travis Eborn, 280 Persimmon Dr
- c. Unicorn Caves, LLC, 794 Cambry Drive
- d. Janece Dorrity, 184 S Bear Lake Blvd
- e. Shawn Cook, 874 Newburg #3
- f. Shawn Cook, 333 Park Drive
- g. Tyler Hill, 981 Blackberry, Bear Lake Lodging
- h. Curtis Dalton, 649 North Lake Sight Drive
- i. Ryan & Katie Rigby, 250 Seasons Lane
- j. Johnathan Holmes, 341 W Rendezvous
- k. Joshua & Alana Wilson, 314 W Oregon Trail Dr #110
- l. Brad Shenemam, 2179 Beachcomber Lane
- m. Thurmond Dessen, 569 Aspen Drive
- n. Abraham & Rochelle Hindoion, 942 Newberg #3, Blue Acres
- o. John Sharp, 237 W Seasons Lane, Let's Get Away Properties
- p. Mark Thomas, 761 Spruce Drive

Council Member Menlove had question about some of them meeting parking requirements not on their property. It was explained that it was set up that way when the approval for the development was given and they have more than their required spaces.

The council would like to consider changing the occupancy limits including garages in their parking requirements.

There was discussion about overnight parking in the Hodges Canyon parking lot. It is owned by the State Parks, but Council Member Hansen said that the agreement is that the town manages that lot. Mr. Gillies will put no overnight parking signs there tomorrow.

Mayor Leonhardt stated that the county has hired a new deputy. The town is contributing to that contract. Now the department will dedicate a set number of hours to policing the Town of Garden City.

Council Member Menlove made the motion to approve the short-term rental licenses for "a thru p" with the condition the short-term rental parking ordinance be reviewed by the council next month. 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.

Council Member Parry shared a thought that an associate of his is impressed with how the town manages short-term rentals. The council would like to discuss the option to have the emergency contact or the management company limits of twenty miles be further away to have more options for management of short-term rentals.

9. Miscellaneous

Council Member Hansen brought up future concerns with the bike path. He is seeing more motorized stuff on the bike path including sitting electric scooters. Council Member Parry commented on the trend of electric scooters and E-bikes and what other towns have done.

Council Member Argyle wants streetlights on the crosswalk down by Pickleville Playhouse where the bike path crosses the highway. Mayor Leonhardt said UDOT just placed some there. CM Parry would like to see crosswalks back on the road where the bike path crosses the road. Mayor Leonhardt said that where the bike path crosses the road, there are supposed to be stop signs for the bike path. He added that parts of the bike path are re-asphalted and striped regularly.

There is a bad spot by Café Sabor right now that needs to be repaired on the sidewalk. There is also a valve box sticking up out by Blue Water where you turn to go down to Hodges Beach. The asphalt has sunk down around it and it needs to be addressed.

Rental e-bikes are supposed to be governed at 15 mph. They would like to have the new deputy be able to enforce the bike path speed limits and only approved vehicles on the bike path.

A letter needs to be sent to all who are renting e-bikes and electric scooters that they need to be governed at 15 mph. They would also like to see sturdy bike racks at businesses and other places around town to be able to lock up e-bikes. Mayor Leonhardt felt this was a good use for TRT money and will talk about it with Mark Smoot.

Glen Gillies read the current ordinance about E-bikes on the bike path. Electric, peddle assisted bikes are acceptable on the path, but not fully electric recreation vehicles.

Council Member Hansen had another item from the people in the Thornberg subdivision. They are hoping that they will mow both sides of the access near them as the town is preparing to open the gate at 150 South. Mayor Leonhardt said they did that and explained there have been problems with the use of the gate at 150 South. He is considering opening the gate to the public. If it is used respectfully, he may continue to open the gate. Anyone wishing to launch, will still need to get a launch pass. There was a question about a private citizen or business contracting to manage the beach and working with the town on splitting the revenue. The mayor is not opposed to that since it has been a challenge to find employees to do that job.

10. Council Member Reports

Jordan Parry – has not been at the pool this month. Richard reports that Glen Gillies is doing a great job managing it. They are averaging sixteen people at the water aerobics program. They are still looking for a lifeguard. Mr. Gillies said the inspector was here and they passed and are good for 2 years.

Ken Hansen- reported the library is doing good. Their attendance is up. Some more summer programs are in the plans. Mayor Leonhardt asked that CM Hansen speak with Melinda Hislop about cleaning up the library and the use of the special collections room. CM Menlove said that multiple service missionaries work in the library and could help with that.

CM Hansen said they are close to having the water protection plan in place. That and the well were discussed at the water meeting today, but he was not able to attend. Now that things have slowed down a bit, they will put the drilling of the well out for bid in September.

Water usage is getting high in certain areas. The mayor would like a Code Red message sent out that we are still in a drought year and to please be conservative with outside watering.

Martell Menlove – he appreciates all the mowing that has been done along the sides of the road. Mr. Menlove has been attending meetings. He attended an AEG meeting for a proposed restaurant with a motel above it. There were some issues with it that have been addressed and will be submitted to the Planning Commission.

Planning and Zoning had some concerns about the zones by the park. He feels the roads need to be planned before developments come in and there are no roads. Brian Hirschi has a piece of property there and he has planned an east and west road that goes up to the Chevron.

Pat Argyle – she is working on Raspberry Days. She went through her checklist with the council. Glen Gillies will find some of her signs and get them put up. Andrea Carlisle has been working with Jessica Whitaker and will take over the craft fair next year. Blake Madsen will still do the garbage pick-up, but they need to find someone to drive with him. Bess Huefner volunteered to do a Friday with him.

CM Argyle will talk to Riley Argyle about setting up their tents and everything else. She will also be ordering more umbrellas.

Mayor Leonhardt – attended the quarterly meeting with UDOT. They discussed the UDOT study on the corridor. They use a drone to get a perspective of it. CM Menlove attended the same meeting. New and proposed turning lanes were discussed as well as the need for a center median lane all the way through the town. There was also discussion about emergency services accessing the highway with the traffic concerns. There was also discussion about putting in a roundabout at the main intersection. UDOT also said the town does not meet the criteria to receive a traffic light on 300 W where it meets US Hwy 89 by the town offices and Mike's Market. Mayor Leonhardt requested that UDOT put markers out along the highway north of the marina to discourage parking along the highway like the Bear Lake West access in Idaho.

Council Member Hansen asked if it is true they did away with the Quagga muscle checkpoint in Laketown. The mayor responded that they have.

George Peart is no longer doing residential inspections for the Town of Garden City. The town has contracted with Tyler Seamon to do residential inspections and plan reviews for permits for now.

Mayor Leonhardt asked to go into Executive Session to discuss some litigation.

Council Member Parry made the motion to go into an Executive Session at 7:37 p.m. 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.

Minutes of the Executive Session were kept on a separate record.

The Town Council closed the Executive Session and returned to the regular town council meeting at 8:00 p.m.

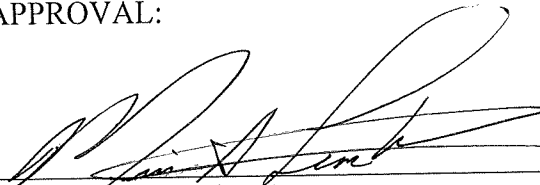
11. Payment Vouchers

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

12. Adjournment

There being no further business, Council Member Hansen made the motion to adjourn. Council Member Argyle seconded the motion. The Town of Garden City Town Council Meeting adjourned at 8:01pm.

APPROVAL:



Michael Leonhardt, Mayor

Attest:



Cathie Rasmussen, Town Clerk