

MINUTES OF THE
TOWN COUNCIL MEETING OF
GARDEN CITY, UTAH

The Garden City Town Council held their regularly scheduled meeting on Thursday, November 10, 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 5:01 p.m.

Town Council Members Present:

Mike Leonhardt, Mayor
Ken Hansen
Martell Menlove
Jordan Parry

Others Present:

Shalie Argyle
Sharlene Millard
Glen Gillies
Quinn Dance
Norm Mecham
Mark Smoot
Brad Davis
Jane Davis
Lance Anderson
Bess Huefner
Chuck Matheny
Ernie Willmore

On Teleconference:

Pledge of Allegiance and Prayer

The pledge of allegiance was led by Mayor Leonhardt and a prayer was offered by Mark Smoot.

1. Roll Call

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

Council Member Argyle was excused.

2. Approval of Minutes

Council Member Hansen made the motion to approve the minutes of the October 13th, 2022, regular Town Council Meeting. Council Member Menlove seconded the motion. A vote was taken: Council Member Hansen, for; Council Member Menlove, for; Council Member Parry, for; Mayor Leonhardt, for. Motion Carried.

3. **General Plan Discussion**

a. Update and Review of General Plan, Quinn Dance

Quinn Dance gave an update on the general plan. In the next couple of months, they would like to adopt the plan and get it finalized. The land use map was the main discussion in the last meeting. There have been a couple changes made. In the original plan they had a lot of the northern area as mixed-use. There were a lot of comments to pull that out of mixed-use, especially up above Swan Creek. They put it into a low density residential. Another big comment was to put commercial back along Logan Rd, HWY 89. They also discussed some potential public space toward the South end of town. Space for a school, parks or etc. Possibly some public park space up on the hills.

CM Menlove asked about some public space that might be located near Ideal Beach, and Quinn said it was possibly a mistake. CM Menlove asked about the area around HWY 89 and Mahogany. He has heard people to refer to it as “Teds Commercial”. CM Menlove had some questions about the Elk’s Ridge area and Garden City Canyon Rd. The mayor believes Garden City Canyon Rd. is in the county.

Mayor Leonhardt asked what the process is. Quinn said his preference is to put it back out to the public and let them comment. Mayor Leonhardt and Quinn think an open house would be a good option. Quinn would like to wrap things up with the general plan around January. Quinn said they are also in the process of a parks and trails map.

CM Menlove is on the school board meeting agenda for next Tuesday and was wondering about a space for a school. Mayor Leonhardt suggested he go to the meeting.

Quinn said the transportation map came from the previous master plan and it’s similar. There are some small changes near Paradise Pkwy and HWY 89 with some looping roads and connectivity roads. It is important to show future connectivity roads on the map. The concept is city connectivity. They are proposing an access near the Chevron.

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

Norm Mecham – asked if the general plan was posted online anywhere? Mayor Leonhardt said we would look into, and get it where the public can see it.

Bess Huefner – asked about sidewalks that need to be plowed or not.? Mayor Leonhardt said it would depend on worker availability. Mayor Leonhardt asked the council what their feeling is? CM Parry likes to see the snowmobiles on the bike bath but plow the sidewalks on the east side of the road, so people have a place to walk safely. Bess said to possibly plow from the England’s to Café Sabor. CM Parry said on nice winter days he has seen people walking on the road.

Glen said they could get a plow for the side by side. CM Hansen said a snowblower would be better than a plow. Mayor Leonhardt said the city can definitely check into it.

Mark Smoot – asked if there's a way to get the snowmobiles from north or south to the canyon without all the piles of snow on the bike path. Mark would be willing to groom the trail. More discussion on this. Mayor Leonhardt it would be nice to groom the bike path for the snowmobiles, snow shoeing or cross-country skiing. Mayor Leonhardt asked for more discussion on this.

5. PID Discussion/Approval

Mayor Leonhardt sent the council members a copy of a PID document. He said the council needs to move forward somehow with the PID. The council needs to come up with a policy statement/governing document for PIDs. Mayor Leonhardt asked for thoughts from the council.

CM Menlove thinks the district advisory board could be part of the Town Councils decision. The PID is set by boundaries, but there is nothing that states the MIL levy supports the infrastructure or the PID. CM Menlove thinks that there needs to be some public benefit from the PID.

Mayor Leonhardt said the council has control of what the MIL Levy is set at. Mayor Leonhardt would like the MIL levy lower than 15 mil. State law says it cannot be more than 15 mil. CM Hansen said somewhere between 8 to 10 mil.

Mayor Leonhardt's opinion is to cap at 10 mil. CM Hansen's opinion is around 8 million. There has to be a public hearing before anything can be approved. Mayor Leonhardt asked the council to take a look at the document so the council can move forward on the governing document.

Mayor Leonhardt would like any thoughts emailed to him so he can send them to the city attorney.

6. PUD Discussion/Approval

a. Request approval of Final for Phase 1, Bear Lake Vista's, Chuck Matheny

CM Hansen asked where they are with UDOT? Quinn said they have completed their TIS study. David Auger would like a letter from the city stating that the city doesn't require curb and gutter. Ernie said UDOT gave approval except for the slope easement. They expect full approval. The area is being regraded and it may take UDOT a few more months to grant approval. Chuck said they would put in a signalized entrance in phase 2, South of the Chevron Station. Ernie said UDOT has reviewed the document and has given them a thumbs up. Ernie said the document has been signed and returned to UDOT.

Mayor Leonhardt asked if they had received anything from the county stating that they can use the county road. Chuck and Ernie said that was done 2 months ago. The county asked that the road be upgraded. Chuck and Ernie said it will be asphalted with curb and gutter to the end of Bear Lake Vista's property.

CM Menlove asked for more details about the signalized light. CM Menlove and Mayor Leonhardt said UDOT was against a signalized light in their conversations with them. The mayor is against a signal there, and thinks it will be a traffic nightmare. Ernie sent the UDOT agreement to the mayor during the meeting. UDOT has the jurisdiction whether or not there will be a signalized light. Mayor Leonhardt thinks a turning lane would be a better option.

Chuck mentioned they would still be interest in a PID for this development. Mayor Leonhardt asked him to wait until the city has the governing document in place.

Mayor Leonhardt looked over the agreement from UDOT. He asked them to send him the contract from the county for Dee Drive.

Discussion about short-term rentals in Bear Lake Vista's CC&R's.

Council Member Parry made the motion to approve the Final for Phase 1, Bear Lake Vista's, acceptant on the country agreement for Dee Drive. Council Member Hansen seconded the motion. A vote was taken: Council Member Hansen, for; Council Member Menlove, for; Council Member Parry, for; Mayor Leonhardt, for. Motion Carried.

b. Request approval of Final for Phase 2 of 2nd North PUD, Mark Smoot

Lance said the condition from Planning Commission was for a path or sidewalk located on the north side of the property.

Mayor Leonhardt read the comments from the engineer. Update subdivision name to match what's on the top of the plat, street improvements, sidewalk and pavement. CM Hansen asked if lot 7 complies with the minimum lot size, which is 6,000 sq ft. Lance said there are 3 existing buildings that do not meet the setbacks, but any new buildings will need to meet the setbacks.

Mayor Leonhardt said the city does not need to do anything with 200 north. The developer needs to come up with a plan and go to the city. Lance said any parking will be done by the developer. As per city ordinance there needs to be a sidewalk. The bike path needs to be moved to the north of the street. The city is willing to work with the developer and make it better. Mark said there may need to be a stop sign by 1st west where the bike path will cross 200 North. Mayor Leonhardt said the city is willing to partner up and help.

Council Member Menlove made the motion to approve the Final for Phase 2 of 2nd North PUD with the same condition that came forward from Planning Commission with a non-motorized path on the North side of the road. Council Member Parry seconded the motion. A vote was taken: Council Member Hansen, for; Council Member Menlove, for; Council Member Parry, for; Mayor Leonhardt, for. Motion Carried.

7. Resolution Discussion/Approval

- a. Resolution #R22-08, A Resolution Updating the Garden City Building Permit Plan Review Fee.

Glen said the price needs to be set so it's not going to cost the city. Some plans get returned and go through multiple plan reviews, which is costing the city money. The building inspector charges a plan review fee every time they see the plans. Mayor Leonhardt asked Glen to find out what the fee is and if there will be any changes coming up. Mayor Leonhardt asked that this resolution comes back next month when they know the cost or any fee changes.

No motion was made.

8. Ordinance Discussion/Approval

- a. Approval of Ordinance #22-17, an Ordinance adding commercial parking lots as a Conditional Use Permit to C-2 and C-3 zones.

Council Member Menlove made the motion to approve the Ordinance adding commercial parking lots as a CUP to C-2 and C-3 zones. Council Member Parry seconded the motion. A vote was taken: Council Member Hansen, for; Council Member Menlove, for; Council Member Parry, for; Mayor Leonhardt, for. Motion Carried.

- b. Discussion only:

- i. -12% grade

CM Hansen said go with a 12% maximum. Riley is concerned about the grade. Mayor Leonhardt asked what fire code is, and Quinn said it is 10% grade. Road material comes into effect. Private or public road could be a discussion. Mayor Leonhardt would like to talk to the fire chief to see what he thinks. CM Hansen said Sweetwater Parkway on the north side is an example of a steep grade, and he hasn't heard any complaints about the steepness. Quinn said he measured Hodge's Canyon and it was about a 14% grade. CM Hansen said it's difficult to keep an 8% and 10% grade on the mountain subdivisions. CM Menlove is comfortable with the 10% grade and a 12% grade for short distances. Mayor Leonhardt is going to get the opinion of the fire chief and Riley.

- ii. -Ordinance on Filming Restrictions

Mayor Leonhardt is making note of this.

- iii. -Resolution to fine for occupying before Certificate of Occupancy.

Deposit will not be given back if they occupy before C of O is given. Mayor Leonhardt thinks this is already in the ordinance. Glen later said it's located in section 11C-101D2.

- iv. -Resolution changing how we pay the building inspector and his fees.

Mayor Leonhardt said they already discussed this.

9. Short-term Rental Discussion/Approval

- a. Natasha Roe, Legacy Beach
- b. Trace Todd and Shane Barthlome, 530 Richland Valley St.
- c. RWS Properties LLC, 542 Richland Valley St.
- d. RWS Properties LLC, 538 Richland Valley St.
- e. Mike and Kim Howard, 190 S Bear Lake Blvd.
- f. Giac and Jill LLC, 529 Richland Valley St.

Council Member Menlove made the motion to approve the short-term rentals. Council Member Parry seconded the motion. A vote was taken: Council Member Hansen, for; Council Member Menlove, for; Council Member Parry, for; Mayor Leonhardt, for. Motion Carried.

10. Miscellaneous

- a. Discussion of future roads in Garden City.
Mayor Leonhardt said the city needs to think ahead and be proactive, but it's just a planning map and isn't set in stone.
- b. Mayor Leonhardt mentioned the open house for the marina expansion next week at 5:00pm.
- c. Shar asked about the bus stop in Buttercup. Someone asked about it being moved because no one is using it. CM Parry said the kids are still using it.

11. Council Member Reports

CM Parry – Mayor Leonhardt gave CM Parry an update on the pool. It's hard to get the lifeguards to work. Rich has let his lifeguard certificate lapse. Glen is the pool operator as far as chemicals. Rich is no longer working for the city. The pool has been closed due to lack of lifeguards. Pool will be open Thursdays from 5-9, Friday and Saturday 9-5. There may be some other potential lifeguards. The hot tub is currently down, but Glen is waiting for a pump to fix it. CM Parry will write the schedule and stay in contact with the lifeguards.

CM Menlove– He is on the school board agenda this month. He will also be attending a trails seminar in December.

CM Hansen – He is grateful for the help during the waterline break. The guys were prepared with parts and worked together. The repair parts have been restocked. CM Hansen asked where the city is with the damages? Mayor Leonhardt said a claim has been started. The city is working on collecting all the damages then get it billed to the insurance.

CM Menlove said there is still gravel on the neighbor's lawn. Mayor Leonhardt is going to check with Atlas on that clean-up.

CM Hansen gave an update on the south well. They rescheduled the meeting. The pad had to be expanded and it shouldn't be long until they start drilling.

CM Hansen said the library needs 2 new board members. Carol Hirchi and Michelle Thompson. CM Hansen would like an approval for those board members. Mayor Leonhardt

asked for a temp approval, and put the formal approval of the board members on the agenda for next month to make it official.

CM Hansen wanted to express the love and sympathy for Cathie and her family and for Pat and Martin.

12. Payment Vouchers

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

13. Adjournment

There being no further business, Council Member Parry made the motion to adjourn. Council Member Hansen seconded the motion. The Town of Garden City Town Council Meeting was adjourned at 7:19pm.

APPROVAL:



Michael Leonhardt, Mayor

Attest:



Cathie Rasmussen, Town Clerk

