

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

The Garden City Town Council held their regularly scheduled meeting on November 12, 2009 at the Garden City Office, located at 69 N. Paradise Parkway, Building A. Mayor Hansen opened the meeting at 5:00 p.m.

Roll call of Council Members Present:

Kenneth Hansen, Mayor  
Brian House  
Bess Huefner  
Mike Leonhardt  
Laraine Schnetzer

Others Present:

Kathy Hislop	Brian Lyon
Anita Weston	Tammy Calder
Bobbie Coray	Frank Smith
John Spuhler	Dennis Bullock
Riley Argyle	Scott Gough
Dan Turner	Doug Griffin
Brent Thornberg	

Mayor Hansen asked for a roll call of the Council Members present, Mayor Hansen, Council Member House, Council Member Schnetzer, Council Member Leonhardt, and Council Member Huefner.

**APPROVAL OF MINUTES**

Special Town Council meeting held on November 10, 2009, Election Canvass

Council Member Huefner made the motion to accept the minutes as written. Council Member House seconded the motion. All in favor and the motion carried.

### Special Town Council meeting held on October 15, 2009

Council Member Leonhardt made the motion to approve the minutes. Council Member Schnetzer seconded the motion. All in favor and the motion carried.

### Regularly scheduled Town Council meeting on October 8, 2009

Council Member Huefner made the motion to accept the minutes as written. Council Member Leonhardt seconded the motion. All in favor and the motion carried.

## **TOWN ENGINEER REPORT**

### Treatment Plant

Mr. Jason Linford sent in a report for the Council to review. Mayor Hansen explained that we had a meeting with the treatment plant contractor and it doesn't appear that it will come on line before the first of the year. It may be possibly February for the start up, depending how everything comes together. The state is working with us on the time extension.

The tank is complete and the building is dried in and they are working on the interior piping. On December 15<sup>th</sup> the power installation will finally be complete. January 11, 2010 Pall Corporation will arrive to begin the filter installation. There are 109 filters total. The filters have to be shipped full of water or they will shrink and break. They will make sure everything is in place and train the employees before they leave. The plant must be on line before the next runoff in the spring.

### Paradise Parkway to Buttercup

The plans for this section of Paradise Parkway are about 50% completed. We are using the topographical photography from the BLSSD and Mr. Bryce Nielson will let us do the environmental survey that they are using.

### Water Bank

We have the names and addresses for all the vacant lots within our system and we will need to draft a resolution to charge the standby fee.

### Buttercup Roads

The roads were inspected on Tuesday and they need a few repairs. Mayor Hansen said that the pavement is actually in really good shape. There are only 2 places that need attention. Mayor Hansen said that the biggest concern is the shoulders, it is undermining the pavement.

Mr. Linford is going to come up with some cost estimates to repair the roads and then we can discuss the repairs that need to be done with the HOA.

### **BUILDING INSPECTOR REPORT**

Mr. Abraham was not in attendance but he did fill out a report and sent it on to the Town Council for their review.

There have been 4 permits issued in October. The driveways for the new homes in Gus Rich Lane is not an issue for us because it is in a private subdivision.

### **PUBLIC WORKS REPORT**

Mr. Argyle explained that Mr. Ken Sheffield, from Meterworks, changed out some of the bulk meters so they will be readable, they changed the 2" up to 6" meters. They won't replace any of the bulk meters just the lid with a new register. Mayor Hansen said that he wants to know what the cost will be before he does any of the changes. He will also program the meters that are on the neptune system already so they won't have to be changed.

We are down to about 200 meters left to change out, down from about 800 meters. They are still fixing leaks and repairing lines. They hope to finish with the meter project before the winter.

They have the salt and sand ready and the plow trucks are ready for the snow plowing.

They have been working on the ice skating rink. The power poles are up and need the lights to be put on the poles. They are going to unroll the liner next week and asked for all the help from everyone to help get it unrolled.

They did find the water line that will service the ice rink. The ice rink is a little larger than the liner but Mr. Bryce Huefner will donate some plastic liner that we can use for the rest of the ice rink. Mayor Hansen said that he is a little concerned about the water leaking through the seal.

### **PROPERTY SURVEY, Brent Thornberg**

Mr. Thornberg explained that the house on their property is about 2 feet onto the city right of way. Council Member Huefner said that with the curve of the hill you really can't build the road any closer to the house. She suggested that Mr. Thornberg remove the logs, which are next to his house, because they are obviously on the city right of way.

Mayor Hansen said that the solution is to start by the corner at the highway and do a boundary line agreement down to the east property line. Council Member Huefner asked if we are setting a precedence. Mayor Hansen said that it would just be to correct the property lines in the town.

Mr. Thornberg said that he is requesting that we work with him on this issue, he can't sell the house the way it is right now. He said that he has physically measured from every direction. He is requesting that Garden City deed him 10' of property to make the house legal.

Mayor Hansen suggested that we go from the edge of the house and give him 8 feet so he will be in compliance with the town ordinance. Council Member Leonhardt agreed that we need to take care of the situation. Council Member Huefner said that she is okay with that as long as we don't set a precedence. It would make the road 89' wide instead of 99' wide, so it would still be a nice wide right of way.

Mayor Hansen said that he is going to have the town attorney look at this and give his opinion. The Council agreed with that.

Council Member House said that we need to let Mr. Vanwagonen know what is going on because it will affect his property also.

### **SUBDIVISION DISCUSSION/APPROVAL**

Mayor Hansen declared a conflict of interest with this issue so he left the room, he turned the discussion and approval over to Council Member House. Mayor Hansen did state that before any plats are signed or recorded all the water issues will be resolved.

Dan Turner explained that he is the engineer of the project. Phase I is just the 2 lots next to the highway. Council Member Huefner said that she doesn't know what the needs will be for access off of the hwy since they are 2 commercial lots. She said that the accesses will cross the bike path. Will both lots require an egress and an ingress? The Council determined that the ordinance doesn't require both for each lot.

The Council discussed allowing only 1 access between the 2 lots. That would keep the traffic to a specific area and not spread out over the entire frontage. They will have to work with UDOT on access of the highway. They will need a defined access.

Council Member Huefner made the motion to accept phase I of the Ridge at Shundahai comprising the 2 lots with the recommendation that we use a road easement between the 2 lots so that there is only one access through the bikepath. Council Member Schnetzer seconded the motion. All in favor and the motion carried.

We also need to make sure the Town Engineer's comments are addressed.

### **DISCUSSION REGARDING THE ROAD PAST ELKS RIDGE, Bryon Lyon**

Mr. Dennis Bullock explained that they would like to construct a right of way up through property he owns above Harbor Village and Elk's Ridge. He explained that there really isn't a good way to

get 2 accesses back there and keep close to the grade that the city requires. The property owners all agreed to do a 30 foot road with a 100 foot right of way. They feel that would be a main artery road that all the property owners can take their accesses off.

This access would come off of the Elk's Ridge Subdivision road.

Mayor Hansen said that he feels like we are going on the right track with this. We need to get both the Garden City and the County Planning Commissions together so that we are on the same way to approve these subdivisions.

**DISCUSSION REGARDING FUNDING OPTIONS FOR PARADISE PARKWAY GOING SOUTH, Dan Turner, PEPG Engineering, LLC.**

The Council reviewed the proposal submitted by Dan Turner, PEPG Engineering, LLC. regarding Paradise Parkway. Mr. Turner explained that he went through a process to quantify the amount of what the costs of construction will be for this project.

He said that the proposal is to find funding for the construction of Paradise Parkway. This would be a valuable project. He said that he has worked with UDOT and the Appropriation Committee and feels like he could get the funding for this project.

Mr. Turner was asked to discount the conceptual fee from \$15,000 down to \$12,000. Mr. Turner said that he will discuss that request with his partners and get back with us. The application is due by December 31, 2009.

**COMMUNITY DEVELOPMENT BLOCK GRANT**

The Council discussed the 2009 Capital Improvement Plan and made additions and deletions according to projects that have been completed.

Council Member Huefner made the motion to accept the capital improvement plan as amended. Council Member House seconded the motion. All in favor and the motion carried.

**SHORT TERM RENTAL DISCUSSION/APPROVAL**

695 Cambry Drive, Harbor Village, Paul Bangerter

Council Member Huefner made the motion to accept Ginger and Chuck Stockings application with the occupancy as indicated by the Town Building Permit, 34. Council Member Leonhardt seconded the motion. All in favor and the motion carried.

1085 S. Bear Lake Blvd., Ironwood Holdings, LLC.

No action on this rental, it will be sent back to be inspected and for more information. We also need a contact person within 15 minutes. Etc.

### **ORDINANCE DISCUSSION**

#### **Chapter 8-600, Short Term Rental Ordinance**

The Council reviewed the Short Term Rental Ordinance and felt that it was still a good ordinance. They made a few minor changes to the ordinance and it will be back on the agenda next month for approval.

#### **11A-200-B-54**

The Council reviewed the definition for grade and changed the paragraph to read better. This ordinance will be back on the agenda next month for approval.

### **MISCELLANEOUS ITEMS**

#### **Donation for Humanitarian**

The Council agreed that we should donate \$500 to the Garden City humanitarian projects. The Quilters donated the quilt for the Christmas party to be raffled off for the Sub for Santa. It is good for us to donate to a good cause.

Council Member House made the motion to donate \$500 to the humanitarian efforts. Council Member Huefner seconded the motion. All in favor and the motion carried.

#### **Quilt Raffle Money Donation**

The Council agreed that have little children who are going to need help so we need to continue to give the money to the Sub for Santa program.

#### **Banner for the Rich High Booster Club**

Mayor Hansen said that we should get a new banner with the new graphics and also pay \$100 to have it hung in the Rich High gym, as we have in the past.

### **COUNCIL MEMBER REPORTS**

Mayor Hansen stated that we made a commitment to Mr. Ned Calder to build a road to his property, which we really need to fulfill. He allowed us to purchase his property at a reduced price in exchange for the road.

The Council discussed renovating the bathroom in the garage for the ice rink. They will meet next Tuesday to discuss what needs to be done.

Council Member House made the motion to go into executive session at 8:25 p.m. Council Member Huefner seconded the motion

**EXECUTIVE SESSION**

These minutes will be kept separately.

The Executive Session was closed at 8:50 p.m.

**ADJOURNMENT**

There being no further business to discuss, the Council meeting was closed at 8:55 p.m.

APPROVAL:

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Kenneth Hansen, Mayor

Attest:

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Kathy Hislop, Town Clerk