

Lake Point City Council Minutes

Date: Wednesday, April 12, 2023

Place: Lake Point Fire Station 1528 Sunset Rd Lake Point, UT 84074

Time: 6:00 PM

1. **Call to Order-** 6:06pm
2. **Prayer-** Chaelea Allred
3. **Pledge of Allegiance-** Regina Nelson
4. **Presiding Officer-** Jonathan Garrard
5. **Attendance Roll Call-** Jonathan Garrard

Lake Point Council & Staff (C=Council)	Public	Public
Jonathan Garrard (Chair)	Regina Nelson – Sheriff's Dept.	
Ryan Zumwalt (Vice Chair)	Rhondalyn Garrard	
Dan Crawford (C.)	Eric Peterson	
Kathleen VonHatten (C.)		
Doyle Garrard (C.)		
Jamie Olson (RCDR)		
Rob Patterson (Attorney) left at 11:08pm	Chaelea Allred- PZ secretary	

6. **Legal Training – Rob** (recording 3:15 recording)
 - A. (Ryan) asked about public records and records being given to the council, so the council can understand public GRAMA and Council GRAMA.
 - B. Rob- explained GRAMA and how it works. All records recreated are public and have classifications and there are rules for sharing records internally with government entities. Internally records can be requested and shared. Items might not be shared if it involves the lawyer, depending on circumstances.
 - C. (Jonathan) asked what typically happens in other cities.
 - D. (Rob) Typically if there is a request that isn't routine, it is channeled through one person, Usually the Mayor. Then that person works with staff. Lake Point doesn't have a mayor, so it can be done differently.
 - E. (Jonathan) asked if a policy could be made to address this so potential abuse of time doesn't happen.
 - F. (Rob) it could be a policy; the question is who manages staff? Rob explained Lake Point's current policy on the chair, or 2 council members can approve something. But if a council member wants something they could request it. It might be good to create a policy esp. when you have more staff.
 - G. (Ryan) expressed that even if there was a concern of abuse any council member could make a GRAMA request and it would need to be filled by law. But we are trying to avoid that because it's a normal course in government.
 - H. (Jonathan) is worried about the time it takes and the need to cut back on hours at some point.
 - I. (Ryan) asked about investigative files on an employee and them being not public until there is discipline.
 - J. (Rob) explained employee records that are public and that employee discipline records that are completed, are public.
 - K. (Dan) asked what happens when the Public has a GRAMA request for a member of the council.

- L. (Rob) those go to the Recorder, and she reviews it and Rob continued to explain the process of appeals.
 - M. (Ryan) asked if the GRAMA request was concerning the Chair, does the chair still review it as the appeals officer.
 - N. (Rob) yes, and Rob explained the multiple levels of the appeals process and gave examples. (14:40 recording)
 - O. (Doyle and Kathleen) asked Rob for a Franchise agreement that might be good to have when they meet with the water company.
 - P. (Ryan, Kathleen, Rob) quickly discussed sending the ordinance 2023-05 to take to the meeting also.
7. **Public Comment-** (18:50 recording)
- A. Motion-Dan to open Public Comment, Doyle 2nd
 - B. Vote was unanimous approved
 - i) Rhonadalynn Garrard
 - 1) Rhondalyn is concerned about business licenses. She came in once before and opposed what the council had, because it was intrusive and now it is turned into commercial, and it looks the same, and it makes me nervous.
 - C. Motion- Kathleen to close Public Comment, Dan 2nd
 - D. Vote was unanimous approved
8. **Approve the Minutes-** (21:30 recording)
- A. (Jonathan) asked Rob about posting Draft minutes and the timeline requirements. Rob gave an explanation and there were a couple more related questions Rob answered.
 - B. (Jonathan) explained the deadline for the Mar. 15 minutes is coming and there was another edit suggestion from a council member emailed to the council that day.
 - C. (Rob) gave suggestions on how to proceed and obey state requirements.
 - D. Discussion on posting Draft minutes and timeline.
 - E. (Jonathan, Ryan) reviewed the versions and edit suggestions and email timelines (26:45- 35:50 recording)
 - F. Council continued discussed further. (35:50-43:20 recording)
 - i) Motion- Jonathan- to post the original draft so we can meet the requirement and we continue working on this specific minute item. Dan 2nd
 - 1) (Kathleen) wanted to advise the recorder to continue working on minutes
 - 2) (Doyle) had concerns with the large green section
 - 3) (Ryan) expressed concerns with his edits not being added and being back at this again any time he wants edits
 - 4) (Dan) expressed needing the time to review his edits and not wanting to vote on something he hasn't read and reviewed and the extra work it creates.
 - 5) (Ryan) asked what the instruction for the recorder was when she is emailed edits.
 - 6) (Dan) think that things should be limited, and if it doesn't work then we change it up until it works.
 - 7) (Ryan has his edits as a public comment as a record and they can be attached if you vote on Jamie's original minutes.
 - 8) (Doyle) asked Ryan for some clarifications on the color scheme and resend it so it's clear.
 - (a) Roll Call Vote-Jonathan Yea -Ryan Yea -Dan Yea -Kathleen Yea -Doyle Yea
 - (i) (Doyle) understanding we still need to have a discussion on this.
 - G. Motion-Ryan to approve the minutes March 28, 2023. Kathleen-2nd (50:30 recording)
 - i) Vote was unanimous approved
 - H. Motion – Ryan asked that we have access to the minute to review when they begin being edited through a Google shared document where we don't edit but we put notes to the side, like we do as a council, allowing us to be more timely in reviewing each other's notes as they are being created. Pause my motion. (53:00 recording)
 - i) (Ryan) withdrew his motion but would like to approve that, but wants to discuss any concerns.

- ii) (Jonathan)- expressed concern, minutes are being created in this meeting, and then they are listening to a recording and council has no idea where they are at in the recording in the minutes.
 - iii) (Jonathan) thinks we should leave our staff with confidence that they can do their work.
 - iv) (Jonathan) asked Rob if he had ever seen anything like this before?
 - v) (Rob) has never seen a live edit of minutes or commenting on minutes. Typically, recorders take notes during meetings esp. motions. Recorder goes back and make a draft minute and then post it and then at the same time send it out to the council. Rob explained the recorder's job on minutes. Council could create policy on what they want done.
 - vi) (Kathleen) expressed concern about the logistics of a working minutes draft (57:37 recording)
 - vii) (Ryan) concerned with the lack of response on the progress of minutes.
 - viii) (Doyle) concerned council is giving so many directions to the recorder she isn't able to do her job.
 - ix) (Ryan) wants to find efficiency and gave the example of the recorder spending hours on some minutes and then hours into the meeting the council said to summarize, and should she wipe all she worked on out.
 - x) (Kathleen) understood why, that meeting happened a while ago and she didn't remember that was said.
 - xi) (Jonathan) that was not voted on to summarize into one sentence a 2-hour discussion. It's not transparent to the public
 - xii) (Jonathan) it was in council updates and council can't vote on items. They can bring something back to add it to the next agenda in an action item
 - xiii) (Ryan) expressed concern with not wanting to vote on everything and it being inefficient. Counsel has said the council doesn't have to vote on administrative items.
 - xiv) (Ryan) expressed he doesn't have a problem with Jamie and how she is doing her job.
 - xv) (Jonathan) would like the votes so it's clear-cut.
 - xvi) Council and Rob discussed "administrative" and what that means, agenda items relating to voting, voting/decisions on administrative items. (1:03:00 – 1:19:00 recording)
9. Reports/Presentations (1:19:00 recording)
- A. Sheriff Report- Regina Neilson
 - i) Delivered monthly stats for Mar 2023
 - ii) See Exhibit A
 - B. Treasurer's Report (1:21:50 recording)
 - i) Doyle presented the treasurer report
- 10. Action/Business Items**
- A. Contract for Deputy Recorder/Secretary for P & Z (1:30:55 -2:19:00 recording)
 - i) Council went through a drafted contract and cleaned it up for approval.
 - ii) Motion- Dan to move forward to approve secretary of commission per attorney review and Chaelea Allred review this next weekend.
 - iii) Motion- Dan – to move forward on secretary over the commission contract agreement for review from attorney and Chaelea Allred until next council meeting to move forward to a vote.
 - 2nd Kathleen (2:20:40 recording)
 - 1) Passes unanimously
 - B. Commercial Business License (2:22:00 recording)
 - i) Council reviewed Ordinance 2023-02 Working Draft Business License no HBB (Home Based Business)
 - 1) (Jonathan) went over his concerns which were as follows
 - (a) Clarifying this is Commercial Business Ordinance
 - (b) He had some strike-throughs in a section where agriculture is mentioned.
 - 2) (Ryan) concerns

- (a) (Ryan) Wants to set it all (business licenses) up now so we can take care of the home-based business licenses before June 1st. So, we can set up all fees, rules or no rules
- (b) (Ryan) This is just not commercial or commercial zoned property and things in the city that need to be regulated, commercial operations being done out of a home, rentals, sexually oriented, alcohol. Tackling amendments to fees and software in chunks
- (c) (Ryan) Wanted to tackle the whole package at the same time
- (d) (Jonathan, Kathleen, Dan) that's what we had discussed last week was to do them separately.
- (e) (Jonathan) we will be doing alcohol in this ordinance because it is part of commercial.
- 3) Council discussed Ryan wanting to do all business licenses at the same time and not separating them.
- 4) (Rob) explained alcohol classifications and answered council questions (2:37:22 recording)
- 5) Council discussed separating out commercial from home based (2:45:20 recording)
 - (a) (Jonathan) wants to separate them
 - (b) (Dan) wants to separate them
 - (c) (Kathleen) wants to work on Commercial separate and wants to have public input on home-based business
 - (d) (Ryan) wants to do them all together and we can create a draft ordinance and then present that to the public
 - (e) (Kathleen) agrees to go to the public with something on home-based business and get as much feedback as possible.
 - (f) (Doyle) thinks commercial is an easy knock off and to get that one done.
- 6) (Jonathan) reviewed what his suggestions on this commercial draft so they knew what needed to be discussed.
- 7) Council started on edit suggestions
- 8) Council discussed adding the word "commercial" in front of "business (2:55:20 recording)
 - (a) (Ryan) requested a vote on adding commercial before the word business.
 - (b) (Doyle) is okay with the word commercial.
 - (c) (Ryan) we don't have to do a vote.
 - (i) (For the Record)- Ryan is opposed to adding the word commercial in front of the word business throughout the entire ordinance. (2:57:20 recording)
 - (d) (Jonathan) clarified that the word commercial was not added in front of all of them, most of them but not all.
 - (e) (Ryan) had an edit addressing the commercial business being conducted out of a home. Council discussed commercial zone and commercial business in a residential zone.
 - (f) (Kathleen) we can address the commercial business in residential zone later.
 - (g) (Ryan) (For the Record)- opposed to that one also because I don't want to disable any commercial business licenses for the city on residential property.
 - (h) (Dan) if we do this all together it will take even longer. Point taken.
 - (i) (Kathleen and Dan) wishes we could do it all together, but it would take forever.
 - (j) (Ryan) we could, you're choosing not to.
- 9) Council moved on to more edit suggestions
 - (a) (Rob)- (3:04:20 recording) explained how defining home occupation rules and defining commercial, shows where businesses are allowed. Typically, most cities write it broadly so they can capture business.
 - (b) Council discussed the example of contractors possibly needing a business license that is working out of their homes.

- (c) (Rob) reviewed Jonathan's suggested verbiage and explained his understanding of the council's intent and Jonathan's verbiage accomplishes the intent.
 - (d) Four council members were okay with the corrected verbiage. Ryan was not okay with it.
 - (e) (Ryan) (For the Record) also opposed due to unregulation of issues that could cause health, safety, and welfare issues for the community public of already existing people that have licenses and other things outside of the definition of this ordinance (3:12:00 recording)
 - (f) "Commercial Site" definition verbiage was discussed with Rob.
 - (g) Council discussed and clarified some other verbiage.
 - (h) Agriculture was discussed and different scenarios that may be affected by the verbiage in this draft. (3:25:00 recording)
 - (i) Council deleted some verbiage and will address it in the home occupation-based business. (3:35:00 recording)
 - (j) (Ryan) (For the Record) You should never make an ordinance that you have to come back to for a single use case where something goes wrong.
 - (k) (Ryan) had a note in the draft.
 - (l) (Ryan) (For the Record) I'm looking at all these on things that we can leave in and there's no cost we just permit them verses we are regulating and I want to continue to stress where I'm coming from is being aware of what's out there for health welfare and public safety, so that neighbors are okay with maybe something next them, but I'm not saying, charge them fees, charge them fines, charge them this, enforce them all the time. I just want to keep going. That is why that note is in there. None of my things have to do with necessarily from my standpoint. I think there are a lot of things I would exempt from fees for permitting.
 - (m) Food Trucks regulation discussed. (3:37:00 -3:44:00 recording)
 - (n) Council discussed the Solicitors section. (3:44:00-4:04:00 recording)
 - (i) Permit Fee
 - (ii) Background checks
 - (iii) Cost of time for the recorder
 - (iv) No solicitor's signs.
 - (v) No P.O. boxes
 - (o) (Ryan) had some verbiage to strike out. Council removed the verbiage.
 - (p) Alcohol was discussed, as to whether to address it now or wait. (4:08:00 – 4:18:00 recording)
 - (q) Council advised Rob on some directions for an Alcohol license.
 - (r) Motion- Kathleen to table Ordinance 2023-02 Commercial Businesses within Lake Point until next week until the sale of alcohol can be added to the ordinance and that is all we will be reviewing. Doyle 2nd
 - (s) Passed Unanimously
- C. Waste Contract- Kathleen didn't get a response so this needs to be
- i) Add to next week's agenda,
 - ii) Motion - Doyle to table the waste contract until we have confirmation from ACE to move forward. Dan 2nd
 - 1) Passed Unanimous
- D. Firework discussion/plan (4:19:36 4:34:10 recording)
- i) (Kathleen) contacted several people to get clarification. We need a map by the end of May, and we can give authority to the North Tooele Fire Dept. But Kathleen will need more clarification. On the map, we can determine where we will permit fireworks and list reasons why we don't permit fireworks. Kathleen will continue to work on this item and get clarifications for next week's agenda.
 - ii) Motion - Doyle to table the fireworks discussion plan until the next meeting. Dan 2nd

- iii) Passed
- E. Value/mission statement (4:34:10 recording)
 - i) Kathleen went over a few ideas for the vision statement
 - 1) (Kathleen) We will need one for the General Plan
 - 2) (Kathleen) there could be a value statement for the city and also the council.
 - ii) Motion- Dan- to table and add value/ mission statement for Google review to have time to look over it and make changes and bring it back quickly for it to be voted on. Doyle 2nd
 - 1) Passed Unanimous
- F. Lake Point Planning & Zoning Chair & Vice Chair Responsibilities (4:39:20 recording)
 - i) (Dan) Adjusting the policy for Planning and Zoning and contacting the attorney.
 - ii) Discussion on adding the Chair and Vice-chair to contact the Attorney instead of just the Chair for Planning and Zoning
 - iii) Motion- Ryan to amend the Lake Point Planning and Zoning Chair and Vice Chair Responsibilities for sections 9 and 10 as discussed. Dan 2nd (4:53:55 recording)
 - 1) Approved Unanimous
 - iv) Motion- Dan LPCC amends the same verbiage for the Planning and Zoning Chair and Vice-chair per discussion to our meeting policy. Kathleen 2nd
 - 1) Approved Unanimous
- 11. **Attorney Clarification** -for any items in Council Update, so we may efficiently dismiss legal (4:56:20 recording)
 - A. (Kathleen)- had a question concerning Grants and the Federal Reimbursement Fund.
 - i) Rob- explained NIMS and funds for training
 - ii) Rob- will look into Federal Reimbursement Fund further.
 - B. (Dan) asked Rob about and getting a Prosecutor and Defender
 - C. Counsel is leaving 11:08pm
- 12. **Council Updates**
 - A. Jonathan Garrard (5:02:20 recording)
 - i) Election materials/items coming up
 - 1) Jamie will head this up and communicate with Jonathan and keep the council informed.
 - B. Kathleen VonHatten (5:05:30 recording)
 - i) General Community Notification
 - 1) Creating an Emergency Management Page on the Website.
 - ii) Emergency page on the website
 - 1) Discussion on potential flooding.
 - iii) (Kathleen) needs to know who is meeting with Chris next Monday or when would work.
 - iv) IWorq's demo update
 - v) Property Tax needs to be adopted
 - C. Doyle Garrard (5:34.45 recording)
 - i) SR-36 center barriers update. Evening work, most of the detours will be in the evening.
 - ii) Canal Cleanout
 - 1) Council discussed the cost in cleaning out the E.T. Canal of debris.
 - D. Dan Crawford (5:56:40 recording)
 - i) Mike Hansen- schedule 101's for P & Z training.
 - ii) Insurance Trust- Budget in 5-10% on insurance renewal because of hiring commission secretary
 - E. Ryan Zumwalt (6:01:27 recording)
 - i) Permits- questions about a series of 17 permits that were withdrawn from the county.
 - ii) Requested communications and info on the upcoming post-moratorium permit requests.
- 13. **Public Comment** (6:08:02 recording)
 - A. Motion- Dan to open Public Comment. Kathleen 2nd
 - B. Vote was unanimous approved

- i) Chaelea Allred- the gentlemen that came in Eric Peterson owns Omega Carpet and wanted to offer help with basement flooding. He lives in Lake Point and is willing to help where he can. He is very kind and was the one that donated water at the sandbagging party.
(06:08:54 recording)

C. Motion- Dan to close Public Comment. Kathleen 2nd

D. Vote was unanimous approved

14. Adjournment Motion - Jonathan 12:19am

Note-The minutes may include a summary of what was discussed and are not intended to be verbatim. All public meetings have an audio recording, time stamps are included in the minutes to help the public find where certain topics were discussed. Please see the audio recording of this meeting for a full audio record of the meeting.

Note- Additional information concerning meetings including agendas, minutes, recordings, written/typed public comment, other distributed materials, ordinances, resolutions, public notices and how to sign up for notifications on the Public Notification Website, can be found at <https://lakepoint.gov> under Departments-Recorder.

PASSED AND APPROVED but the Council this 7th day of June, 2023


Chair

ATTEST:


Jamie Olson, City Recorder

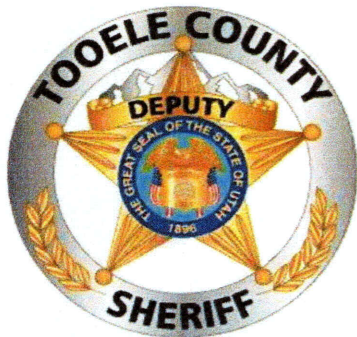


Exhibit A
2023.04.12

Tooele County Sheriff's Office
Sheriff Paul J. Wimmer

1960 South Main
Tooele, Utah 84074

Lake Point Monthly Report

March 2023 Stats

Total Details (62)

Arrests (2)

Citations - City (5)

Total Citations (21)

Significant Incidents for March:

March 20th, 2023, Deputy investigated a theft of a white V-style goose neck horse trailer on Pheasant Lane. The trailer was later recovered in Grantsville and a suspect was identified. Case assigned to Investigations Division.

No other significant incidents.