

Lake Point City Council Business Minutes

Date: Wednesday, Sept 13, 2023

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

Time: 6:00 PM

1. **Call to Order-** 6:00 pm
2. **Prayer-** Dan Crawford
3. **Pledge of Allegiance-** Ryan Zumwalt
4. **Presiding Officer-** Ryan Zumwalt before 6:32 pm, Jonathan Garrard after 6:32 pm
5. **Attendance Roll Call-** Jonathan Garrard

Lake Point Council & Staff (C=Council)	Public	Public
Jonathan Garrard (Chair) arrived at 06:32 pm	Lori Chigbrow	
Ryan Zumwalt (Vice Chair)	Sargent Bleazard-Sheriff's report	
Dan Crawford (C.)	Chief Nunn	
Kathleen VonHatten (C.)	Buck Peck	
Doyle Garrard (C.)		
Jamie Olson (RCDR)		
Rob Patterson (Attorney) left at 11:40 pm		

6. **Public Comment-**
 - A. No public Comment
7. **Approve the Minutes-**
 - A. August 23, 2023
 - B. August 30, 2023
 - i) Motion- Kathleen to approve August 23, 2023, and August 30, 2023. Dan 2nd
 - 1) Roll Call Vote-[Jonathan-Absent] [Ryan-Yea] [Dan-Yea] [Kathleen-Yea] [Doyle-Yea]
 - 2) Motion passed unanimously
8. **Reports/Presentations**
 - A. Sheriff's Report (03:07 recording)
 - i) Sargent Bleazard presented the Sheriff's report
 - ii) The council discussed speed trailer and general city violations.
 - B. NTFD Report- tabled until Chief Nunn arrived (returned to this item at 1:45:35 recording)
 - i) Chief Nunn reported on the calls this last month
 - ii) Report included these and other topics.
 - 1) Call volume.
 - 2) Future plans for staffing, expanding and upgrading this fire station.
 - 3) Structure Fire
 - 4) October 4-5 Chipper Days
 - 5) Railroad and access to the mountain (1:55:00 recording)
 - 6) Fire Marshal Buck Peck addressing Home Based Businesses (2:03:40 recording)
 - 7) Buck explained Fire safety concerns regarding building permits and how the Wildland Urban Interface applies to residents who don't have a fire hydrant near their property. (2:14:54 recording)
 - iii) Council moved back to HBB 9.B. (2:25:33 recording)
 - C. Treasurer's Report (19:20 recording)
 - i) Doyle and the Council discussed the treasurer report

- 1) Money Market Account
- 2) PTIF Account
- 3) Trash and Permit Savings Accounts
- 4) Trash was discussed

9. Action/Business Items

A. Post Moratorium Permit Extensions (32:30 recording)

- i) (Rob) discussed the need to readdress the ILA with the county, referring specifically to the expiration of the ILA agreement. This is related to any permits the county is working on to allow the permits to continue after Dec 31, 2023. The council discussed this with Rob and gave him a direction to go.
- ii) (Dan and Doyle) expressed concerns with warranties on road problems (41:43 recording).
- iii) Joseph Maestas- Basement Finish (1:06:43 recording)
- iv) Joseph Cannon- Basement Finish
- v) Mike Monson- Jamie Reed- Window
 - 1) Motion-Dan to extend to Dec 31, 2023, for all three (listed 9.A.iii., iv. and v.) Doyle 2nd
 - (a) Roll Call Vote-[Jonathan-Yea] [Ryan-Yea] [Dan-Yea] [Kathleen-Yea] [Doyle-Yea]
 - (b) Motion passed unanimously

B. HBB 2nd Draft (1:13:24 recording)

- i) Dan introduced how he wanted to review this document.
- ii) Council discussed this 2nd draft of the Home-Based Business
 - 1) Preamble reviewed (1:16:23 recording)
 - 2) Sales tax (1:20:00 recording)
 - 3) Section 2. Occupation section (1:29:08 recording)
 - 4) Current CUP's (1:40:00 recording)
 - 5) The Council moved to NTFD report (1:45:35 recording)
 - 6) The Council returned to this topic (2:25:33 recording)
 - 7) Traditional Mitigation Plan ideas discussed for expanding HBB's.
 - 8) The requirement of business licenses was generally discussed. (2:28:00 recording)
 - 9) Residence and renting of homes discussed.
 - 10) (Ryan and Dan) Public feedback regarding commercial businesses being run out of residential homes (2:45:30 recording)
 - 11) (Ryan) pointed out the city has had dozens of complaints of commercial businesses running out of homes.
 - 12) (Dan) we have had people give feedback in meetings and open houses saying they don't want the city in their business. Dan asked for facts about the many people who have complained about commercial businesses in residential. If they don't send in a comment or come to the meeting, he doesn't know about them.
 - 13) (Ryan) as an elected official he represents the people that tell him stuff and he raises it in the meeting.
 - 14) Record- Ryan so you're (Dan) saying if they don't attend the meeting their comments don't have value. (2:46:08 recording)
 - 15) (Dan) Expressed he never said that.
 - 16) (Ryan) wanted clarification because Dan said if they aren't at the meeting and they report to their elected official and that elected official comes and reports that, they don't have value
 - 17) Record (Dan) that you don't value the 30-45 people that showed up.
 - 18) Record (Ryan) values everyone's opinion even those that come to us in emails and records outside of the meeting.
 - 19) (Dan) he is going off facts and (Ryan) is going off what-ifs.
 - 20) Section 5. Prohibited Home Occupations (2:49:00 recording)
 - 21) Section 6. CUP's (2:53:20 recording)
 - 22) Things to Work on Section, Food Truck area. (2:56:48 recording)

- 23) Dan will compile a draft combining the 3 drafts and provide it to the Council.
- C. O 2023-20 Signs on Public Property (3:08:07 recording)
- i) Council and Lori discussed items the Planning and Zoning are working on.
 - ii) The Council discussed this Draft of the ordinance
 - iii) Site Triangle (3:21:00 recording)
 - iv) Enforcement Mechanism (3:29:00 recording)
 - v) Signposting time limits
 - vi) Record- Jonathan- I still say 60 days and I think it is a disservice to those who are running for state office. (3:39:30 recording)
 - vii) Motion- Dan to move forward with all modifications per legal counsel and us, for Ordinance 2023-20 Signs on Public Property. Kathleen 2nd (3:48:00 recording)
 - 1) Roll Call Vote-[Jonathan-Nay] [Ryan-Yea] [Dan-Yea] [Kathleen-Yea] [Doyle-Yea]
 - 2) Nay-Jonathan because he wanted it to have 60 days.
 - 3) Passed 4 to 1
- D. O 2023-21 Council Chair Procedure (3:49:07 recording)
- i) Council briefly discussed.
 - 1) Motion- Kathleen passed with the amendments to add the treasurer ending at the year date. Ryan 2nd (3:50:18 recording)
 - 2) Roll Call Vote-[Jonathan-Nay] [Ryan-Yea] [Dan-Yea] [Kathleen-Yea] [Doyle-Yea]
 - (a) Jonathan has heard from the public and doesn't feel comfortable with this way when people are elected into office.
 - (b) Passed 4 to 1
- E. Curb house numbers (3:52:00 recording)
- i) (Ryan) introduced the documents that he had emailed out to the council.
 - ii) The council discussed the two documents.
 - iii) Motion-Ryan to table to make changes discussed.
 - 1) Ryan withdrew his motion and it will be tabled to bring back to a later meeting.
- F. R 2023-25 Fee Schedule (4:06:16 recording)
- i) (Rob) introduced the changes to the Fee Schedule which included the following topics and the Council discussed.
 - 1) Land Use -Impact Fees
 - 2) Right of Way/Excavation Permit
 - ii) Motion-Jonathan R 2023-25 Fee Schedule to approve the land use impact fees as discussed in our meeting and leaving out page 4 until a later time which is Right-of-Way Excavation Permit.
 - 1) Motion fails with no second.
 - iii) Jonathan wanted more time, Doyle wanted to make sure costs were covered, Kathleen and Ryan want to get this through so permits can be issued.
 - iv) The council continued to discuss their concerns with making sure the city is covered if excavation is not repaired properly, costs, bonds, fines, deposits, and more.
 - v) Motion- Ryan- Motion to approve it with all amendments made for all three sections regarding the excavation permit fees and approval to the amendments made to the impacts fees section as discussed in this meeting and counsel. (recording 5:17:00)
 - 1) (Rob) went through the changes he had made through the discussion. 2nd Kathleen after Rob reviewed changes
 - 2) (Doyle) had further discussion asking the Council being open to review this again if there are still concerns.
 - (a) Roll Call Vote-[Jonathan-Nay] [Ryan-Yea] [Dan-Nay] [Kathleen-Yea] [Doyle-Yea]
 - (b) (Dan) I like it but I don't
 - (c) Passed 3 to 2
 - vi) (Council moved to Legal Training 10)
- G. Permits for Roads and other Public Property Excavation (5:37:40 recording)

- i) The council agreed to let Lumen/Fugal decide if they want to go with the county or go with Lake Point to process their permit.
 - ii) (Council moved to Council Updates)
- 10. Attorney Clarification- Legal Training (5:24:00 recording)**
 - A. (Doyle) asked if the city should acquire property, and do we take out a loan?
 - i) (Rob) explained that Government Entities loan by bonds and then explained different bonds.
 - B. (Ryan) asked concerning some comments the fire marshal brought up about setbacks and fire code.
 - i) (Rob) answered these questions.
 - C. Council missed and moved back to 9.G.
- 11. Council Updates**
 - A. Jonathan Garrard (5:45:45 recording)
 - i) General Plan - point of city contact
 - 1) (Dan) is stepping down from being the point of contact.
 - 2) Council discussed who will be take the point and concerns with the direction the General Plan has been and needs to go.
 - 3) Lori Chigbrow from Planning and Zoning and Jonathan will work together on the General Plan with Mike.
 - B. Doyle Garrard (6:10:25 recording)
 - i) (Doyle) Going to meeting with Chris on Friday.
 - ii) (Doyle) did research with the RR-1 designation north of Clinton and Lakeshore with the county and that designation of that parcel.
 - iii) (Doyle) updated on road failures near Grove of Trees Park neighborhood.
 - C. Dan Crawford (6:14:00 recording)
 - i) Bids for Law Enforcement- Rob sent Ryan and Dan some information to go over in case services end.
 - ii) Responsibility/duties and checks/balances for staff – responsibilities, possibly training and doing quarterly reviews.
 - iii) Council discussed scheduling a date for a closed session. (6:19:25 recording)
 - D. Kathleen VonHatten (6:26:52 recording)
 - i) Waste Late Notice and how to do the late notices.
 - 1) For this round just add it to the next bill.
 - ii) Neighborhood clean up
 - 1) Discussed if doing a fall clean up since the Fire Dept was doing Dumpster Days.
 - iii) Emergency training- the county will do a mock disaster for the Council and Kathleen needs to get that scheduled. CERT training was also brought up as a possibility.
 - iv) Tree Removal- citizens have brought up a few problems with some trees and plum trees in the easement.
 - v) In God We Trust- At the ULCT there was a company that promoted posting "In God We Trust" somewhere shown in our meeting. When Kathleen gets the information she will pass it along. (6:38:50 recording)
 - vi) Kathleen wants to postpone the idea of Emergency Night Family Dinner Night idea until spring.
 - vii) Kathleen found out who to send the Oquirrh Mountain Express Way Resolution and gave some further information.
 - viii) Trail meeting is coming up that Kathleen will be attending and needs the Councils feedback
 - ix) Separating COG money up was discussed.
 - E. Ryan Zumwalt
 - i) No updates
- 12. Public Comment (1:49:40 recording)**
 - A. Motion-Jonathan to open Public Comment. Ryan 2nd
 - i) Vote was unanimously approved

- 1) Lori Chigbrow
- (a) Asked the council if they take public feedback. Do they think it's in the best interest of the city to do Code Enforcement with reasonable measure?
 - (b) In the surveys and expressions- the public said they didn't want enforcement but they want enforcement for others.
 - (c) The concerns of the public were the code enforcement and driving through the streets enforcing code.
 - (d) Public feedback is always important, but that is advisory to the council.
 - (e) The things suggested tonight are passive-aggressive. Fines affect the minor amount of people who do something wrong
 - (f) Fees to 100% of the people because you're not willing to fine the few that may do it wrong.
 - (g) You need enforcement and reasonable measures, but it's not in the best interest of the whole community to not have enforcement. You can't tie the city's hands, you can't say you're NEVER going report an issue.
 - (h) You don't have to do everything the citizens say. You can explain the bigger picture.
 - (i) When the council was talking about state licensing and sales tax and requirements for starting a business, she suggested a "How to Guide" for citizens starting a business.
 - (j) Fire Issues- but who is going to have truckloads of butter in their garage? Suggested education campaigns and making citizens aware of what may be a fire hazard.
 - (k) Recommend HBB on the definition for primary use and if you go away from that definition you're going cause confusion between HBB and the commercial neighborhood district.
 - (l) Permit fees and hoping they aren't straight through and you have overhead costs on top of that pass along, she suggested adding a percentage of all the fees you collect.
 - (m) Would love help in finding a subdivision policy that is written well.
 - (n) Doyle and permits and fees and job numbers/permit numbers and that number should line up with your fees.

B. Motion- Doyle to close Public Comment. Dan 2nd

C. Vote was unanimously approved

13. Adjournment- 1:07 am

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 27th day of Sept, 2023


Jonathan Garrard, Chair

ATTEST: