

Lake Point City Council Minutes

Date: Wednesday, Oct. 11, 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-** Doyle Garrard
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-TCPD	
Ryan Zumwalt (Vice Chair)	Jason Ruebush	
Dan Crawford (C.)	Lori Chigbrow	
Kathleen VonHatten (C.)		
Doyle Garrard (C.)		
Jamie Olson (RCDR)		
Rob Patterson (Attorney)		

6. **Legal Training** – no legal training
7. **Public Comment-** (2:37 recording)
 - A. Motion- Jonathan to open Public Comment. Doyle 2nd
 - B. Vote was unanimously approved
 - i) Jason Ruebush
 - 1) 3 Comments he wanted to bring up.
 - 2) (Jason) to Councilman Crawford, he was disappointed in the Sept 13 meeting when he stated that voices that are not here in meetings don't matter. There are a lot of people that can't attend the meetings. Council members talk to people individually.
 - 3) (Jason) Last meeting there was a motion to have a closed session. It is efficient to talk all together instead of one-on-one conversation.
 - 4) (Jason) You are here to support the rights of the homeowners next door to those businesses. Liked the legal counsel's description of the main home being occupied by the primary resident 100% of the time.
 - 5) (Jason) 10 employees on-site is not a home business, if you can employ 10 employees onsite, you can afford to rent a place. The impact should be minimal to the neighbors.
 - 6) (Jason) Believes Councilman Crawford has a conflict of interest because he runs his own business (10-3-1306 by state code), code of conduct. Jason wants to make sure it is done legally and that there is a disclosure done. He would prefer he step away from this decision-making.
 - 7) (Jonathan) followed up with questions
 - (a) There was a reference to representing all people, we have business owners, so they don't get a representation on this council?
 - (b) (Jason) Dan can step away and comment as a citizen because he has a financial impact.
 - 8) (Jason) disagrees with any grandfathering in previous businesses that don't meet current standards.
 - 9) (Dan) On the record- I have moved my business, number one, which is going to cost me 30-50 thousand. Number two, I did sign that (disclosure), I went into this thing, I didn't run for this office for this to stay there necessarily. In discussions we have had previously if you listen to all the recordings most of the time I just let them decide and reclude myself

on some decisions, but I am going to vote for myself. Going back to that statement where that recording you listened to, I was referring, and maybe I need to go back and listen to it myself, I'm not perfect. But that was basically, we had a meeting and we had 30-45 people here, and for me, I want to go off surveys, multiple surveys online and I was wanting to hear more opinions. I have it right here in this document, this folder. With that being said, I feel we didn't get as much information as possible and I feel like, if the majority told to the council. If there a lot more people that say "hey we don't want this", fine I'll listen to them. I feel like the majority of the feedback I have received is..., and maybe they don't want to talk to me about it because I'm a business owner. I don't know. Do I listen to everybody? Yes, I don't want you to feel like that, other people in this room. But if it was on the survey, to me I'm going with data, I'm going off facts. So, you're one of the people that has expressed this, so I appreciate that and I appreciate you having the courage and making the time to come out and talk to us, even me, that is totally cool and I respect you even more for it.

- 10) (Jason) if you have removed your business, then there is no conflict.
 - 11) (Dan) if we don't allow grandfathering it will destroy their businesses and employees because there is nowhere to rent in Tooele.
 - 12) Jason expressed what the council is going toward is pretty liberal and the county was pretty strict.
 - 13) (Jonathan)- the businesses operating in town are operating under CUP's.
 - 14) (Jason) if they were legal under the county he would be fine with them operating. But he is not okay with businesses working illegally.
 - 15) (Jonathan) commented that Dan has been very good about removing himself.
 - 16) (Jonathan) asked for understanding concerning closed sessions and the strict guidelines on how they are done. The meeting was a lot longer than was planned, high tensions and it was late. (21:19 recording)
 - 17) (Jason) was concerned with counseling in breaking off groups
 - 18) (Jason) it would be nice to have another open house on the General Plan.
 - 19) (Jonathan) the drafts are posted on the lakepoint.gov website and add comments and feedback.
 - 20) (Jason) Has the idea that the General Plan requires a frontage road from Sunset to Canyon.
- C. Motion- Doyle to close Public Comment. Dan 2nd
- D. Motion passed unanimously

8. Reports/Presentations

- A. Sheriff's Report (29:02 recording)
 - i) (Officer Nelson) gave the sheriff's report
 - 1) Speed Compliance Report
 - (a) Spring Valley Drive- 92% were diving below the speed limit
 - ii) (Doyle) there was a similar reported results from a speed tracking done on Sunset by the Roads Dept.
- B. NTFD Report (there was no report done at this time)
- C. Treasurer's Report (32:14 recording)
 - i) (Doyle) gave the report.
 - ii) Trash billing was discussed.
 - iii) (Doyle and Kathleen) The budget needs adjustments before the beginning of the year.

9. Action/Business Items (40:56 recording)

- A. Post Moratorium Permit Extension
 - i) Motion-Jonathan to approve the application 7181 N Blue Moon Drive to receive an extension till Dec 31, 2023, so they can get their inspection finished, and project completed, and the county can finish that one out
 - ii) (Jonathan) Amended with the understanding that all they have left is the final inspection. (Doyle 2nd)
 - iii) Motion passed unanimously

- B. O 2023-26 - Use of Public Ways and Franchises (45:09 recording)
 - i) Motion- Kathleen to approve. Dan 2nd
 - 1) Roll Call Vote-[Jonathan-Yea] [Ryan-Yea] [Dan-Yea] [Kathleen-Yea] [Doyle-Yea]
 - (a) Motion passed unanimously
- C. R 2023-26 - Fee Schedule (48:03 recording)
 - i) Motion -Dan to approve R 2023-26 with attorney modifications.
 - 1) Roll Call Vote-[Jonathan-Yea] [Ryan-Yea] [Dan-Yea] [Kathleen-Yea] [Doyle-Yea]
 - (a) Motion passed unanimously
- D. Assignment Order (AO) with each GSA for Jones and DeMille (51:52 recording)
 - i) The council discussed this assignment order.
 - ii) Motion -Kathleen to approve the assignment order as written with Jones and DeMille. 2nd Doyle with the understanding that we have the invoicing process. (1:22:04 recording)
 - 1) Roll Call Vote-[Jonathan-Yea] [Ryan-Nay] [Dan-Yea] [Kathleen-Yea] [Doyle-Yea]
 - 2) Record-Ryan Nay, based on paying for services without known costs associated with the pay and a form of retainer money, also nay for paying a contractor to be able to withdraw out of funds without a scope of work or estimate of costs prior to charges for their services. I do support any charges for right-of-way permits where costs are paid for by the applicant but not other costs without a scope of work and cost estimates prior from withdrawing. (1:23:56 recording)
 - (a) Motion passed 4 to 1
 - 3) (Kathleen) suggested if anyone calls them to ask for anything get an estimate of cost.
- E. Approval for General Plan Payment (1:25:23 recording)
 - i) (Doyle) has the invoice for Sept. and Oct. and wants to know what they are charging us for, where they are at, and what we are paying for in more detail.
 - ii) (Doyle) went over the last two bills.
 - iii) (Jonathan and Lori) gave an update on the recent meeting with Mike on the General Plan.
 - 1) (Lori) Timeline was given to the council for the General Plan.
 - 2) Council and Lori discussed thoughts on the General Plan and moving forward and how to keep the public informed.
 - iv) Motion- Jonathan to approve paying the bill from August that is due in Sept. and wait on the one we just received. Doyle 2nd
 - 1) Roll Call Vote-[Jonathan-Yea] [Ryan-Yea] [Dan-Yea] [Kathleen-Yea] [Doyle-Yea]
 - (a) Motion passed unanimously
- F. O 2023-25 Supplemental Regulations (2:15:13 recording)
 - i) Council discussed where to go on the agenda and what to focus on.
 - ii) The council discussed this ordinance and made corrections. (Below are items discussed with time stamps. Not all items are listed that were discussed. Please refer to the final approved document for the items discussed below.)
 - iii) Section 3.3. Reviewing Procedures (2:24:00 recording)
 - iv) Section 3.3.f. Refunding of permit fees (recording 2:41:44)
 - v) Section 3.3.g. Diligence (2:56:00 recording)
 - vi) Section 4.4. Concrete fencing requirements for residential developments. (3:04:00 recording ISH)
 - vii) Section 5.3.a. Reciprocal Parking (3:19:00 recording)
 - viii) Section 5.d. Parking Lot Access Points (3:30:40 recording)
 - ix) Record Ryan- I worry about changing to one access point because we would need a list of exceptions to be considered and allowed. Most cities if they do not have exceptions to base it off number of vehicles traveling on roads per day, is what I have seen, 300 vehicles. This is not just for fire safety issues it includes all emergency exits for emergency response access including police ambulance and fire. Who can block the road, Road repair or maintenance for roads, utilities, traffic delays, pedestrian safety, of all cars being on the same road when you only have one exit point from a subdivision or other area and

if we ever have to shut down a road then all homeowners with a single exit will be trapped. I think it best to not make the change to allow for only one exit point.

1) (Jonathan) the suggested change gave a minimum of two access points with exceptions that considered safety and fire codes.

x) Section 6. Lighting (3:36:00 recording)

xi) Section 8.5. Construction and Occupancy; Site Plans Except Automobile Repair (3:49:00 recording)

xii) Section 10.6. Lots three times deep as they are wide. (3:53:00 recording)

xiii) Section 15.8. Construction on 30% slope (4:00:00 recording)

xiv) Topics Ryan felt were missing (4:13:35 recording)

xv) Motion-Dan to accept O 2023-25 Supplemental Regulations per discussion, having Ryan's comments sent back to Planning and Zoning for the Ryan items to a future meeting. Jonathan 2nd (4:19:00 recording)

1) Roll Call Vote-[Jonathan-Yea] [Ryan-Nay] [Dan-Yea] [Kathleen-Yea] [Doyle-Yea]

2) (Ryan) Nay for reasons missing regulations that impact the public health, welfare, and safety of our community.

3) Motion passed 4 to 1

4) Kathleen asked about a Sensitive Land Ordinance creation

5) (Dan) wanted to see if they could table the Swale and Curb items and asked to be excused.

6) Motion-Dan to adjourn and table the rest and bring it back for a future meeting. 2nd Jonathan

7) The council discussed the meeting schedule and the possible need for more meetings.
(a) Doyle is good to upping the number of meetings if we can guarantee being done by 9:30 pm

8) The next meeting will be October 25, 2023

9) Motion to adjourn passed 3 to 2

G. ALL Items below this were tabled to a future meeting

H. Shipping Container Doc

I. Notice Requirements

J. O-2023-XX City Curb Painting Ordinance

K. O 2023-XX Swale Alteration and Piping Design Standards

10. Attorney Clarification

11. Council Updates

12. Public Comment

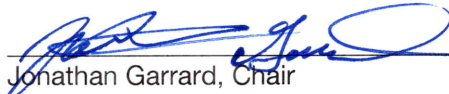
13. Adjournment- 10:41 pm

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 25th day of OCT, 2023


Jonathan Garrard, Chair

ATTEST:


Jamie Olson, City Recorder

