

Lake Point City Council Minutes

Date: Wednesday, Dec 6, 2023

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

Time: 6:00 PM

1. **Call to Order-** 6:04 pm
2. **Prayer-** Doyle Garrard
3. **Pledge of Allegiance-** Chris Robinson
4. **Presiding Officer-** Jonathan Garrard
5. **Attendance Roll Call-** Jonathan Garrard

Lake Point Council & Staff (C=Council)	Public	Public
Jonathan Garrard (Chair)	Chris Robinson	
Ryan Zumwalt (Vice Chair)		
Dan Crawford (C.)		
Kathleen VonHatten (C.)		
Doyle Garrard (C.)		
Jamie Olson (RCDR)		
Rob Patterson (Attorney) left at 8:32 pm		

6. **Legal Training – Rob**
 - A. No training
7. **Public Comment-**
 - A. Motion-Ryan to open Public Comment. Doyle 2nd
 - i) Vote was unanimously approved.
 - B. Chris Robinson
 - i) He likes that the council has a prayer and it sets a nice tone.
 - ii) (Chris) is concerned with the Council changing its mind about not having the county finish processing the Plat 14 and Tratos.
 - iii) He thought on August 23rd if there were no changes to the plat the county would be allowed to process the plats
 - iv) (Chris) then went to the County for the extension. The county dug deeper and found out the ILA with Lake Point expires Dec 2023. It was discussed there would need to be an amendment to the ILA.
 - v) He then went to the County Planning and Zoning on Oct 11, 2023 for his extension and it was granted.
 - vi) On the Oct 11, 2023. He had not seen the staff report prior to the meeting and was unaware of the change to the Chapter 35 last year. Plat 14 was preceded by 12 other plats. Title 13 stated they he gets final approval, they allow him to construct the subdivision and does not post bonds until its complete. Once it is complete then he would post the bond. He doesn't know why in title 13 it says the bond will be posted within 30 days of final plat approval and that is not the way in the previous plats it was done at all and the way he did it is standard procedure.
 - vii) Lake Points meeting recording made him sound like a common criminal. He found out in July he needed to record or extend. He thought he was being mischaracterized. It was thought that shifting to chapter 35 was somehow changing something.

- viii) (Chris) then didn't catch that the ILA was on the Lake Point agenda and encouraged being more specific to the agenda.
 - ix) He found out Saturday that the plats had been removed from the ILA with the county.
 - x) Nathan sent Chris the draft of the ILA (without an exhibit) a couple weeks ago. It looked like it was on course.
 - xi) Chris attended the County meetings yesterday. The County ended up tabling the ILA with Lake Point so Chris and Lake Point had a chance to council.
 - xii) The subdivision has a lot of off-site improvements that are costly.
 - xiii) It is difficult to attend Lake Point meetings because he needs to be here in person.
 - xiv) He mentioned the pros and cons of it staying with the county vs bringing this back to Lake Point. And doesn't see any upside for Lake Point, if it's brought back.
 - xv) The financial assurances are with the county already
 - xvi) There is a lot more risk for him and it will waste a lot of work he is already done. It will also slow him down to get this done.
 - xvii) There is a lot that he wants to do in working with Lake Point. He brought up the need of the intersection on Sunset.
 - xviii) It does not make sense to have him do work all over again.
 - xix) He is asking for the Council to amend the ILA to include Plat 14 and Tratos Plat.
 - xx) He would like to know why the council is changing what he thought they had agreed to in August when nothing has changed. (22:07 recording)
 - xxi) Going from chapter 35 to 13, changes deadlines.
 - xxii) (Rob, Council, and Chris) discussed the vested interest between chapters 13 and 35 and the concerns the Council had when they said if there were changes it would come back to Lake Point. The Council viewed the changing of the chapter as a change and that concerned the Council.
 - xxiii) (Rob and Chris) discussed what Chris's process would be if it comes to Lake Point.
 - xxiv) (Rob and Chris) discussed options.
 - xxv) (Rob and Chris) mylar discussion and road dedications (31:40 recording)
 - xxvi) (Chris) is familiar with the process with the county and it's simple with the county. If the city wants to take it, if the city could have something in writing of the process and plan in the next week so he had some reassurances it would help him feel more comfortable.
 - xxvii) (Chris) The change of the ILA agreement was very surprising to him, esp when he was a part of the discussion to amend it and then he was suddenly left out of it.
 - xxviii) (Ryan) brought up some items in chapter 35 and the differences between Chapter 35 and 13
 - 1) (Chris) that is state law anyway and then explained the bonding and selling/buying process.
 - xxix) He would like some written reassurance but thinks it is a lot of extra work.
 - xxx) (Kathleen) What if you stayed with the county and the extension is only done under Ch. 35 and anything beyond recording is under Ch. 13
 - xxxi) (Chris and Rob) talked about options moving forward
 - xxxii) (Rob) can write up draft assurances for Chris, that are between Chris and Lake Point and then a separate document if it stays with the city showing Chris assurances plan moving forward. Council can decide which direction they want to go.
 - xxxiii) (Kathleen) expressed her concerns with the Chapter exchange.
 - xxxiv) (Chris) would like to see the drafts before the meeting.
 - xxxv) (Doyle and Kathleen) talked to Chris about some transportation plans.
- C. Motion- Doyle to close Public Comment. Dan 2nd.
- i) Motion passed unanimously.
 - ii) Council moved to Section 8.B.(1:02:20 recording)

8. Action/Business Items

- A. Night Sky Ordinance Discussion (2:29:00 recording)
 - i) (Ryan) does the Council want to do an amortization schedule for converting to night sky?
 - ii) (Ryan) would like to know if the Council would like to apply this to residential houses.

- 1) (Jonathan) would be against requiring it from residential. Jonathan would be okay recommending but not requiring. Cost concerns and exposure to hazardous materials for installers.
- 2) (Dan) is concerned with cost, but likes some of the examples and would like feedback from the community.
- iii) (Ryan) mentioned some things that might be exempt like holiday lights.
- iv) Council continued to discuss thoughts on the amortization schedule, different types of lighting, and added expenses.
- v) (Dan) asked if the Council wants the Night Sky? (2:47:37 recording)
 - 1) (Dan) would be okay with some of it, he likes educating the public on the benefits.
- vi) (Doyle) extra cost, he would like to encourage it. He would like it on new residential builds
- vii) (Ryan) is in favor of requiring new residential builds and new permits that involve new lighting.
- viii) (Kathleen) would be okay with new builds but is hesitant with existing ones.
- ix) (Jonathan) suggested providing a yearly report and educating the public and is not for a hard line of the requirement of new residential.
- x) The Council will do some research and get some cost comparisons
- xi) Council moved to item 10. Council Updates
- B. Rural Community Consultants (1:02:52 recording)
 - i) (Doyle) explained the change of ownership from Rural Community Consultants to Hansen Consulting
 - ii) (Kathleen) is concerned with the cost of CiviclinQ that was listed.
 - iii) Council reviewed the outstanding bill.
- C. O-2023-29 Home-Based Business review for possible amendments (1:45:00 recording)
 - i) (Ryan) wanted to get some clarification on this ordinance because he has a different understanding than Kathleen and Jamie.
 - ii) (Ryan) was concerned with not requiring inspections for items that might be a danger to the public health and safety.
 - iii) (Ryan) the understanding is that there was only required inspections for automobile repair. If that is what is understood, then we would need to amend the ordinance.
 - iv) (Jonathan and Kathleen) if there is a state requirement then they would be required to get a fire inspection under state regulation.
 - v) (Ryan) suggested having the fire dept. look at all applications to see if they need an inspection and asked Rob his experience with other cities requiring fire inspections.
 - 1) (Rob) typically cities don't require fire inspections for Home Based Businesses
 - vi) (Kathleen) has not talked to Buck about them reviewing all the applications and the costs it may entail. If they do an inspection, it will cost \$135.00 via the NTFD fee schedule.
 - vii) Council continued to discuss (1:51:00 recording)
 - viii) Before making any amendment to the ordinance Kathleen will reach out to Buck to ask about costs and get feedback and how they handle Home Based Businesses and fire inspections.
 - ix) (Kathleen) will invite Buck to our next meeting.
 - x) Council moved to Attorney Clarification and then back to Night Sky 8.A. so they can excuse Rob.
- 9. Attorney Clarification (2:15:20 recording)**
 - A. (Doyle) asked if Rob was comfortable with the choices on the ILA.
 - i) Rob is comfortable with either choice.
 - B. (Ryan Kathleen) asked about the Transportation Plan conflicting with the Unified Plan (2:19:25 recording)
 - C. (Kathleen) do we send out an RFP for a Master Transportation Plan
 - i) (Rob) recommends sending out an RFP and recommends to draft one starting with the General Plan RFP
 - D. (Ryan) Asked if the Treasurer needs to be a Council Member. (2:24:41 recording)

- i) (Rob) most treasurers are not Council members
- E. (Kathleen) asked about the rules on appointing someone to Mosquito Abatement.
 - i) (Rob) Depends on Mosquito Abatement rules.
- F. Council returned to Section 8.A. Night Sky

10. Council Updates

- A. Ryan Zumwalt (3:01:42 recording)
 - i) The meeting schedule for December discussed
 - ii) Council discussed when they will review RR-1 amendment and Site Plan Review
 - iii) Tourism Grant possibilities for restoration (3:27:23 recording)
 - iv) (Kathleen) mentioned the need for older pictures on the front of the rock church to see what the foyer looked like originally
- B. Kathleen VonHatten (3:21:20 recording)
 - i) (Kathleen) and Ryan will be meeting with Jones and DeMille tomorrow at 2 pm
 - ii) (Dan) gave Kathleen props for the graffiti work on the rocks
 - iii) (Kathleen) a mural for the rock was suggested to help prevent additional graffiti
- C. Doyle Garrard (3:25:24 recording)
 - i) Comcast Franchise Agreement has still not been done.
- D. Dan Crawford (3:26:40 recording)
 - i) Checked on how everyone's cell service was doing
 - 1) No one seemed to have an issue
 - ii) Dan will look into insurance
- E. Jonathan Garrard (3:27:10 recording)
 - i) General Plan Version 3 comments in by Friday

11. Public Comment

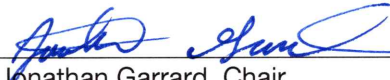
- A. No public comment

12. Adjournment-9:37 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/taped 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 3rd day of Jan, 2024


Jonathan Garrard, Chair

ATTEST:


Jamie Olson, City Recorder