Lake Point City Council Minutes

Date: Wednesday, February 28, 2024
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-** Kirk Pearson
3. **Pledge of Allegiance-** Kathleen VonHatten
4. **Presiding Officer-** Ryan Zumwalt
5. **Attendance Roll Call-**

Lake Point Council & Staff (C=Council)	Public	Public
Ryan Zumwalt (Chair)	Todd May (LPID)	
Dan Crawford (Vice Chair) left at 11:39 pm	Keith Fryer (LPID)	
Jonathan Garrard (C.)	Lori Chigbrow	
Kathleen VonHatten (C.)	Tim Gillie	
Kirk Pearson (C.) left at 11:39 pm	Frankie Duke	
Jamie Olson (RCDR) left at 10:31 pm	Jedediah Beckstead	
Rob Patterson (Attorney)	Traci Beckstead	
Joel Yellowhorse left at 10:39 pm (Attorney)	Levi Mele (Oquirrh Mountain Water)	

6. **Legal Training –** Council moved to Public Comment Section 7. (38:40 recording)
   A. (Rob and Todd) talked briefly about the Franchise Agreement
   B. (Rob) explained a few of the items in the legislative session that may be going into effect
   C. (Council moved to Minutes Section 8.)
7. **Public Comment-** (1:55 recording)
   A. Motion- Ryan to open Public Comment. Dan 2nd
      i) Motion passed unanimously
   B. Jedediah Beckstead
      i) Appreciates the Prayer
      ii) He has a permit for an ADU on 1811 Campbell Road submitted in December.
      iii) All documents have been submitted, understand this is a new process, they just need someone to sit down and talk to them. He is asking that is be reviewed and approved. Interest rates are rising and he is behind.
      iv) The Council asked what the permit number was.
         1) He did not have the permit number.
      v) Jedediah corrected the address was 1811 Shepherd.
         1) Ryan let him know the hold-up was the fact that the lot is under a development agreement, and it is being reviewed by the attorney tomorrow.
   C. Motion- Dan to close Public Comment. Jonathan 2nd
      i) Motion passed unanimously
   D. (Council moved to Presentations Section 9.)
8. **Approve the Minutes** (49:30 recording)
   A. 2024 02.05 Special Meeting Minutes

B. 2024 02.07 Business Meeting Minutes
   i) Motion- Kathleen to approve the minutes for 02.05.2024 and 02.07.2024. Jonathan 2nd
      1) Motion passed unanimously
C. (Council moved to Action Items Right of Way Permit Section 10.A.)

9. Reports/Presentations (8:35 recording)

A. Todd May (Lake Point Improvement District)
   i) Shared concerns with building permits with Quick Sump and Plat 14
   ii) "Will serve letter" were approved but not the "issued for construction drawings"
   iii) The LPID isn't in the loop and they haven't heard any feedback from items they expressed concern with.
   iv) In the meantime, the project moves on and then it is too late for inspections.
   v) He wants to make sure they are in the loop with the County on these projects and future projects that Lake Point oversees.
   vi) (Jonathan) asked if the County has not reached out before.
      1) They have communicated, but the questions they have weren't addressed and sewer lines are going in.
   vii) (Keith) The drawings were corrected today and should be taken care of before now
   viii) (Kirk) explained that "will serve" letters
   ix) (Kathleen) asked who should be doing the inspections
      1) (Todd) they should be calling LPID for inspections
   x) (Keith) they should be an approved construction plan before they start work.
   xi) (Council, Todd and Rob) discussed the warranty of roads. (18:00 recording)
   xii) (Kirk and Todd) discussed the Quick Sump and the lack of plans for filtering and inspection, questions have not been answered.
   xiii) (Todd) would like to make sure Quick Sump isn't given occupancy till LPID questions are addressed
   xiv) (Kirk, Todd, Keith) explained the process of inspections and compaction (28:40 recording)
   xv) (Todd) explained a biological pond system (bacteria, bugs, and algae that process the sewage), which is the type of sewer system Lake Point Improvement District has. The sewer is held during the winter. Normally they freeze over and seal off the smell. It has been warmer and so you are smelling raw sewage. Until the ponds wakes up and start processing the sewage, you get the smell. (31:08 recording)
   xvi) (Keith) There are no algae on the top to take care of the odor
   xvii) It is a combination of temperature and sunlight for ponds to wake up.
   xviii) (Kathleen) asked about fans she had heard about.
   xix) (Todd) when new developments started they used "Aerators". Their purpose was to expand the process capability of the ponds and it speeds the process up.
   xx) (Kathleen) suggested campaigning to educate the public to let them know the process.
   xxi) (Kathleen) asked if we are too far from Grantsville to hook up their system.
   xxii) (Todd) The ponds are a thing of the past and upgrading the system would be very costly
   xxiii) (Todd) We need to go to mechanical plant, that will be the end game. It won't likely be Grantsville, it would be Tooele
   xxiv) (Todd and Kirk) The smell isn't a new thing, it happens in Spring and Fall
   xxv) (Frankie) explained that she thinks she can smell it all year
   xxvi) (Todd) sometimes the wind kicks up
   xxvii) (Dan) asked who the citizens can contact if they have questions
   xxviii) (Todd) use the Information email address on their website
   xxix) (Levi) they are looking to add GIS Points to all new construction on sewer lines. They do that during inspections, and if they bury the lines without inspections, they lose adding the GIS Points.

xxx) (Council moved back to Legal Training Section 6.)

10. Action/Business Items (50:25 recording)

A. Right of Way Permit for Tratos and Plat 14 Subdivisions (52:37 recording)
   i) (Ryan) shared how he feels about and wants the 2-year warrantee and Geotechnical Study
   ii) (Dan) wanted to know if there was a middle ground
   iii) (Rob) there could be some negotiation since it is a unique situation, with the city wanting a ROW permit and the County taking care of the subdivision permit.
   iv) (Council) discussed the possibility of negotiations
   v) (Council) discussed the process of the bond guarantee for subdivisions
   vi) (Rob) explained what is needed for the city to ask for a 2-year bond. (1:02:00 recording)
   vii) (Levi) shared his observations on the settling around town. There are multiple reasons for the settling, it is not all the developer issues.
   viii) (Levi) explained how Plat 14 is being done differently to avoid issues.
   ix) (Council and Rob) discussed 3rd party inspections. (1:14:00 recording)
   x) (Jamie) explained the ROW permit related to the subdivision and needs the Council to decide how to proceed.
   xi) (Council and Rob) continued discussion and the idea of doing an MOU (Memorandum of Understanding) with the permit and not require the bond, since the bond is being carried by the County. (1:31:20 recording)
   xii) Motion- Kathleen to approve the MOU as written and discussed in lieu of a bonding permit. Kirk 2nd. (1:39:54 recording)
   xiii) Roll Call Vote-[Jonathan-Yea] [Ryan-Yea] [Dan-Yea] [Kathleen-Yea] [Kirk-Yea]
      1) Motion passed unanimously

B. Money City owes County (1:40:00 recording)
   i) (Kathleen) updated the Council on the money the city owes the County
   ii) (Kathleen) is still working on getting accurate numbers on Sales Tax paid to the County from the State.
   iii) (Kathleen) will reach out and get it in writing that the County is willing to extend the Lake Points deadline for the loan payment.

C. Planning and Zoning Commission vacancy extension (1:47:30 recording)
   i) Motion- Dan to extend the Planning and Zoning to 30 days starting tonight at midnight. Kirk 2nd.
      1) Motion passed unanimously

D. Droubay Road letter of support (1:48:10 recording)
   i) (Kathleen) explained the plan for paving Droubay from Foothill (Lake Point) to Tooele at the Golf Course and then adding a trail to the west side.
      1) None of the work will be done inside Lake Point Boundaries since the connection to Foothill is just outside Lake Point boundaries.
      2) If it is paved the concern is the added traffic into Lake Point.
   ii) Discussion on finishing the connection to Pole Canyon being done before paving Droubay
   iii) Discussion on drafting a letter to Congress Woman Maloy with bullet points and circulated to the Council for approval
   iv) Motion-Kirk we support constructing and paving Pole Canyon first, continuous to Highway 36 and our concern is the traffic coming through neighborhoods where children play. Dan 2nd (2:11:28 - 2:17:20 – (Motion started, discussed and final motion recording)
      1) Roll Call Vote-[Jonathan-Nay] [Ryan-Yea] [Dan-Yea] [Kathleen-Yea] [Kirk-Yea]
         (a) Motion passed 4 to 1
         (b) (Jonathan) supports Pole Canyon being done first, he worries that future County Councils may use this as leverage to put a road in that we don't necessarily desire in our community
   v) (Council) moved to Section F.

E. Office supplies and waste computer backup (3:16:34 recording)

i) Dan- introduced wanting a new laptop and the need for it.
ii) Council discussed the need for a laptop and the need for backing up the computer(s) to the Trash Flow cloud.
iii) Motion-Dan to $500 for a laptop for a second location to get into Trash Flow and see if the negotiation for backup for a better deal. (3:28:04 recording) 2nd Jonathan.
iv) Discussion on whether the Council requires the laptop to stay at the Fire Station.
v) Motion-Dan to end discussion. Jonathan 2nd (3:32:40 recording)
   1) Motion passes 4 to 1
   2) Discussion ended
vi) Motion-Ryan to get the laptop for back up….
vii) Point of Order- Jonathan -the previous Motion by Dan and 2nd by Jonathan requires a vote before Ryan's motion.
viii) Roll Call Vote-[Jonathan-Yea] [Ryan-Nay] [Dan-Yea] [Kathleen-Nay] [Kirk-Yea]
   1) Record-Kathleen- I can't support having 4 computers
   2) Record-Dan- We voted as a Council for 2 MAC's that don't go with software and we made the decision, so our mistake, so we eat the cost and that is just the price of doing business sometimes and we need another laptop as a backup. As a business owner, you always have extra computers, it's not if, it is when it goes wrong.
   3) (Kirk) thinks we need another laptop, and he doesn't know the big deal if it is moved here or there or somewhere else. That doesn't matter to me.
   4) Record-Ryan- I think we are not being fiscal responsible to get a backup computer, which I support, and not having it be able to be used by other appointees, Council or other staff at the city offices.
   5) Motion passes 3 to 2

F. Franchise Agreements with local districts and utilities. (2:20:20 recording)
   i) (Rob) Oquirrh Mountain Water is ready
   ii) (Rob) LPID will be worked on a bit more.
   iii) (Rob) Comcast needs a little tweaking so it is updated.
   iv) Motion-Kathleen to approve Oquirrh Mountain Water Co Franchise Agreement. Jonathan 2nd (2:21:42 recording)
   v) Roll Call Vote-[Jonathan-Yea] [Ryan-Yea] [Dan-Yea] [Kathleen-Yea] [Kirk-Yea]
      1) Motion passed unanimously
   vi) (Levi) suggested regular meetings with anyone with a Franchisees, they are very helpful.

G. Resolution R 2024-03 Fee schedule (2:24:00 recording)
   i) The Council discussed waste fees, late fees, and how to address issues with residents who are not paying their bills.
   ii) The Council added clarifications and incentives for signing up for auto-pay through Trash Flow and for paying for 4 billing cycles in advance and other items.
   iii) Motion- Jonathan to approve the Fee Schedule as discussed and amended. Dan 2nd (3:04:35 recording)
      1) Roll Call Vote-[Jonathan-Yea] [Ryan-Yea] [Dan-Yea] [Kathleen-Yea] [Kirk-Yea]
         (a) Motion passed unanimously

H. Ordinance O 2024-04 Codification of Lake Point Municipal Code (3:05:48 recording)
   i) Council discussed this Ordinance
   ii) Motion-Dan to table Codification Ordinance to the March 13, 2024 meeting. Jonathan 2nd
      1) Roll Call Vote-[Jonathan-Yea] [Ryan-Yea] [Dan-Yea] [Kathleen-Yea] [Kirk-Yea]
         (a) Motion passed unanimously

I. Banking follow-up discussion (3:09:17 recording)
   i) (Kathleen) updated the Council on ACH payments
      1) This allows the city to send payments to vendors for $20.00 per month plus $.10 per payment

ii) Motion- Kathleen to do ACH payments for the banking account for the monthly cost of $20.00 a month. Dan 2nd (3:15:38 recording)
    1) Roll Call Vote-[Jonathan-Nay] [Ryan-Yea] [Dan-Yea] [Kathleen-Yea] [Kirk-Yea]
        (a) Motion passes 4 to 1
    2) Record- Kathleen we have all our accounts moved into higher interest money markets and Visa's credit cards should be set up.
    3) Council moved to Section E. Office Supplies and Waste Computer

J. Public Hearing to adopt the General Plan (3:35:45 recording)
    i) Motion- Ryan to open the public hearing for the Lake Point General Plan. Dan 2nd
        1) Motion passed unanimously
    ii) Lori Chigbrow- on behalf of the Planning Commission there were some documents and maps that weren't available yet. If they had a question or comment, they included those in the document. She asked if they could leave the public comment open during their discussion, so if she had a comment, she could make the comment.
    iii) Council discussed how they could motion to approve GP allowing for the missing documents and maps that were missing since they weren't substantive.
    iv) Motion- Dan to table and bring it back next meeting for a few minutes when it's finalized (3:45:14 recording)
    v) (Council, Rob, and Lori) continued to discuss if they move forward to review the General Plan, the possibility to vote on it, or table it.
        1) Motion dies failure of a second
    vi) Motion- Kathleen to go through General Plan notes/comments. Ryan 2nd (3:59:56 recording)
        1) Motion passes 4 to 1
    vii) Council discussed the following topics of the General Plan
        1) Parcel List
        2) Proposed Future Land Use Map
        3) Socioeconomic Indicators table
        4) Development Agreement smaller lot size explanation (4:28:00 recording)
        5) Annexation (4:41:26 recording)
        6) Pictures (5:13:00 recording)
        7) Transportation in Lake Point (5:27:00 recording)
        8) Capital Facilities Plan (5:57:43 recording)
    viii) Motion-Ryan to close public hearing. Jonathan 2nd
        1) Motion passed unanimously by those present (Dan/Kirk absent)

11. Attorney Clarification
   A. (Kathleen) asked about stop sign studies and warrants (5:59:09 recording)
   B. (Rob) explained when it might be a good idea and not a good idea to do a study for a stop sign.
   C. Rob opened his gift from the Council

12. Council Updates
   A. Council Updates tabled to next meeting

13. Public Comment
   A. No public Comment

14. Adjournment- 12:07 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 20 day of March, 2024

Ryan Zumwalt

Ryan Zumwalt, Chair

ATTEST:

Jamie Olson

Jamie Olson, City Recorder