

Lake Point City Council Special Meeting Minutes

Date: Wednesday, March 20, 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-** Kathleen VonHatten
3. **Pledge of Allegiance-** Jonathan Garrard
4. **Presiding Officer-** Ryan Zumwalt
5. **Attendance Roll Call-**

Lake Point Council & Staff (C=Council)	Public	Public
Ryan Zumwalt (Chair)	Bucky Whitehouse	
Dan Crawford (Vice Chair)	Alexis Wheeler	
Jonathan Garrard (C.)	Rick Wheeler	
Kathleen VonHatten (C.)	James Simko	
Kirk Pearson joined meeting at 8:05 pm (C.)		
Jamie Olson (RCDR)		
Joel Yellowhorse (Attorney) left at 8:01 pm		

6. **Legal Training – Joel** (Council moved to Public Comment first)
 - A. Joel explained appointing an interim council member (10:24 recording)
 - i) Once the Council member enters a formal resignation the vacancy will need to be filled within 30 days
 - ii) (Joel) explained the process
 - iii) (Joel) From resignation, the spot needs to be filled within 30 days
 - iv) (Joel) Council needs to decide how they want the application to look
 - v) (Joel) Interviews and voting will happen in a public meeting
 - vi) (Joel) There will be an initial vote by the Council, if there is a majority vote then that person will be the new Council Member
 - vii) (Joel) If there is not a majority vote, then the two with the most votes will be voted on for a second time.
 - viii) (Joel) If there are ties to get the top two, then ties will be broken by a coin flip.
 - ix) (Ryan) asked about the term
 - x) (Joel) they will finish out the term of the one who resigned
 - xi) (Joel) explained that the person resigning had the option to vote for their replacement.
 - xii) (Ryan) thought that was another form of government that was done.
 - xiii) (Joel) confirmed he (Dan) would have a vote.
 - xiv) (Kathleen) asked if the new Council member be picking their own Planning and Zoning member to replace the one that was picked by the Council member who resigned.
 - xv) (Joel) the appointment would stay in the Planning and Zoning, and would not be replaced until the term ended
 - xvi) (Kathleen) asked about the application
 - xvii) (Joel) explained some options.
 - B. (Kathleen) asked Joel to look into an email she sent concerning the sewer (20:28 recording)
7. **Public Comment-** (2:44 recording)

- A. Motion- Kathleen to open Public Comment. Ryan 2nd
 - i) Vote was unanimously approved
- B. Bucky Whitehouse
 - i) Explained the Tooele County Pre-Disaster Mitigation Plan which identifies the natural hazard risks, like flood plains and wildfire risks.
 - ii) There are no costs to the city, they just need to submit a letter signed by the Chair.
 - iii) Having a recognized plan in place, could open the door for the city to receive grants.
 - iv) Bucky encouraged the Council to approve a letter.
 - v) (Jonathan) asked about wildfires, he asked if it could help with grants for more hydrants for the city
 - vi) Bucky believes the city could have potential grant funding for getting more fire hydrants in areas that don't have hydrants.
- C. Motion-Kathleen to close Public Comment. Ryan 2nd
 - i) Motion passed unanimously
- D. Council moved back to Legal Training

8. Approve the Minutes-

- A. (20:58 tabled for later until Kirk shows up)
- B. Council returned to Minutes (2:33:18 recording)
- C. 2024 03.11 Minutes
 - i) Motion- Jonathan to approve Minutes 03.11.2024 as drafted. Kirk 2nd
 - 1) Ryan- Abstain for not being present
 - 2) (Jamie) explained if you were not in attendance at the meeting, but listened to the meeting, you can vote on the minutes.
 - 3) Motion- passes 3 yea and 1 abstain-Ryan
- D. 2024 02.28 Minutes
 - i) Motion- Ryan to accept minutes for 02 28.2024 Jonathan 2nd
 - 1) Motion passes 3 yea to 1 abstain -Kathleen because she didn't read them
- E. 2024 03.13 Minutes
 - i) Motion- Kirk to accept 03 13.2024 Jonathan 2nd
 - 1) Motion passes 3 yea to 1 abstain Kathleen had not read them
- F. Council moved to Section 10.A.

9. Reports/Presentations (no reports)

10. Action/Business Items

- A. R 2024-05 Planning and Zoning Appointment
 - i) (tabled till Kirk arrives, Council moved to General Plan Adoption)
 - ii) Council returned to this topic 02:43:00 recording)
 - iii) The Council did an anonymous paper vote in the meeting
 - 1) Jonathan voted for Jacob Maxfield
 - 2) Ryan voted for Jacob Maxfield
 - 3) Kirk voted for Jacob Maxfield
 - 4) Kathleen voted for Jacob Maxfield
 - iv) Motion- Jonathan approves Resolution 2024-05 to appoint Jacob Maxfield (2:48:40 recording)
 - 1) Roll Call Vote-[Jonathan-Yea] [Ryan-Yea] [Dan-Absent] [Kathleen-Yea] [Kirk-Yea]
 - (a) Motion passed unanimously
 - v) The Council moved to Section 14. Adjournment
- B. O 2024-05 General Plan Adoption Ordinance (24:41 recording)
 - i) (Jonathan) updated the Council on the updates that have not been added to the General Plan yet.
 - ii) Motion-Ryan to move to the April 10, 2024 meeting agenda, with the condition they have it prior to review it, if we don't we will move it again (26:35 recording)
 - 1) Roll Call Vote-[Jonathan-Yea] [Ryan-Yea] [Dan-Absent] [Kathleen-Yea] [Kirk-Absent]
 - (a) Motion passed unanimously
- C. Trash Billing lien language on bills (27:12 recording)

- i) (Kathleen) explained adding the lien language to the back of the bills, would cost \$50.00
- ii) (Kathleen) It would cost a \$25.00 administration fee to be paid to the County for processing for each lien.
- iii) The Council discussed the actual language which is as follows.
 - 1) Failure to receive a bill does not relieve the customer of payment or penalty.
 - 2) This bill is now due and payable
 - 3) Account becomes delinquent 30 days after invoice.
 - 4) Any balance left unpaid after Oct 5 shall result in a lien by the Tooele County Assessor's Office
 - 5) All properties resulting in a lien will receive a \$25.00 administration fee
 - 6) A service fee of \$50.00 will be charged for all returned checks
- iv) Motion-Kathleen to accept the language for trash bill and language on bills. Ryan 2nd (47:03 recording)
 - 1) Motion passes unanimously by those present
- D. R 2024-06 Fee schedule (49:56 recording)
 - i) Council added the administration fee for the lien listed above.
 - ii) Motion-Kathleen approves Resolution 2024-06 Fee schedule with amendments. Jonathan 2nd
 - 1) Roll Call Vote-[Jonathan-Yea] [Ryan-Yea] [Dan-Absent] [Kathleen-Yea] [Kirk-Absent]
 - (a) Motion passed unanimously by those present
- E. Tooele County Mitigation Plan Letter of Intent (55:01 recording)
 - i) Council discussed the Mitigation Plan previously discussed in public comment presented by Bucky Whitehouse
 - ii) Motion-Kathleen to approve the Tooele County letter of Intent to be involved in their Pre-Mitigation Plan Project. Ryan 2nd (58:50 recording)
 - 1) The Council filled in some missing basic information
 - iii) Amended Motion- Kathleen to approve the letter of Intent to Participate in the Tooele County Hazardous Mitigation Plan Update Project as amended. Ryan 2nd
 - 1) Motion passed unanimously by those present
- F. O 2024-04 Codification Ordinance (1:04:34 recording)
 - i) (Kathleen) explained the Codification Ordinance
 - ii) The Council discussed some verbiage Jonathan had questions concerning
 - 1) Motion-Kathleen to approve Codification O 2024-04 with Exhibit A as amended tonight (1:15:32 recording). Ryan 2nd
 - 2) Roll Call Vote-[Jonathan-Yea] [Ryan-Yea] [Dan-Absent] [Kathleen-Yea] [Kirk-Absent]
 - (a) Motion passed unanimously
- G. Set meeting date for the Lake Point City Council vacancy interviews and vote (1:16:07 recording)
 - i) The Council discussed possible dates.
 - ii) April 10, 2024, is the deadline to submit an application and the interview and vote meeting date will be April 17, 2024, at 6:00 pm
- H. City Council Vacancy Application Process (1:29:28 recording)
 - i) Applicants can submit a profile letter with a letter of interest, sharing why they want to be a Council member.
 - ii) The Council discussed communicating the notice to the public

11. Attorney Clarification (none)

12. Council Updates

- A. Jonathan Garrard
 - i) No updates
- B. Dan Crawford
 - i) Absent
- C. Kirk Pearson
 - i) No Updates
- D. Kathleen VonHatten (1:40:27 recording)

- i) TPA grant update
 - 1) (Council) The Council will accept the TPA grant
 - 2) The Council discussed the Master Transportation Plan RFP
 - ii) The Council discussed the agendas for the next couple of meetings
- E. Ryan Zumwalt
- i) No Updates

13. Public Comment (2:03:00 recording)

- A. Motion- Kathleen to open Public Comment. Ryan 2nd
 - i) Motion passed unanimously
- B. (Alexis Wheeler) asked questions concerning the vacancy on the Council
 - i) (Alexis) The community is surprised that this is not going to an election and it could be decided by a coin toss and she would like that explained.
 - 1) (Council) the process is set by state code
 - ii) (Alexis and Council) summary of what will happen after profiles/applications are submitted by April 10th, April 11th the profiles will be released to Council and Public, interviews and Council voting will happen on April 17, 2024, the person voted in, could be sworn in that night or a couple days after, as long as they are sworn in within the 30 days of the resignation.
 - iii) (Alexis) will there be a discussion between Council members before the Council members vote, at the meeting or before the meeting?
 - 1) (Council) The Council can decide to discuss between each other
 - iv) (Alexis) The Council might then have a good idea of who they are voting for before the meeting?
 - 1) (Council) they are not sure.
 - v) (Alexis) Since it is an open meeting everyone will be able to hear the answers to questions.
 - 1) (Council) yes
 - vi) Kirk joined the meeting at (8:05 pm)
 - vii) (Alexis) Will the question be the same
 - 1) (Ryan) no
 - 2) (Jamie) they need to be the same to be consistent.
 - 3) (Council) Discussion on initial questions being the same and follow-up questions might be different depending on their answers
 - viii) (Alexis) if there is one applicant would the process be the same?
 - 1) (Ryan) if there is only one then there would be no need for a vote, they would be appointed.
 - ix) (Alexis) asked if they would be letting the public know the information
 - 1) (Jamie) yes it will be on the city website, Public Notification Website, posted at the Fire Station, and whoever has signed up on the city email list. There will be things Jamie needs to check as part of the application appointment.
 - x) (Ryan) asked about the requirement of being a resident for 12 months
 - 1) (Jamie) explained that process
 - xi) (Jamie) explained doing the anonymous paper voting method so as the Council is voting they are not aware of each other's votes and how the state, (Shelly Jackson, Deputy Election Officer) liked that idea.
 - xii) (Jamie) asked if the Council wanted the profile letter to be required or if it was an option as a part of the application.
 - 1) (Council) was okay with that being an option.
 - xiii) (Alexis) asked what happens if you have more than 5 people apply and we only have the 5 voters. (2:15:50 recording)
 - 1) (Jamie) explained the process of voting if there is not a majority vote on the 1st vote.
 - xiv) (Jamie) asked the Council once the interviews are done, will the Council allow public comment before they vote?

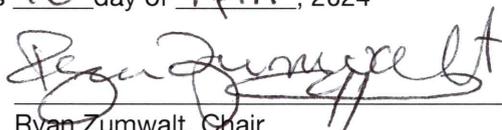
- 1) (Ryan) says no, he would treat it like a normal candidacy and people would just go vote and think it would be weird to have the public comment.
 - xv) (Alexis) feels like the scenario is weird and feels like they should allow public comment or the city of Lake Point will feel jipped and there would be confusion.
 - xvi) (Kathleen) thought about what if they got comments beforehand to save time, not knowing how many we will have.
 - xvii) (Alexis) as long as the Public is aware.
 - xviii) (Jamie) whomever is being interviewed, they are representing the city. (2:24:00 recording)
 - xix) (Council, Jamie and Lexi) discussed the interviews, and public comment before or after the interviews.
 - xx) (Council) discussed how to interview and keep it fair.
 - xxi) (Jonathan) explained a way to limit the number of people speaking, to save time, is limiting a certain amount of people speaking for an applicant to maybe 2 or 3 and the people can choose who those 2-3 people are that can speak.
 - xxii) (Jamie) explained to Lexi how she will make the list of Candidates public, as applicants sign up so the people are aware. Jamie will be following the election code as closely as she can.
- C. Motion-Ryan to close Public Comment. Kathleen 2nd
 i) Motion passed unanimously
- D. (Council) moved to Section 8.

14. Adjournment 8:50 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 10th day of April, 2024


 Ryan Zumwalt, Chair

ATTEST:


 Jamie Olson, City Recorder