Lake Point City Council Business Meeting Minutes

Date: Wednesday, Aug 14, 2024
Place: Lake Point Fire Station 1528 Sunset Rd Lake Point, UT 84074
Time: 6:00 PM

1. **Call to Order-** 6:01 pm
2. **Prayer-** Jonathan Garrard
3. **Pledge of Allegiance-** Alexis Wheeler
4. **Presiding Officer-** Ryan Zumwalt
5. **Attendance Roll Call-**

Lake Point Council & Staff (C=Council)	Public	Public
Ryan Zumwalt (Chair)	Gino Garcia	
Kirk Pearson (Vice Chair)	David Bleazard (TC Sheriff)	
Jonathan Garrard (C.)	Stephen Richardson (TC Sheriff)	
Kathleen VonHatten (C.)	Lori Chigbrow	
Alexis Wheeler (C.)	Levi Mele	
Jamie Olson (RCDR)	Kevin Nunn (NTFD)	
Joel Whitehorse (Attorney) 10:04 pm left the meeting		

6. **Legal Training – Joel**
   A. No legal training
7. **Public Comment-** (2:26 recording)
   A. Motion-Ryan to open Public Comment. Jonathan 2nd
      i) Vote was unanimously approved
   B. Gino Garcia
      i) Planning and Zoning are going over the Subdivision Ordinance
      ii) There was a suggestion to get some help from a grant that would be at no cost to the city and would help get through the adoption of the Subdivision
      iii) The Commission prefers Sunrise and Sunrise could attend their meeting this Monday as long as the contract is signed
      iv) It could potentially get done by late Sept early Oct
      v) He feels this would be a good move and so does the rest of the Planning and Zoning
      vi) He was also wondering if there could be future help from a firm with future ordinances and if the Commission would have resources to help them.
   C. Lori Chigbrow (6:33 recording)
      1) Also encouraged the Council to approve the contract so they can move ahead.
   D. Motion- Ryan to close Public Comment. Kirk 2nd
      i) Motion passed unanimously
8. **Approve the Minutes-** (7:10 recording)
   A. 2024 07.10 Minutes
   B. Motion- Jonathan to approve the minutes 2024 07.10 as amended prior to the meeting. Alexis 2nd
      i) Motion passed unanimously
9. **Reports/Presentations**
   A. Sheriff Report (7:56 recording)
      i) Sargent Blazard and Deputy Richardson

ii) (Bleazard) went over and summarized the sheriff's report.
    1) Gave details and made the Council aware of an individual who is trespassing areas in Lake Point, Stansbury, Erda, and Tooele.
iii) They put out for an extra patrol, paid for by the city
    1) (Alexis) asked when the city can get the details for the extra shift(s)
        (a) (Bleazard) will see if he can get that report separated from the normal report.
iv) (Council moved to 10.A. Comcast)

B. Fire Dept- tabled until Fire Dept arrived
    i) (1:07:00 recording)
    ii) Review the 12 fires over the last month with the Council. Normally there would be a couple of fires, so 12 is high.
    iii) Normal EMS calls
    iv) It is predicted that the end of August to November will have higher chances of wildfires.
    v) Jonathan asked what the city could do to help.
        1) They have crews that could possibly mow, the fire station can help with certain things in certain areas.
    vi) (Council moved to 10.B.)

10. Action/Business Items

A. Comcast's box/flowerpot locations in swell areas and the possibility of them being moved closer to the houses and other concerns. (12:28 recording)
    i) Jamie summarized as issue with the Comcast boxes that were put in the swell areas of Lake Point. The areas with swells, the boxes were put closer to the road to avoid digging in the swell areas. Comcast discovered this was being done and are concerned because when a citizen wants to connect, then they will be crossing the swell, that connection will be more technical and they would rather have the crews that are here now be crossing the swells than the later crews that would be less equipped and skilled. The larger swells are not able to be bored, they will need to be trenched. Jamie and Jonathan met with Comcast and Mostec last week to hear their concerns and to express the city's concerns. Jamie counted about 270 boxes in the swell areas of Lake Point. Crossing swells that many times was very concerning. It is a guessing game as to how many people will want Comcast service over the next 20-30 years. Jamie met with a rep from Mastec and Comcast Monday and drove around to the different areas of Lake Point so she knew what swells were a concern, and they would like to cross now and what areas would be okay. Since there are several areas in Lake Point that do not have large swells like those in Saddleback. They visited all the subdivisions and mapped out what areas they would want to extend the boxes to the inside of the swells. Areas that they would want to extend the boxes were in Saddleback, Estates, some of Bridlewalk, and Davies. Areas they are not concerned with are the Stoney Mountain area, Boulder, Adobe, Foothill, and areas with smaller swells.
    ii) (Jamie) Another problem is if one neighbor wants to connect they will run a line across the swell and connect that house. If 6 months later the next neighbor (serviced by the same vault) wants Comcast they will then cross the swell again to connect with that neighbor. So, the potential of crossing swells just doubled. The crews that come later are not equipped or trained to cross the swell and then drop a flowerpot, they just go directly to the house.
    iii) (Jamie) will require a third permit if they extend the boxes inside the swell.
    iv) (Jamie) is concerned with the public feedback either way, if the boxes get extended people will be upset. They could also be upset in the future and ask why it wasn't done right to begin with, but it also might be expected because they want the Comcast Service.
    v) It will cost Comcast more in the long run for permits and inspections if they can't extend the boxes now.
    vi) (Kathleen) asked about compaction studies when digging through swells.
        1) (Joel) it would fall under the inspection process.

vii) (Jamie) Comcast would like to know how the Council feels on the matter

viii) (Kirk) is not concerned either way, he feels they are fixing what they are working on

ix) (Levi) explained they were very good to work with in fixing and repairing things. He confirmed they would be extending those boxes so no boxes that have been laid will be removed. He did confirm that the swell would be crossed one way or another eventually.

x) (Jamie) did point out that if it was done now, there would be all the time through the winter and spring and if there were problems and sinkage come spring, it would be visible and could be addressed. She needs to know if people see any sinkage or problems in the next year.

xi) (Jamie) for the most part, a vault is between two houses and serves those two houses. Occasionally there will be a vault that serves more than two houses.

xii) (Kathleen) is concerned with compaction and putting the citizens through this repeatedly.

xiii) (Ryan) would prefer them not be crossed now and is concerned with the quality of work and things like weed barrier being replaced.

xiv) (Jonathan) Compaction is not a deciding factor for him because no matter if it is done now or 5 years from now, it will need to be done.

xv) (Kirk) as a business he would want the boxes in and be usable, they likely have a grant now and so have the money now to get it done.

xvi) (Alexis) if they have the money now to do it, would they actually spend the money to send out the right crews down the line to cross the swell correctly?

xvii)(Ryan) would be a no, for doing it now.

xviii) (Alexis) this is hard but would rather it be done now with the crew they are more comfortable with. We have already given them permission to be in the right of way.

xix) (Levi) expressed that it is common to have certain crews that drop boxes and different crews that run the laterals (for LPID). They are two separate jobs and have different tools to get the job done. He would hate to have the boxes on the outside of the swells.

xx) (Jonathan) He like the idea Gino had of trying to solicit this ahead of time, so they know who wants the service. He also expressed putting in the infrastructure is important. Even thought there will be back lash the crew will be better equipped to do it now and for it to be done with only the ones necessary.

xxi) (Alexis) agrees to do it now, but only for the necessary ones. She thinks Comcast is trying to be proactive so the disruption will be minimal now rather than waiting. The crew will be better to handle it now.

xxii)Motion- Kirk to go ahead and let them do it now. 2nd Ryan

1) Roll Call Vote-[Jonathan-Yea] [Ryan-Nay] [Alexis-Yea] [Kathleen-Nay] [Kirk-Yea]
   (a) Motion passes 3 to 2
2) (Jamie will follow up with a compaction question and Ryan would like the easements looked at carefully.
3) (Ryan and Kathleen) wanted to know if the Comcast Franchise agreement with the County has anything to cover inspection fees on the first permit that was issued.
   (a) (Joel) didn't get a chance to answer this question.

xxiii) Open discussion and some follow-up questions for Jamie.

xxiv) (Council moved back to 9.A Fire Dept Report)

B. Subdivision Ordinance Assistance Contract Agreement (1:15:51 recording)

i) The council discussed the contract with each other and the Commission members in attendance (Gino and Lori).

ii) Motion-Kathleen to approve the contract with Sunrise Engineering to work on the Subdivision Ordinance. Jonathan 2nd (1:21:06 recording)

1) Roll Call Vote-[Jonathan-Yea] [Ryan-Yea] [Alexis-Yea] [Kathleen-Yea] [Kirk-Yea]
   (a) Motion passed unanimously

C. RFP Proposals for Strom Water Management (1:21:44 recording)

i) (Kathleen) explained that there were 2 proposals submitted after the RFP was out for about 3 weeks.

ii) Council discussed the proposals from Jones and DeMille and Ensign Engineering and how to move forward.
iii) (Alexis) asked why the grant wasn't pursued.
   1) (Kathleen) The pre-disaster plan was not adopted and that was required to apply for the grant.
   2) (Alexis) If we were to wait for a Pre-Disaster Plan, could that be an option to wait for a grant?
   3) Kathleen- would prefer not to wait. The Budget allows for the previous proposal from Jones and DeMille.
iv) (Kathleen) brought up implementing an impact fee to maintain the stormwater.
v) (Levi) explained working together to connect the city drainage and having this Plan will help with future plans.
vi) (Kathleen) asked how the city is maintaining the stormwater. Is the city using sales tax or going to implement a stormwater impact fee? (1:33:00 recording)
vii) (Kathleen and Levi) Oquirrh Mountain and UDOT have agreed to help with the GIS information they already have. Chris has also provided past drainage plans to Oquirrh Mountain Water.
viii) (Council) discussed the budget and what was budgeted and reserves that would need to be moved.
ix) (Kirk) brought up if you move the water too much, the wells won't be replenished. Subdivision drainage was designed to keep water on the property not necessarily move it.
x) (Kirk) Other cities have floods even with a major Storm Water Management Plan.
xi) (Kirk) The Plan could be beneficial, but not critical
xii) (Kathleen) it is our responsibility and would like the city to have a plan.
xiii) (Levi) said the water is plentiful and explained the future 200 million gallon water reserve tank.
xiv) (Levi) There is a permit approved for a 4th well for LPID. Over the last week they have been feeding Stansbury Park water at about a million gallons a day on top of the 800,000 gallons they are consuming.
xv) (Levi) the stormwater pain points areas are between the newer developments and in older Lake Point. Stormwater drains need to be cleared if they are blocked.
xvi) ET Canal was brought up as way to collect and channel.
xvii) (Kirk) there are some items that need to be addressed before we even have the plan ex 1200 East Road.
xviii) (Levi) brought up being clear in ordinances to explain who is responsible for what.
xix) (Jonathan) does not want to see the plans come back and recommend or require big swells in older areas of Lake Point, which would be a major expense.
   1) (Kirk) the recommendations could be very expensive and could raise costs and possibly raise taxes
xx) (Levi) the GIS data, makes the study and data usable and not just a pdf. (2:03:00 recording)
xxi) (Ryan) liked that future development criteria and takes into consideration what the Council wants. Build out conditions. Concerned that the County had a plan and there is no plan in place for Lake Point. He likes the GIS information, it shows what was planned and done, so there is a reference in the future if something is changed. He is good to move forward.
xxii) (Levi) explained that stormwater impact fees and how they generally work. They typically are added to the trash/waste bill.
xxiii) (Alexis) this one is sticky for her, she agrees that it needs to be done, but it is not a rush. She does not feel like taxing the citizens when there could be a grant that could pay for it.
xxiv) (Jonathan) A Pre-disaster Mitigation Plan was brought up and the cost of that, how much would that cost, so that we could get a grant. Would it be cheaper to just do the Stormwater Plan or Pay money to get a Pre- Disaster Plan in the hope of a grant of the Stormwater Plan?
xxv) (Alexis) do we need a Pre-Disaster Plan anyway?
xxvi) (Kathleen) we have agreed to be on the Tooele County Plan in 2026.

xxvii) (Jonathan) gave a history of the history of the emergency plan the Council adopted in the past and the request that it be readdressed in the future. (2:14:00 recording)

xxviii) (Lori) asked if this was not done, would the Planning and Zoning have the tools when a Development comes in to make sure the developer's plan works with the city's already existing drainage?

xxix) (Council continued to discuss) impact fees, stormwater fees, user rate study,

xxx) Motion-Kathleen to approve Jones and DeMille's proposal with the optional, based on the study, knowing this is our system, that we are responsible to maintain. We need a way to determine if we want to charge an impact fee and we won't know that unless a study is done, to determine what that would be and how much. I propose to do both. Kirk 2nd. (2:29:35 recording)

1) Roll Call Vote-[Jonathan-Nay] [Ryan-Yea] [Alexis-Yea] [Kathleen-Yea] [Kirk-Yea]
   (a) Motion passed unanimously
2) Jonathan- Nay does not want the user rate in there at this time.
   (a) Motion passes 4 to 1

xxxi) (Levi) brought up a few other items he is working on with LPID and UDOT and how they affect and coordinate with the city.

D. 2024-XX Amend Policies and Procedures for Council Meeting Resolution 2022-02 (2:39:16 recording)

i) (Jonathan) explained his reasons behind these amendments.
   1) There were items that were previously understood one way and recently interpreted another way, and he wanted to clarify verbiage.
   2) There have also been items that need to be adjusted to fit their current practices

ii) Council discussed the suggested amendments and made adjustments to some of the following topics.
   1) Procedure for adding items to the agenda and clarifying if the chair can or cannot add something to the agenda without a second Council Member's consent.
      (a) It was clarified that adding items to the agenda requires 2 Council Members.
   2) Emergency and Special Meetings (3:11:04 recording)
      (a) The Chair can call an Emergency Meeting without a second Council Member consent.
      (b) Two Council Members' consent is required to call a Special Meeting.
   3) Chair, Vice Chair, or Pro Tempore Chair running meetings clarification. (3:26:29 recording)
   4) Change of meeting location
   5) Allowing Electronic meetings (3:37:49 recording)
   6) Chair and Recorder working together on agendas
   7) Continued discussion on adding items to the agenda
   8) Discussion Items and Council Updates (3:47:35 recording)
   9) Motions and opportunity to be recognized by the chair.
   10) Adding Legal Training as an agenda item
   11) Discussion Item
   12) Clarification on who may present agenda items
   13) Public Comment (3:55:37 recording)

iii) Motion-Jonathan that we pass Resolution 2024-23 as amended during the meeting. Alexis 2nd (3:59:23 recording)
   1) Roll Call Vote-[Jonathan-Yea] [Ryan-Nay] [Alexis-Yea] [Kathleen-Yea] [Kirk-Yea]

iv) (Alexis) Several references were mentioned to an emergency meeting, that the Chair felt needed to be called. She would like this corrected, because, in the emails and observations, the Council had voted to have a Special Meeting for a specific reason and on a specific date. That meeting was completely changed unilaterally by the Chair, and that is the main reason that this resolution amendment was spurred. She believes it needs to be attached that it was not an emergency meeting it was a special meeting and there is definitely a distinct difference.

v) (Ryan) Record- votes Nay. I feel like this is political motivate due to change to an Ordinance that is emotionally charged and unnecessary that most of the efforts were focused on specific unnecessary instance. And the decision to move forward will impact current Chairman, future Chairman, and Chairwoman who handle and preside over meetings differently With these changes we just spent over an hour, wasting city time amending the Ordinance in place for 21 months when we could be doing other ordinances that are more vital to the city. The changes made have gone against the normal order of conducting meetings, most operating governments have, and limit the presiding officer's now and future authority and impact the operations administration administrative function efficiency of the city council meeting. I'm sad that the city has now passed a politically motivated Ordinance as identified by Council Member Garrard, that this action was spurred based on the decisions of the Chairman and future Chairman and all other Chairman will do stuff differently.

vi) (Jonathan) It is when you work through government processes, and you see what is happening and how it is interpreted you realize interpretations are different than what you thought you'd put in place and adjustment need to be made. As I went through this, I found lots of adjustments that needed to be made and I'm glad we were able to make them.

1) Motion passes 4 to 1

11. Attorney Clarification-

A. (Jonathan) asked if there was follow-up on the Fraud Assessment.

i) (Ryan) there were no changes from the Accountant

12. Council Updates

A. Kathleen VonHatten (4:04:00 recording)

i) Asked if the city wanted to contribute a trash bill(s) credit for drawings at the Emergency Fair.

ii) Council, Staff, and Public discussed.

iii) Asked Kirk for an update on the canal clean-up

iv) Council discussed options

B. Ryan Zumwalt (4:2

i) He will be sending the auditor the last shared questionnaire doc, so he can send the next part for the audit.

C. Jonathan Garrard (4:30:57 recording)

i) Advertising Days of Service

ii) A questionnaire about the Master Transportation Plan went out to the Council and suggested that it be sent to the Transportation Committee, Planning and Zoning, and Staff.

D. Kirk Pearson

i) No updates

E. Alexis Wheeler

i) No updates

13. Public Comment (4:34:35 recording)

A. Motion- Ryan to open Public Comment. Jonathan 2nd

i) Motion passed unanimously

B. Gino Garcia

i) Asked if there was a budget for Planning and Zoning.

ii) (Council) yes most of the budget is tied around Chaelea and Supplies

iii) (Gino) asked about training.

iv) (Ryan) explained different online resources that would help with training.

v) (Jamie) let him know there is a folder in the Drive that has training links, and she can help him find it if needed.

C. (Lori Chigbrow) if there is a budget for the Planning and Zoning it would be nice if they knew about it.

D. (Ryan and Jamie) the budget is mostly for Chaelea and supplies. But if there is something the Commission needs, let them know and it can be presented as a budget line item.
E. (Lori) would like to be aware if there is a budget discussion, so they can be involved.
F. Motion- Ryan to close Public Comment. Jonathan 2nd
   i) Motion passed unanimously

14. **Closed Session**- none needed
15. **Adjournment-**10:40 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 11th day of Sept., 2024

Ryan Zumwalt

Ryan Zumwalt, Chair

ATTEST:

Jamie Olson

Jamie Olson, City Recorder