

Lake Point City Council Minutes

Date: Wednesday, March 15, 2023

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

Time: 6:00 PM

1. **Call to Order-** Time 6:01pm
2. **Prayer-** Hannah Caldwell
3. **Pledge of Allegiance-** Ricky Lloyd
4. **Presiding Officer-** Jonathan Garrard
5. **Attendance Roll Call-** Jonathan Garrard

Lake Point Council & Staff (C=Council)	Public	Public
Jonathan Garrard (Chair)	James Simko- Lake Point	
Ryan Zumwalt (Vice Chair)	Hannah Caldwell- Lake Point	
Dan Crawford (C.) online at 6:14 pm	Nathan Oliver-Payson	
Kathleen VonHatten (C.)	Marylinn Sharp- Lake Point	
Doyle Garrard (C.)	Lori Chigbrow- Lake Point	
Jamie Olson (RCDR)	Ben Johnson- Herriman	
Rob Patterson (Attorney) left 10:25pm	Jack Malloy- Lake Point	

6. Public Comment-

- A. Motion Kathleen to open Public Comment, Doyle 2nd
- B. Vote was unanimous approved
 - i) Jim Simko-Lake Point- Jim will be appointed to the Planning and Zoning and was appointed to be the chair with Hannah as the vice Chair. It will be good to work with the city. We had a few questions about the annexation policy, and we are wanting to know where to go with that. As we incorporated, we had to give up somethings to get it going. What is the direction you want us to go? We just want to know what your vision and plan is for that. Do we call someone, or you as the council, or tackle on our own? Can we get maps for what you're thinking, is this what is best for the city, do we need to talk to the citizens about it?
 - 1) (Jim) Planning and Zoning will be meeting Monday's starting this Monday at 7pm here at the Lake Point Fire Station.
 - 2) (Kathleen) and Ryan will get some things to you to try and help you.
 - 3) (Jim) Was thinking the annexation and general plan kind of can work hand in hand
 - 4) (Ryan) has the historical records and maps from incorporation (being a sponsor of the incorporation.)
 - 5) (Doyle) would like to hear what the planning commission thinks.
 - 6) (Jim) mentioned a few cities that are similar to Lake Point.
 - 7) (Lori Chigbrow) possibly we could have a couple council members to the meeting on Monday so they can have a complete understanding of where to start.
- C. Jack Malloy-Lake Point- is trying to get a barn- sent it to county and didn't know about the moratorium until he called the county. He would like to know a time frame, he has his ground ready to go and has put money out on a down payment.
 - i) (Jack) Pole barn with no foundation. Dirt floor, no electricity, doors, and windows. 42x80
 - ii) (Jonathan) we don't have any setbacks right now and a barn would need setbacks and that is something that the Planning and Zoning and engineers will work on.

- iii) (Jack) Wanted to know where he was sitting on the list and the potential of getting it done.
- iv) (Ryan) the Planning and Zoning will be working on land use ordinances first and the moratorium could be extended. It's the biggest thing we are doing.
- v) (Jack) Are you trying to keep things the same and change it up.
 - 1) (Ryan) said the council does not want to adopt the Tooele County Code.
 - 2) (Jonathan) tonight is a big step getting a Planning and Zoning Commission appointed tonight so the Council can work through the moratorium.
- D. Motion-Kathleen to close Public Comment, Ryan 2nd
- E. Vote was unanimous approved
- 7. **Approve the Minutes** (23:30 recording)
 - A. Approve the Minutes Date- 03.01.2023 Minutes
 - i) Motion- Doyle to approve the minutes 03.01.2023 Minutes, Ryan 2nd
 - ii) Vote was unanimous approved
 - B. Approve the Minutes Date- 03.08.2023 Minutes Work Session
 - i) Motion- Ryan to approve the minutes 03.08.2023 Minutes Work Session 2nd Kathleen
 - ii) Vote was unanimous approved
 - C. Approve the Minutes Date- 03.08.2023 Minutes
 - i) Motion Doyle to approve the minutes 03.08.2023 Minutes 2nd- Kathleen
 - ii) Vote was unanimous approved
- 8. **Reports/Presentations** (25:30 recording)
 - A. Benjamin Johnson - Top Stop remodel
 - i) Reached out to the county back in Oct-Nov time on Top Stop remodel and to submit plans when they are ready. They are wanting to put in a Paco's Tacos and rearranging and refinishing the Top stop itself and installing a drive through coffee shop in the parking lot. They reached out to the county and then got transferred to Jamie and that was the first time they heard of the moratorium. They didn't know that there was a different permit open (electrical permit). Then we were told they were good, so now we are ready to start in two weeks and had everyone lined up. We need to see if we can get this to the county and get approval for this project.
 - ii) (Doyle) Cleo came and presented to us and was concerned because of Star Bucks coming in up the street. And water and sewer were concerns with being a new connection.
 - iii) (Ben) water and sewer- we can't talk to the sewer or water company until we have Lake Point Council approval.
 - iv) (Ben) brought up his permit- it would be doing the concrete slab and the utilities going to the coffee shop. They aren't setting the coffee shop. The connection would be on the coffee shops permit.
 - v) (Ryan) Cleo thinks the coffee shop it is taking care of all of it and all she needs is a business license.
 - vi) (Ryan and Doyle) suggested getting all the parties together, so we can all get on the same page.
 - vii) A plan was made to have Ben, Top Stop and Cleo come to the next meeting and all meet together with the council and the council can vote on it later in the action part of the meeting.
- 9. **Action/Business Items** (41:00 recording)
 - A. Post Moratorium Submission Review for moratorium exemptions
 - i) Richmond Thomas Calton- new house build on existing plat (49:00:00 recording)
 - 1) Motion-Ryan I motion that we approve a permit request by Thomas Calton applied to on 3.8.2023 on behalf of lot 1225 on Antonio Dr in Lake Point in Plat 12 of Pastures of Saddle Back Development. This permit request be approved by the Lake Point City Council to be exempt from the city's moratorium, allowing them to be processed by Tooele County, with the following conditions of approval; that they will follow all state code and county requirements at the time of the permit and with requirement that they are completed and closed before August 31, 2023 and if not completed and closed at that

time, they will be turned over to the Lake Point City, and any and all fees associated with the completion through the closure will be paid for by the applicant. Approval is based on it being an existing approved plat in The Pastures of Saddleback Plat 12, approved by the county with setbacks that are already existing and established on the plat. This approval applies to this single application of the primary structure by applicant for the specific item(s) listed and approved and no approvals have been granted for any other permits or items other than those designated at the time of approval by Lake Point City Council. If the county determines to proceed with the completion of this application the Lake Point City Council require that the above conditions of approval and deadlines are noted in the records and sent to each applicant. Doyle 2nd

- 2) Vote was unanimous approved
- ii) Steven Anderson- basement finish with kitchen.
 - 1) Council can work on some verbiage for this and future related requests.
 - 2) Discussion on potential conditions that may be attached to ADU's. Some reasons why: these conditions may offer protection from them becoming rentals, might choose to be more restrictive on ADU's until code is actually decided rather than being less restrictive, and ADU's might meet State Code for medium density housing.
- iii) Mathew Hoste new house build on existing plat
 - 1) Motion- Ryan I motion that we approve a permit request by Matt Holste with GTM Builders on behalf of 1618 N Parker Lane, Lake Point Lot 418 of the Phase 4 in Bridle Walk Acres. This permit request be approved by the Lake Point City Council to be exempt from the city's moratorium, allowing them to be processed by Tooele County, with the following conditions of approval; that they will follow all state code and county requirements at the time of the permit and with requirement that they are completed and closed before August 31, 2023 and if not completed and closed at that time, they will be turned over to the Lake Point City, and any and all fees associated with the completion through the closure will be paid for by the applicant. This approval is based on it being an existing approved plat in Bridle Walk Phase 4 subdivision, approved by the county with setbacks that are already existing. This approval applies to this single application by applicant for the specific item listed as a new primary structure and approved no approvals have been granted for any other permits or items other than those designated at the time of approval by Lake Point City Council. If the county determines to proceed with the completion of this application the Lake Point City Council require that the above conditions of approval and deadlines are noted in the records and sent to each applicant. 2nd Doyle
 - (a) Vote was unanimous approved
 - 2) David Kranz- basement with kitchen permit request
 - (a) Jamie will seek more info on the kitchenette.
 - 3) Ricardo Abeyta detached garage permit request
 - (a) (Kathleen) recommends this one will wait for Engineering and Planning and Zoning.
 - (b) (Ryan) A key factor to consider on these is also that this plat has retention ponds in this area, and we need to assure this does not change the retention pond area.
 - 4) (Kathleen) concerned the time this list is taking every week. (1:14:15 recording)
 - (a) Council discussed how to make this more efficient.
 - (b) Council decided to work on the ones they are normally approving to be exempt from the moratorium. Jamie will filter those and bring the normal ones to the council.
 - (c) Council will look this list over on the 1st and 3rd meetings of the week.
- iv) Council let the Planning and Commission ask some questions
- v) discussion with the Planning and Zoning.
- B. Beehive/ET canal/agreement (1:39:00 recording)
 - i) Rob briefly skimmed the proposal and explained some points he noticed.

- ii) Council needs to send their concerns to Rob. Then Rob can address the proposal and keep working on his redlines.
- C. Resolutions (Move to 9.D.iii to approve before Resolutions) (1:45:00 recording)
 - i) R 2023-05 - Planning & Zoning Appointment (1:50:15 recording)
 - 1) Jonathan read the resolution.
 - 2) Motion- Jonathan to approve as read R 2023-05 - Planning & Zoning Appointment with the changed ordinance reference, 2nd- Dan
 - 3) Roll Call Vote-Jonathan Yea -Ryan Yea -Dan Yea -Kathleen Yea -Doyle Yea
 - 4) Vote was unanimous approved
 - ii) R 2023-07 - Emergency Management Resolution (1:55:00 recording)
 - 1) Discussion on this resolution and needing to appoint an emergency manager.
 - 2) Ryan nominated Kathleen. Council discussed Kathleen being okay with that appointment
 - 3) Motion- Ryan to approve R 2023-07 Emergency Management Resolution with the amendment as the manger being designated as Kathleen VonHatten, 2nd Jonathan
 - 4) Roll Call Vote-Jonathan Yea -Ryan Yea -Dan Yea -Kathleen Yea -Doyle Yea
 - 5) Vote was unanimous approved
 - iii) R 2023-08 - Retention Resolution (2:01:00 recording)
 - 1) Motion- Katheen to approve R 2023-08 - Retention Resolution, 2nd- Doyle
 - 2) Roll Call Vote-Jonathan Yea -Ryan Yea -Dan Yea -Kathleen Yea -Doyle Yea
 - 3) Vote was unanimous approved
- D. Ordinances
 - i) O 2023-07 - Telecommunication Tax (2:02:00 recording)
 - 1) (Jonathan) Adjust a date in Section 10 changed to July 1, 2023
 - 2) (Jonathan) mentioned he did not like adding an additional tax here in Lake Point.
 - 3) (Ryan) every budget of every municipality has this in their budget. If we don't add then we would be accepting the cost as a city for damage to easements and right of ways or the city can take this small tax amount. Most all city uses to the 6%.
 - 4) This is not a new tax, the county can't levy this tax, if they were. So, it won't be taxed by the county and the city. It will be just the city.
 - 5) (Kathleen) as much as she didn't want to add a tax, if the city can't charge to fix a road (long term), then I'm okay with it.
 - 6) (Jonathan) this is on phone bills and internet companies.
 - 7) Discussion if the County had this tax or not.
 - (a) Motion-Ryan to approve O 2023-07 as amended to July 1, 2023- Telecommunication Tax, 2nd- Doyle
 - (b) Ryan- add on the record- I'm opposed to new taxes, this is a necessary thing for the city where I feel we have no choice, the state put cities in a bind not letting us charge to fix things that is my reason for supporting this.
 - (c) (Dan) I think we are trying to lower the trash so I think this will help offset.
 - (d) Roll Call Vote-Jonathan Yea -Ryan Yea -Dan Yea -Kathleen Yea -Doyle Yea
 - (e) Vote was approved 4 to 1
 - ii) O 2023-08 - Energy Sales and Use Tax (2:17:00 recording)
 - 1) This one needs a date change also to July 1, 2023, if they are proceed with this one.
 - 2) Council discussed this Tax. This is power and natural gas lines.
 - 3) (Kathleen) stated she was not okay with this one
 - 4) (Jonathan) stated he was also not okay with this one
 - 5) (Ryan) want to state that this group of companies do the most damage to the roads.
 - 6) (Kathleen) would like to revisit it depending on the numbers that come back on the sales tax.
 - 7) (Dan) is good to table it for later after we know other taxes and funds.
 - 8) Motion- Ryan to table Ordinance 2023-08 for review in Oct. 2nd Dan
 - (a) Withdrew Motion-Ryan

- 9) Motion- Ryan to table Ordinance 2023-08 until the city provided accurate number for the property tax assessment revenue for the city-Doyle 2nd
- 10) Vote was unanimous approved
- iii) O 2023-09 - Repeal and Replace Planning and Zoning Ordinance (1:45:30 recording)
 - 1) Motion- Ryan to approve the O 2023-09 - Repeal and Replace Planning and Zoning Ordinance and adopted it as written, 2nd- Kathleen
 - 2) Roll Call Vote-Jonathan Yea -Ryan Yea -Dan Yea -Kathleen Yea -Doyle Yea
 - 3) Vote was unanimous approved
 - 4) Return To 9.C.1.
- E. Additional 5 Permits County missed (2:33:45 recording)
 - i) Council discussed these missed lists.
 - ii) Permit 15518 discussed
 - iii) Council will figure out a plan to approach the county on one of them.
 - iv) Council will communicate to the county concerning one of the permits
 - v) Permit Number 15424-Basement (2:58:00 recording)
 - 1) Motion-Ryan- I motion the applicant Jordan Taylor 1452 E, Owen Cove Ct. following home basement finish requested under county permit that was issued 15424 be approved by the Lake Point City Council to be exempt from the city's moratorium, allowing them to be processed by Tooele County, with the following conditions of approval; that they will follow all state code and county requirements at the time of the permit and with the requirement that they are completed and closed before August 31, 2023 and if not completed and closed at that time, they will be turned over to the Lake Point, and any and all fees associated with the completion through the closure will be paid for by the applicant. The Lake Point City Council would also request the conditions be attached from state code 10-9a-530 (4) a-j if the applicants basement finish can be considered or classified as an internal ADU and that those conditions are required they be applied to permit as conditions of approval if the county determines during review, inspections, and final sign off it's an internal ADU or has elements of an internal ADU now, or in the future. This approval applies to this single application by applicant for the specific basement finish listed and approved and no approvals have been granted for any other permits or items other than those designated at the time of approval by Lake Point City Council. If the county determines to proceed with the completion of this application the Lake Point City Council would ask that the above conditions of approval and deadlines are noted in the records and sent to each applicant for this basement finish in a primary structure. 2nd- Doyle
 - 2) Vote was unanimous approved
 - vi) Permit 15398- AC installation
 - 1) Motion-Ryan- I motion the applicant Jack Black 7773 N Center St under permit number 15398 that was applied through the county. The applicant had applied prior to the moratorium on 09.06.2022 be approved by the Lake Point City Council to be exempt from the city's moratorium, allowing them to be processed by Tooele County, with the following conditions of approval; that they will follow all state code and county requirements at the time of the permit and with the requirement that they are completed and closed before August 31, 2023 and if not completed and closed at that time, they will be turned over to the Lake Point, and any and all fees associated with the completion through the closure will be paid for by the applicant. This permit was for an AC installation and only be installed on a pre-existing home/commercial site. This approval applies to this single application by applicant for the specific AC unit on a primary structure and approved and no approvals have been granted for any other permits or items other than those designated at the time of approval by Lake Point City Council. If the county determines to proceed with the completion of this application the Lake Point City Council would ask that

the above conditions of approval and deadlines are noted in the records and sent to each applicant. Jonathan 2nd

2) Vote was unanimous approved

vii) Motion-Ryan -15388- Basement finish

1) Motion-Ryan- I motion the following home basement finish requested by Jacob Smith 7118 N Blue Moon Dr applied for with Tooele County on 8.9.2022 and the process had been underway for the basement finish under their permit number 15388 be approved by the Lake Point City Council to be exempt from the city's moratorium, allowing them to be processed by Tooele County, with the following conditions of approval; that they will follow all state code and county requirements at the time of the permit and with the requirement that they are completed and closed before August 31, 2023 and if not completed and closed at that time, they will be turned over to the Lake Point, and any and all fees associated with the completion through the closure will be paid for by the applicant. The Lake Point City Council would also request the conditions be attached from state code 10-9a-530 (4) a-j and that they be applied to permit as conditions of approval if the If the county determines during review, inspections, and final sign off it's an internal ADU or has elements of an internal ADU now, or in the future. This approval applies to this single application by applicant for the basement finish and approved and no approvals have been granted for any other permits or items other than those designated at the time of approval by Lake Point City Council. If the county determines to proceed with the completion of this application the Lake Point City Council would require that the above conditions of approval and deadlines are noted in the records and sent to each applicant. Kathleen 2nd

2) Vote was unanimous approved

viii) Building Permit 15397 Metal Frame building.

1) Motion-Ryan- I motion that we approve applicant Rij Leesa Trustee/ Leesa Rij Revocable Trust at 7181 N. Blue Moon Drive for a metal frame building that was applied through the county on 09.2.2022 prior to the Lake Point City moratorium and that was under way for inspections proceeding though their last inspection prior to our ILA agreement and moratorium and prior to any other actions taken on county lists. That we approved this to be sent back to the county for their review allowing it to be exempt from the moratorium, that they will follow all state code and county requirements at the time of the permit and with the requirement that they are completed and closed before August 31, 2023 and if not completed and closed at that time, they will be turned over to the Lake Point, and any and all fees associated with the completion through the closure will be paid for by the applicant. The Lake Point City Council would also request the conditions be attached on the timeline required to complete it. This approval applies to this single application by applicant for the detached metal frame building as approved by the council and no other items approvals have been granted other than those designated at the time of approval by Lake Point City Council. If the county determines to proceed with the completion of this application the Lake Point City Council require that the above conditions of approval and deadlines are noted in the records and sent to each applicant. 2nd Kathleen

2) Vote was unanimous approved

F. General Plan RFP scoring review and discuss (3:12:20 recording)

i) Discussion on the General Plan Proposals

1) Council will have a meeting Monday with the Planning and Zoning Commission and have 2 General Plan Proposals come and present and talk to the council.

10. Council Updates (3:52:20 Recording)

A. Rob Update and Council asked Rob questions before he left for the evening. (4:05:33 recording)

i) Still working on waste management contract.

ii) City Engineer should be on the agenda next week.

iii) (Kathleen) asked Rob and wanted to know if we need an Emergency Plan- yes.

1) Discussion of Emergency Plan.

iv) (Doyle) brought up a street sewer line issue and wanted Robs feedback.

- v) Rob left at 10:25pm (4:25:00 recording)
- vi) Move back to Ryan 10.B.
- B. Ryan Zumwalt
 - i) Ryan is wanting to see email communications to the county for file for review. Any record of emails for any applicants for the county or LP to be uploaded so they can be reviewed.
 - ii) Discussed and not decided.
 - iii) Ryan wanted to know what the plan was for inspection and building review and to not forget about it. Moved to Rob Update 10.A. (4:05:33 recording)
 - iv) Reaching out to utilities for Franchise Agreement
 - v) Google Vault and Microsoft Outlook
 - 1) Jamie gave information on Google and Microsoft and the way the council is currently using both and the council needs to decide how to move forward if they want to get Google vault.
 - 2) Council asked questions and discussed this topic.
 - vi) Council moved to Kathleen 10.C.
 - vii) Reimbursement Plan (5:55:00 recording)
 - viii) Paycheck and how to back pay paychecks
 - ix) Plan for citizen complaints and where to store those records.
 - x) Lock down documents on certain file and make a plan.
- C. Kathleen VonHatten (4:39:00 recording)
 - i) Kathleen went over an update on the Civic Review Demo
 - ii) Kathleen went over the Polaras Demo update again.
 - iii) Kathleen gave an update on Trash Flow Demo and billing post cards.
 - iv) Waste update
 - v) Website update
 - vi) Flooding Concerns update. Ben Campbell is planning on picking up sand on Monday to pick up sand and dump it at the park and picking up 18 ton. We have 1,000 bags. Kathleen's husband is making a couple sandbag fillers.
 - vii) Keep track of volunteers and hours and take pictures before and after.
 - 1) If we wanted to do a "bagging party"?
 - viii) HOA should be removing the orange things off the drainage curb and gutter
 - ix) Report on Emergency Declarations Training- only because we don't have an emergency code in place, we need an authority to declare an emergency.
- D. Doyle Garrard (5:32:00 recording)
 - i) Storage facility for pre-filled sandbag that was \$150 for short term
 - ii) League of Town and Cities (St. George) \$355 charge per attendee, coming up in April
 - iii) Road/sidewalk repair work September sewer past 1 yr. warranty- discussed with Rob and the council
 - iv) County suggestions on sandbag tricks- to not fill bags all the way up. Also possibly sending out RFP's for emergency services.
 - v) Touched on the snow removal map that Doyle got from the county.
 - vi) Touched on the gnats and mosquitos might be really bad this year.
 - vii) Discussed the bank account and options we might have.
 - viii) Discussed reimbursement for mileage as something to look into in the future.
- E. Dan Crawford (5:50:30 recording)
 - i) Dan will send out an email asking the PZ for pictures of themselves to add to the website.
 - ii) Have Recorder blast out Small Business Grant and connect
 - iii) Deputy Recorder applications discussed plan on moving forward.
 - iv) Back up to Ryan 10.B.vi.
- F. Jonathan Garrard (5:47:00 recording)
 - i) resident concern was brought up

11. Public Comment

- A. Motion-Kathleen to open Public Comment 2nd Doyle
 - B. Vote was unanimous approved
 - i) No public Comment
 - C. Motion-Kathleen to close Public Comment 2nd Doyle
 - D. Vote was unanimous approved
2. **Adjournment** Motion- Ryan to adjourn 12:01 am

Note-The minutes may include a summary of what was discussed and are not intended to be verbatim

PASSED AND APPROVED but the Council this 11 day of Dec, 2024

Chair 

ATTEST:


Jamie Olson, City Recorder

