Lake Point City Council Business Meeting Minutes

Date: Wednesday, Dec 11, 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-** Jonathan Garrard
4. **Presiding Officer-** Kirk Pearson
5. **Attendance Roll Call-**

Lake Point Council & Staff (C=Council)	Public	Public
Ryan Zumwalt (Chair) arrived at 6:35 pm	Gino Garcia	
Kirk Pearson (Vice Chair)	Doyle Garrard	
Jonathan Garrard (C.)	Kim Clausing- NTFD	
Kathleen VonHatten (C.) over the phone	Rickey Lloyd	
~~Alexis Wheeler~~ (C.) absent		
Jamie Olson (RCDR)		
Joel Whitehorse (Attorney)		

6. **Legal Training –** Joel
   A. No training
7. **Staff Report-**
   A. Tabled till Ryan arrived
   B. Council returned to this item (1:11:11 recording)
   C. (Jamie) explained the Definitions Book in the city coding and asked the city if they wanted that to be changed to "Reserved" or if they wanted some very general "definitions" put in that book.
   D. Council and Joel discussed it, and they suggested just deleting it and labeling it as reserved.
   E. (Jamie) updated the Council on where they are on the Lake Point Improvement District Franchise Agreement.
   F. (Jamie) went through the Financial Administrative Ordinance and had some suggested amendments for the Council to review, she will be sending that out shortly.
   G. (Council moved to Item D.)
8. **Public Comment-** (2:37 recording)
   A. Motion-Kirk to open Public Comment. 2nd Jonathan
      i) Vote was unanimously approved
   B. Jonathan Garrard (3:05 recording)
      i) (Jonathan) found a bracket that would allow him to get the In God We Trust sign up in the Fire Station and asked the Council for direction on where to place it.
      ii) (Jonathan) as a citizen, he is having a meeting Friday evening at the fire station and would like to know if he would be able to use the city TV.
   C. Motion-Kirk to close Public Comment. Kathleen 2nd
      i) Motion passed unanimously
9. **Approve the Minutes**
   A. Tabled until Ryan arrives
   B. Council returned to this item (1:08: 26 recording)

C. 2023 03.15
D. 2023 03.22
E. 2023 03.29
F. 2023 05.31
G. 2023 08.09
H. 2024 11.13
I. Motion- Jonathan to approve 2023 03.15, 2023 03.22, 2023 3.29, 2023 05.31 and 2023 08.09 minutes as have been corrected prior to this meeting. Ryan 2nd
    i) Motion passed unanimously by Ryan, Jonathan, and Kathleen.
J. Motion- Jonathan to approve 2024 11.13 minutes as has been corrected and presented before the meeting. Ryan 2nd
    i) Motion passed unanimously by Ryan, Jonathan, and Kathleen.

10. Reports/Presentations
A. Sheriff Report (5:06 recording)
    i) (Sheriff Wimmer) gave the Council the monthly sheriff report
    ii) If any of the Council has any questions, please contact him.
B. Fire Dept Report (9:09 recording)
    i) (Kim Clausing) gave the Fire Dept report, nothing major to report.
        1) (Kim) Update on the Community grant- since our jurisdiction is larger now, they need to apply through Tooele County Council. They would need permission from the Lake Point Council to ask the County for permission to apply through them.
        2) They are still working on the income survey for this grant
        3) Today they had a meeting with the Dept of Public Safety and Emergency Response Department. He is trying to figure out the need for emergency responses for state and highway responses.
        4) The new director, Darrin, emergency response is aware of the needs of I-80 and our highway's emergency response needs. Any chance the city has, to talk to the legislation about the needs of the area is appreciated.
    ii) (Doyle) pointed out resources for purchasing a ladder truck
        1) (Kim) explained the need for the funding first, the need is for a truck that doesn't have a lot of maintenance in the long run and having the staff that is licensed to drive it.
    iii) (Kirk) asked about an upcoming House Bill he was aware of that might be supportive to EMS response.
        1) (Kim) will get that information to the Council.
    iv) (Jonathan) asked when they were going to try to get before the County Council.
        1) (Kim) depending on when the survey gets done.
    v) (Kathleen) asked if the county will need to do the public notice even though Lake Point already did it.
        1) (Kim) will find out.
C. Treasurer Report (26:45 recording)
    i) (Doyle Garrard) asked if the Council if they had questions on the treasurer report.

11. Action/Business Items
A. Jones DeMille Assignment Order for 2024-2025 approval (32:16 recording)
    i) Motion- Jonathan to approve the Jones DeMille Assignment Order for 2024-2025. Kathleen 2nd
        1) Roll Call Vote-[Jonathan-Yea] [Ryan-Yea] [Alexis-Absent] [Kathleen-Yea] [Kirk-Yea]
        2) Motion passed unanimously by those present
B. Affidavit to remove a Beehive County CUP from several properties. (33:15 recording)
    i) (Jamie) explained the old CUP shows up on title reports and Chris would like the CUP removed from the title reports
    ii) Motion-Jonathon to approve affidavit as presented to the Council. Kathleen 2nd
        1) Motion passed unanimously

C. O-2024-XX Amended Supplemental Regulation Recommended to Council from Planning and Zoning on 12.02.2024 (34:50 recording)
   i) (Ryan arrived at 6:35 pm)
   ii) (Jamie) introduced the changes to the recommended regulation.
   iii) Council discussed the ADA verbiage adjustment.
   iv) Council went through a couple of questions that were asked by the Council.
   v) Council discussed clarification in adjusting fence height language and if a fence is higher than 6 feet, requiring a permit and maximum height of fences.
      1) Also, side front yard fence height.
      2) (Jamie) This topic was not presented during the public hearing, so this topic can be brought up in a future amendment.
   vi) (Discussion) parking stall number requirements. (50:40 recording)
      1) This topic again was not presented during the public hearing, so this topic can be brought up in a future amendment.
   vii) The concern from some council members was the fact that the city code does not require a certain number of stalls for a type of business like a hotel. If the code stays at 10 feet, the business would have fewer stalls, if the code changes to 9 feet the business could have more stalls. The Commission measured stalls outside and at a Costco and felt 9 feet was enough. Compact size stalls were also discussed. Bigger vehicles might take more than 1 stall.
   viii) Safety was discussed.
   ix) (Jonathan) Hotels will have patrons driving a car and double up on a room, he has no problem with the nine-foot stalls that have been recommended by the Commission.
   x) (Kathleen) many cities require one-for-one stalls per room.
   xi) (Kirk) a hotel would know how many stalls they need to service and is fine with nine feet.
   xii) (Ryan) asked if the code changes to nine feet, it might give them more room to add more stalls.
   xiii) (Gino) this is assuming the hotel will run 100% capacity.
      1) (Kathleen) there is feedback from the county that a lot of the hotels run at capacity.
   xiv) (Kathleen) wants this brought back to the Commission to address the stall requirements per business.
   xv) Motion- Jonathan that we pass the Amended Supplemental Regulation Recommended to Council from Planning and Zoning on 12.02.2024. Kirk 2nd (1:06:18 recording)
      1) Roll Call Vote-[Jonathan-Yea] [Ryan-Yea] [Alexis-Absent] [Kathleen-Yea] [Kirk-Yea]
      2) Ryan- Record Yay he supports making sure the full ordinances is looked at again by the Planning Commission regarding a one-for-one parking stall requirement.
         (a) Motion passed unanimously
   xvi) Council moved back to the Minutes (Item 9.) and staff report (Item 7.) (1:08:07 recording)

D. Resolution-2025 Meeting Schedule (1:20:36 recording)
   i) Council went through the meeting schedule and adjusted dates as needed.
   ii) Motion- Jonathan to table this.
   iii) (Jonathan) Rescinded his Motion to Table
   iv) Motion- Kirk to approve the 2025 Meeting Schedule as presented. Kathleen 2nd
      1) Roll Call Vote-[Jonathan-Nay] [Ryan-Yea] [Alexis-Absent] [Kathleen-Yea] [Kirk-Yea]
      2) Motion passes 3 to 1
      3) Jonathan- is a nay because he felt the other (absent) Council member was not represented

E. Amend Ordinance- Use of Public Right of Way and Franchises (1:33:41 recording)
   i) Council discussed the proposed edits to this Ordinance and went through all of their concerns and comments.
   ii) Council amended verbiage referring to work done in swell areas and PUDE's (Public Utility Easement)
   iii) Council discussed excavation in swales to maintain/improve swales. (2:14:05 recording)

iv) Motion- Ryan to approve Ordinance 2024-15 Use of Public Right of Way and Franchises as amended and discussed in the meeting. Kirk 2nd (2:30:40 recording)
   1) Roll Call Vote-[Jonathan-Nay] [Ryan-Yea] [Alexis-Absent] [Kathleen-Yea] [Kirk-Yea]
   2) Motion passed 3 to 1

F. Amend Ordinance- Swale Alteration and Piping Design Standards (2:31:36 recording)
   i) Council amended verbiage referring to work done in swell areas and PUDE's (Public Utility Easement)
   ii) Council discussed excavation in swales to maintain/improve swales.
   iii) Council discussed reducing the size of the culvert pipe for Right of Way Excavation Permits if approved by the city engineer and is not in a subdivision with a recorded plat requiring an 18-inch pipes.
   iv) Council discussed defining or not defining "unreasonable interference"
   v) Motion- Kathleen to approve Ordinance 2024-16 Swale Alteration and Piping Design Standards as amended in the meeting tonight. Kirk 2nd (3:06:10 recording)
      1) Roll Call Vote-[Jonathan-Nay] [Ryan-Yea] [Alexis-Absent] [Kathleen-Yea] [Kirk-Yea
         (a) Motion passed 3 to 1

G. Ordinance- Parking (3:06:49 recording)
   i) Ryan introduced the parking ordinance drafts and the purpose is to address complaints by citizens, educate, safety, and comply with state codes.
   ii) (Ryan) The Council needs to decide if they want to adopt the state code in the city ordinance and have more local control.
   iii) Council discussed the level of regulation they each council members desires and how to move forward between Jonathan and Ryan's draft.
   iv) Motion- Kirk to table until the next meeting. Kathleen 2nd
      1) Council will work on creating another draft
      2) Council will combine winter parking and normal parking ordinance.
      3) Motion passed unanimously

H. Ordinance- Winter Parking and Flyer
   i) Motion- Ryan to table to the next meeting and combine it with the other parking ordinance. Kirk 2nd (3:42:40 recording)
      1) Motion passed unanimously

I. Ordinance-Illegal Dumping (3:43:07 recording)
   i) Ryan introduced the this proposed ordinance. It is pretty much state code and then setting the fine.
   ii) Council discussed the description of trash.
   iii) Council went through the comments from the Council.
   iv) Council looked at the draft Jonathan had proposed.
   v) Council moved to Item 11. J. to give Joel time to add the typical Ordinance verbiage before they adopt the ordinance.
   vi) Council returned to 11. I. so it could be motioned to adopt (4:16:28 recording)
   vii) Motion- Kathleen to pass Illegal Dumping Ordinance 2024-17 as amended in the meeting. Ryan 2nd (4:17:15 recording)
      1) Roll Call Vote-[Jonathan-Nay] [Ryan-Yea] [Alexis-Absent] [Kathleen-Yea] [Kirk-Yea
         (a) Motion passes 3 to 1
   viii) (Council moved to Council Updates Item 13.)

J. Ordinance-Fence In and Fence Out (4:03:13 recording)
   i) (Ryan) worked with the National Agriculture Law Center and USDA Agriculture Library to create this Ordinance. Utah is a "fence in" state, putting the responsibility on agriculture. The only way to override it is to adopt our own ordinance.
   ii) (Jamie) suggested getting some definitions in the ordinance.
   iii) (Ryan) In 2015 the state changed to a fence in state. That is why we need to adopt this so Lake Point can be a fence in and out.

iv) (Ryan) will get the draft cleaned up and in ordinance form and bring it back.
v) (Jonathan) let the Council know he had created a draft that is in ordinance form.
vi) Motion- Kirk to table. Ryan 2nd (4:16:00 recording)
1) Motion passed unanimously
vii) (Council Moved back to 11.I Illegal Dumping)

12. Attorney Clarification

13. Council Updates (4:18:00 recording)

A. Ryan Zumwalt
i) No Updates

B. Kirk Pearson
i) No Updates

C. Alexis Wheeler
i) Absent

D. Kathleen VonHatten (4:18:12 recording)
i) Gravel that has worn away from a road edge, if that is seen, please let the city know
ii) Asked if anyone had addressed citizens on the rec center.
1) (Ryan) will respond
iii) Kathleen) recognized 2 new HBB
1) Versatile Pest Control
2) Jore Properties LLC
iv) On the Bridlewalk requested easements- Some landowners were not willing to allow an easement. So, they are asking the developer to increase the capacity of the pond to a 100-year storm. They are waiting for a response from the developer.
v) WFRC has changed its classification of roads from rural areas to urban areas. It is not only based on population; it now includes the distance between areas. It doesn't really affect Lake Point.
vi) Round About Restriping- $10,000- $14,000 to restripe those. She needs to if this is something the Council wants to pursue.
1) There is support for this is on the agenda. They will bring forward any design proposals to the meeting.
vii) Requested the fee schedule to be on the agenda to add a clarification.
1) It will be on the next agenda.

E. Jonathan Garrard
i) No updates

14. Public Comment

A. No Public Comment

15. Closed Session- not needed

16. Adjournment- 10:29 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 8 day of January, 2025

Chair

ATTEST:

Jamie Olson, City Recorder