

Lake Point City Council Business Meeting Minutes

Date: Wednesday, Feb 26, 2025

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

Time: 6:00 PM

1. **Call to Order-** 6:02 pm
2. **Prayer-** Doyle Garrard
3. **Pledge of Allegiance-** Alexis Wheeler
4. **Presiding Officer-** Alexis Wheeler
5. **Attendance Roll Call-**

Lake Point Council & Staff (C=Council)	Public	Public
Alexis Wheeler (Chair)	Treasurer- Doyle Garrard	
Kathleen VonHatten (Vice Chair)	Tim Gillie	
Jonathan Garrard (C.)	Diane Young	
Ryan Zumwalt (C.)		
Kirk Pearson (C.) arrived at 6:25 pm		
Jamie Olson (RCDR)		
Joel Whitehorse (Attorney) left at 10:11 pm		

6. **Legal Training – Joel**
 - A. none
7. **Staff Updates-**
 - A. (Jamie) Good job on those taking care of required trainings. Kirk and Alexis have completed all state required trainings for this year.
 - B. (Jamie) Requested the fee schedule on the March 26 meeting agenda, along with the Sign Ordinance. That draft was sent to the Council today.
 - C. (Jamie) Ryan, the Commission would like you to help them with the Annexation Plan at their meeting Monday.
8. **Public Comment-**
 - A. Motion-Kathleen to open Public Comment. Jonathan 2nd
 - i) Vote was unanimously approved
 - B. (Doyle Garrard) citizen and treasurer (4:45 recording)
 - i) Concerns centered around contracts
 - ii) He was hoping the contracts would be available to the public. He doesn't know what changed
 - iii) He was wanting to inform newer members of Council of the past history of establishing these city positions.
 - iv) At the beginning, they thought these positions would be part-time employees.
 - v) When we had these posted. The idea was that one employee would take care of PZ and LPCC meetings, and one employee for trash.
 - vi) Feels there was pushback from other Council Members when he wanted to know what the staff was doing.
 - vii) With that in mind for Social Security, he gets an increase of 2.5%, and suggests that the increased wages go off these percentages
 - viii) Asks that the public be allowed to give input on any increases in wages or benefits.
 - 1) If you do not do this, you're not working in the interest of the city and staff.
 - C. Diane Young (9:24 recording)
 - i) Had the same discussion as Doyle

- ii) Trump is making all government workers go back to the office. Are all employees working in the office and be available for citizens to contact and come talk to?
 - iii) If raises are being given, are they doing the work they are doing, that we are paying them to do?
 - iv) There are a crazy amount of tax dollars increases for the County.
 - v) How many hours constitute full-time?
 - vi) Last time this was discussed, and the crazy amounts of money at maybe a 19% to 17% increase. As a federal government worker, we never got those kinds of raises or benefits.
 - vii) Are you taking them for their word, that they worked 40 hours that week? Are they being held accountable?
 - viii) She feels like this is a brand new job when adding benefits, and increased wages, and the new jobs should be posted and accessible to the citizens, and be able to apply for those jobs.
 - ix) Are computers being supplied, are phones supplied, or are they using personal computers? The computers should be safe and not available for family members to see.
 - x) If they are offered benefits, are they being offered to all employees? Why are you singling out just 2 positions, why not available to all employees? She does not understand that.
 - xi) You need to consider your numbers.
 - xii) She believed that Lake Point can do a better job and if her taxes rise again, the people are going to fight if they go up again. The citizens have given you enough time to get things going, and you will have a fight and need to prove the expenditures.
 - xiii) She could not find the job postings, she couldn't find the contracts, she couldn't find the job descriptions.
- D. Bryce Bradfield (15:50 recording)
- i) Lake Point Resident for 13 years and has been in Human Resources for 30 years.
 - ii) Agrees with Diane
 - iii) He expressed the importance of a job description and job evaluation. There needs to be a study for market comparables.
 - iv) Positions should be posted, it avoids favoritism if it is not available to the public. It gives others the opportunity to apply.
 - v) Feels his taxpayer money need to go to the right process, he feels it needs to be done now, in having processes and procedures
 - vi) You need to check the Fair Labor Standards Act to see if the jobs qualified for overtime pay. Based on responsibilities. Is it a job that qualifies for salary?
 - vii) Maybe others who were not interested in a part-time role are interested in it now because it is a full-time role.
 - viii) These are foundational HR principles.
 - ix) (Jonathan)
 - 1) Asked if he is willing to share where he has worked.
 - 2) (Bryce) shared his work history and the companies where he worked, current and past.
- E. Lori Chigbrow emailed the Council- Kathleen VonHatten read an email to the Council (22:30 recording)
- i) Her concerns are not about whether the staff are not doing a good job.
 - ii) Her concern is having accurate cost comparison data
 - iii) She felt the cost comparison data previously presented was not an accurate comparison.
 - iv) The people making the comparison were not experienced in the data.
 - v) Does the work being done, show data that the work is being done efficiently and effectively?
 - vi) She doesn't see a standard for reporting what is being worked on, timecards, and reporting what is being done.
 - vii) Concerned about the lack of transparency and questions if each officer has enough information to make a decision on employment pay and benefits.
 - viii) She encourages these processes with transparency.
- F. Diane Young (24:52 recording)

- i) Concerned again with verifying work, are they on their computers, or are computers on idle, and she questioned working in the office and again have access to the people when they should be working.
- ii) (Jonathan) wanted to point out on taxes, that Lake Point has not raised taxes
 - 1) (Jonathan) Those assessments are done by the County Assessor
- iii) (Diane) She believes in Lake Point and would pay more taxes to Lake Point rather than paying Tooele County, she wants the taxes to be used properly
- iv) (Jonathan) if we have an employee, who then gets a raise, or hire someone outside of the city to do a job, but will cost more money, is Diane in favor of that?
 - 1) She would pay more for better quality.
- v) (Bryce) You can figure that out by job analysis and have an established process.
 - 1) (Jonathan) The research that was done previously was from the Transparent Utah site.
 - 2) (Diane) thought it was a crazy amount of money
 - 3) (Ryan) The transparent Utah site does not show the background and education of the employee.
 - 4) (Diane) Are you sure the employee is actually doing the work, is someone else doing the work, is it quality work?
- G. (Alexis) asked Bryce about his experience
 - 1) The city has 2 city employees, and a recent treasurer hired.
 - 2) In the beginning, it was anticipated that those would be part-time, but it could fluctuate. In the past 2 years plus, it has been found that the two employees are full-time positions.
 - 3) Would you still consider those needing to be a new position?
 - (a) (Bryce) asked if they had benefits before?
 - (b) The only changes were adding holiday pay and PTO for benefits.
 - (c) (Bryce) based on the Affordable Care Act, based on their 30 hours, then they are eligible for the benefits?
 - (d) (Alexis) yes, would you consider that change to be a new position?
 - (e) Look at comparable and make sure the data is helpful, what time is being sent on task. If the data supports the full-time.
- H. (Diane) repeated her concern if they are confirming the employees are doing work.
 - 1) (Alexis) The timecards vary in detail.
- I. (Ryan) pointed out that only two members of the Council have seen that information.
- J. (Diane) again brought up that it's not fair, this is only being offered to 2 employees.
 - i) (Kathleen) pointed out that the only other employee is the Treasurer, and he is part-time. She wanted to make sure they were not discriminating since the Treasurer was not being offered any benefits.
 - ii) (Diane) asked what was considered full-time
 - 1) (Jonathan) According to the law he believed anything over 32 hours a week over a year.
 - iii) (Ryan) pointed out that all positions were put at part-time.
 - 1) (Diane) What if you just hired another part-time
 - iv) (Bryce) What if there can be a legal consultation for each employee, to see the employee's perspective and get that feedback for the Council.
- K. (Ryan) asked if Bryce had seen an outside Human Resources hired so there was no bias.
 - i) (Bryce) Yes, you can outsource an HR to do an evaluation.
 - ii) (Ryan) asked if he felt that would be helpful for Council and the employee to have an outside source to go to?
 - 1) (Bryce) Clarified that Ryan meant for a full-time outside HR?
 - 2) (Ryan) more for if they have issues
 - 3) (Bryce) typically only sees that for specific reasons or projects, a new hire. They would have a retainer for this and then released once done.
- L. (Bryce Bradfield) (40:47 recording)
 - i) He is one of the property owners whose property is divided in half by two taxing districts, and he wanted to know when that will be taken care of.

- ii) (Ryan) thought that was resolved
 - 1) (Ryan) will follow up on this with the County.
 - 2) Parks and Cemetery District was the original issue
 - (a) (Ryan) There were other issues.

iii) Further discussion on the history of this issue.

M. Motion-Alexis to close Public Comment. Kathleen 2nd

- i) Motion passed unanimously

9. Reports/Presentations (45:17 recording)

A. Treasurer Report

- i) (Doyle) gave the treasurer a report and asked if there were any questions on what he sent out.
- ii) Jones and DeMille are having issues tracking the ACH payments, and so he emails them when he sends them a payment.
- iii) He had not received the latest statement until today.
- iv) He has taken the time to enter employee timecard information and shows the salaries for last year and the current, and is out there for their review.

B. Emergency Management Report (see Exhibit A) (47:50 recording)

- i) (Kathleen) There is a county assessment response and proper zoning for our hazard permitting.
 - 1) Tooele City found out they had no limit on Lithium batteries and she wanted to make sure we have the appropriate zoning requirements.
- ii) There are other trainings she wants to attend, and to make sure the Council is okay if she uses the budgeted amount for training.
 - 1) (LEPC)
 - 2) (Zero fatalities)
 - 3) UEMA Conference
 - 4) VOAD Conference
- iii) Training Compliance training (National Incident Management System) NIMS compliant training (National
 - 1) If the city does not have those trainings done, they can deny any assistance.
 - 2) (Ryan) asked if there was a certain level of training, if there is a cost, and if the recorder will need to do the training?
 - (a) (Kathleen) Yes, there is a certain level, and she will provide further info. There is no cost. She will check if the Recorder needs to do the training.
 - 3) (Jonathan) asked if she could provide a copy to the Council.
 - 4) (Jamie) Please send the link to the training, and she can make it available to the Council.
- iv) Pre-mitigation Strategies should be done soon.
- v) House Bill #48, SB #77, and SB #97 are being watched by Urban Interface, and briefly explained them.
- vi) Emergency Siren System is being assessed, there is a survey for citizens to fill out as a way to determine if it is needed
 - 1) She will post it online when she has the link to the survey.
- vii) Rocky Mountain Power- Deseret Peak Substation update
 - 1) It is behind schedule because of acquiring land.

10. Approve the Minutes- (1:02:29 recording)

A. Feb 12, 2025

- i) Motion- Jonathan to approve the 02.12.2025 minutes as amended. Alexis 2nd
 - 1) Motion- passed 4 in favor, with Kathleen abstaining.

11. Action/Business Items (1:03:45 recording)

A. ArcGIS Subscription approval

- i) (Doyle) gave feedback and was in favor, but you might need some expertise, since it is complicated.

- 1) (Alexis) This was put to us from Jones and DeMille and is needed for the Storm Water Management Plan, and we can work with the County and what they already have established.
- ii) Motion-Alexis to approve the ArcGIS subscription for one year for \$828.00. Kathleen 2nd (1:07:32 recording)
 - 1) Roll Call Vote-[Jonathan-Yea] [Ryan-Yea] [Alexis-Yea] [Kathleen-Yea] [Kirk-Yea]
 - (a) Motion passed unanimously
- B. O 2025-02 Draft Financial Administration Amendment (1:08:12 recording)
 - i) Council discussed a few questions.
 - 1) Discussion, if they should be doing the procurement process for already established contracts after 3 or 5 years, and if we need to put that in the ordinance to require a set time for contracts to rebid.
 - (a) Council chose to add some verbiage requiring established contracts to go through the procurement process, at least every five years.
 - 2) Adding a section for recurring purchases needing to be approved in a public meeting. (1:21:43 recording)
 - 3) Discussion on emergency situations, and possible approval or not, or any kind of approval.
 - (a) Duties of the Chair/Mayor in authorizing emergency purchases and in our form of government, if the Chair has that authority.
 - (b) The Council did not add any extra verbiage.
 - (c) (Kathleen) reminded the Council they need to submit three back-up people in case there is an emergency, and it needs to be on the Drive.
 - ii) Motion-Kirk that we pass the Financial Administration Amendment, as we have amended and cleaned it up.
 - 1) Roll Call Vote-[Jonathan-Yea] [Ryan-Yea] [Alexis-Yea] [Kathleen-Yea] [Kirk-Yea]
 - (a) Motion passed unanimously
- C. Lake Point Recorder Contract Amendment (1:38:31 recording)
 - i) (Kathleen) appreciate Jamie's hard work, but has concerns about how the job has evolved over time.
 - 1) She feels the Council should be doing the work themselves and feels the recorder position is moving toward a city manager role, and that is not what citizens voted for.
 - 2) Should we change to a mayor/council structure?
 - 3) Operate with trust but verify, have checks and balances to make sure jobs are being done efficiently, before transitioning them to full-time positions, and is concerned with increasing wages, other than the cost of living.
 - 4) She is not against a raise. But after the public feedback, and speaking with other HR people, she feels we need to do evaluations on what work is being done, and if it can be done in less time.
 - 5) She is very concerned that we are not posting contracts.
 - 6) She thinks we are doing a great disservice by not posting contracts.
 - ii) (Alexis) asked Kathleen if they can consider the contracts and make the amendments tonight and then forward that to the public before it is adopted.
 - 1) (Kathleen) yes, she is okay to review some items and then post to the public
 - 2) (Kirk) would like to go through it, then we can present a clean copy for the public.
 - iii) (Jonathan) This has been available for 2 weeks, and most of it is reorganizing the original contract.
 - iv) (Kathleen) does not agree with the duties that have been being done by the recorder and added to the contract, and feels the Council should be doing more.
 - v) (Kathleen) She had not considered that it would be a new position since it was going to be full-time, and they have not vetted how the employees' time is being spent.
 - vi) (Kirk) felt they were just cleaning up the contract.

- vii) Council started going through the contract and making adjustments to the draft.
- viii) They changed some simple wording.
- ix) They wanted feedback from the public on the part-time to full-time verbiage and the wage increase.
- x) The Council discussed some past code adopted concerning the Chair and Vice Chair not being on the HR Committee and how that affected some verbiage in the contract stating the employee reported to the Chair. (1:57:00 recording)
 - 1) (Ryan) has had outside legal advice explain it was against the law to have an outside committee have more authority than the Council majority, and felt responsibilities had been stripped from the Chair.
 - 2) (Kathleen) asked, wouldn't a committee still need to report to the Council for a final say?
 - 3) (Joel) The Council majority is the most powerful in the Council. (1:58:40 recording)
 - 4) (Jamie) asked Ryan what document he felt was adopted that took the responsibility from the Chair for staff to report to the Chair. She explained that staff still reports to the Chair and the HR committee was a separate committee and needs to be set up to deal with more HR related matters vs management matters.
 - 5) (Ryan) felt when he was the Chair that the HR committee was given more authority than the Chair.
 - 6) (Kathleen and Alexis) did not feel that was anything adopted.
 - 7) (Ryan) will find where it was done.
 - 8) Further discussion on the topic, trying to figure out what Ryan was referring to so it can be referenced.
 - 9) (Joel) thinks it was in reference to the decision on agenda items being added to the agenda.
 - 10) (Ryan) felt it was more than that that was stripped from the Chair.
- xi) (Kathleen) was concerned about some verbiage concerning Council requiring from staff reports and other requests related to her duties in this contract, and what if there was a request that was not listed in their contract, but is related to city business, are they not entitled to the information? (2:05:47 recording)
 - 1) (Ryan) was not supportive of this verbiage and feels it is detrimental.
 - 2) Council further discussed the what if.
 - 3) They changed it to something like "pertaining to her duties" instead of referencing what was in the contract.
- xii) More simple verbiage corrections.
- xiii) Pay rate from \$20.00 to \$23.84 will be a topic for public feedback.
 - 1) Further discussion on the rate increases and looking at the items the public raised.
 - 2) (Ryan) said the rate should be based on an evaluation, and doesn't feel the rate increase should be the same for all employees, if an employee has a higher workload.
 - 3) (Ryan) Anything over the cost of living should be based on performance.
 - 4) (Ryan) also feels the contract on compensation should be separate votes. There are things in the contract and wages he can not support.
 - 5) (Ryan) pointed out that the Recorder is a statutory officer and an increase in compensation requires a public hearing.
 - 6) (Ryan) We would be violating state code if this was adopted tonight.
 - 7) (Kirk) We already discussed going through it and then posting it to the public.
- xiv) (Kathleen) mentioned it was suggested to bring in an HR consultant for an evaluation, and wanted to know if the Council was interested in a consultant helping them with a performance evaluation, and how to handle other items like PTO. We have another employee we did not offer a new contract to, and all the added benefits. She is very concerned.
 - 1) (Alexis) it does not hurt to have a second opinion, and this has been discussed in an email.
 - (a) But are we paying for this second opinion?

- 2) (Kathleen) are we setting ourselves up for success, and paying someone, or setting us up for failure? She feels it would be helpful to have someone not close to the situation.
- xv) (Jonathan) pointed out the process of the original contract and how it was drafted by the previous contracts. Once drafted, it was sent to the Council. He thought the contract negotiation part should not be public as it can cause unfair advantages.
 - 1) (Joel) expressed that it was helpful that the negotiation start out private. Eventually it would be brought out to the public.
 - 2) (Joel) it is not a requirement to post a contract online, but can be available through GRAMA.
- xvi) (Ryan) feels like it is different between a contractor, like our engineer, and an employee contract being paid by taxpayer monies.
- xvii) (Ryan) feels we don't have all the policies in place to execute the contract.
- xviii) (Alexis) suggest cleaning up the doc, and in the meantime, work on the policies (some have already been drafted). Everyone needs to comment and then we can do them all at the same time.
- xix) Council discussed further Ryan's request to remove the wage from the contract
- xx) (Kirk) feels like this contract really isn't anything new, and feels this document is a no brainer, and they should be done with this. The duties are a separate document.
- xxi) (Ryan) expressed again that he wanted the wages, contract, and duties separate. Then put it back in after the public hearing.
- xxii) (Jonathan) asked Ryan if he had a suggested wage?
- xxiii) (Ryan) researched the job descriptions and did research himself, and comparable wages.
- xxiv) (Jonathan) asked for Ryan's feedback about the wage that was listed in the contract, if it is too high or low?
 - 1) (Ryan) he won't because he is not an HR expert.
- xxv) Council discussed the job duties listed as specific to Jamie's duties or specific to the position.
 - 1) (Kathleen) felt they might change, for example, she has always wanted a Planner.
- xxvi) Holiday and PTO pay was discussed and will remain for public comment.
 - 1) (Kathleen) is not okay with a reference to a policy we don't have, even though Jonathan drafted one.
 - 2) (Alexis) by the time we post this to the public, we should have that policy ready.
- xxvii) Double time on holidays was discussed.
- xxviii) Effective date has been listed to just after this was previously discussed.
- xxix) (Alexis) Two have been in favor of backdating and two are not, Kirk had not expressed his thoughts (in the draft comments)
 - 1) (Kirk) is in favor of going back as this has been dragged on and still being dragged on.
- xxx) Council discussed separating the job duties and contract.
 - 1) (Joel) pointed out the benefits for each way.
 - (a) If it is in the contract it, it binds to the contract
 - (b) If it is separate, it is a policy. If something needs to be revised in the duties, it can be amended, and the contract does not need to be amended.
- xxxi) Council finished adjusting the contract and moved onto the draft exhibit "Job Duties" that was originally an exhibit to the contract and in the future will be a separate document.
- xxxii) (Diane Young) had a question, if she was able to comment on what they are doing now, are you just appointing these people? And giving them a full-time job with benefits? Are you going to let other people apply for the job? You're going to have a lot of people interested in this job with great benefits. (2:49:42 recording)
 - 1) (Council) there will be another public comment, it will get tabled tonight, and a public hearing will be posted.
 - 2) (Diane) again wanted to know if the jobs would be available to the public to apply for. Maybe there is someone out there that does not need to be trained or be paid a lot.

- (a) (Kathleen) The Council has not discussed that yet.
- 3) (Ryan) explained that Jamie was their first hire because you have to have a Recorder, but not sure if we can just bump her to full time without reposting the job.
- 4) (Diane) feels it is wrong to not give others the opportunity to apply.
- 5) (Jonathan) It is an appointed position that has compensation for the position.
- 6) (Kirk) we can't just fire them (and repost the position)
 - (a) (Diane) they can reapply.
- 7) (Joel) The Council can give raises and change the job duties; they are not legally required to repost the job. If they wanted to, they could repost the jobs though.
- 8) (Kirk) does this all the time, has a part-time employee, and jumps them to full-time and adds benefits.
- 9) Council will discuss that further.
- xxxiii) Council continued part of the Recorder Contract listing job duties. (recording 2:56:06)
- xxxiv) (Jonathan) explained how he had taken the original document and made adjustments, including reorganizing it and adding duties they have been asking the employees to do.
- xxxv) Council made minor adjustments
- xxxvi) (Kathleen) had concerns with adding a zoning administrator and zoning violations.
 - 1) (Joel) The City Recorder has been doing the stop work orders for zoning violations.
 - 2) (Ryan) brought up the Zoning Enforcement Officer (that has been brought up in previous meetings). Felt like the paperwork for a stop work order was the Recorder, but had questions about the enforcement officer.
 - 3) (Jonathan) pointed out that it only states she will issue stop work orders for zoning violations when needed, excluding the building code violations.
 - 4) (Kirk) she does not do them on her own, the Council has been involved. So they added clarifying words that "as approved by the Council."
- xxxvii) Motion-Alexis to table the Lake Point Recorder Contract including Exhibit A, pending further Council review and public hearing notice for a later meeting agenda. Kathleen 2nd.
- xxxviii) Motion passed 4 to 1
 - 1) (Jonathan)- 2 weeks was given to review, it would be nice to know the thoughts on the rest, so we could be prepared for the next meeting.
- D. Lake Point Planning Secretary Contract Amendment (3:09:52 recording)
 - i) (Jonathan) recommend separating the job duties and the contract.
 - ii) (Council) made a few minor adjustments, leaving the same concerns that were brought up in the Recorder's contract when reference to compensation, benefits, and increase to full time.
 - iii) (Kathleen) feels that over-time approvals should go to all the Council and not just the approval of two Council members.
 - iv) (Ryan) feels it should be 3 members to approve and there should be allowances for incidental overtime.
 - 1) (Alexis) That is addressed in another proposed policy.
 - v) Discussion on if redlines or not redlines, or what should be posted to the public.
 - vi) Discussion on whether comments were being posted. Alexis and Jonathan want the comments left in.
 - vii) (Jamie) asked clarification on what the Council wanted posted to the public.
 - 1) (Jonathan) post the old contract and a new clean version, so there is no confusion with all the redlines.
 - 2) (Kathleen) does not want comments and wants all the redlines.
 - 3) (Ryan) does not want comments and wants all the redlines.
 - 4) (Alexis) would prefer a clean document, a summary sheet, and final comments from Council on what they oppose.
 - (a) (Ryan, Kathleen, and Kirk) were good with that plan.
 - (b) (Alexis) will provide Jamie what she needs to post.
 - viii) Continue minor edit (3:24:40 recording)
 - ix) Discussed Exhibit A Job Duties
 - x) Removed the entire section of Policies and Procedures.

- xi) (Ryan) has concerns with 2 employees being at meetings. Wants it to say “when the Recorder cannot be present.”
 - 1) (Kirk) asked if there was a reason for one to be there for part of the meeting, then that doesn’t allow that.
 - 2) (Jamie) pointed out this was specific to “taking minutes”
- xii) (Ryan) had concerns with the section about receiving monies and felt the Council was doing that wrong according to the Auditor.
 - 1) (Joel and Alexis) expressed what is being done is correct.
 - 2) (Ryan) read some code and explained his reasoning for the separation of duties.
 - 3) (Jamie) asked for the code Ryan was referencing
 - (a) (Ryan) will send it and other emails and documents to everyone.
 - 4) (Jamie) pointed out there were no findings in our audit and has spoken specifically to the Auditor about how the city deposits checks, and the auditor expressed no concerns with how the city was depositing checks, other than writing a policy for our procedure. She explained the city had changed how they were doing it (last year) and that gave the separation of duties. You don’t want someone who has access to the bank that can withdraw monies to also be depositing monies.
 - 5) This will be further reviewed.
- xiii) (Ryan) had concerns with training, they are allowing the Planning and Zoning Secretary to do, and feels they need to be more specific on what types of training each employee is assigned to do. (3:41:50 recording)
 - 1) (Jonathan) doesn’t feel they can encompass all types of training that might be being done without having very long City Council meetings.
 - 2) (Jonathan) He attends almost all the Commission meetings and there is training being done in the meetings.
 - 3) (Ryan) wants accountability and not duplication of work, and feels some training should be done by other staff, and it should be laid out what they each can do.
 - 4) (Ryan) We can move on, he just does not want a job description fluffed to justify the pay.
 - 5) (Alexis) We can have further discussion on this topic, but if it is not in there and there is training that needs to be done, hypothetically it is not in their job description.
- xiv) Motion- Kathleen to table the Council draft of the employee agreement for the Deputy Recorder and amend duties for a public hearing and summary of changes, and to separate the Job Duties. 2nd Alexis
 - 1) Motion passed unanimously
- E. O 2025-XX Draft Employee Payroll Oversight Ordinance (3:51:03 recording)
 - i) (Alexis) only sees one comment aside from Joel’s comments, and asked if the others had reviewed this document. She sees a serious lack of comments for this to be considered
 - ii) Motion-Alexis to table Payroll Oversight Ordinance Draft for a further agenda item after everyone has a chance to go through it, add their comments, and have discussion, with the remaining documents we have gone over tonight for the next open agenda. 2nd Kathleen
 - 1) (Kirk) felt it was pretty basic, but if it needs to be tabled.
 - 2) (Ryan) wanted to go through it and had a lot of legal concerns. He has legal concerns, he can hold his statement between this and the next one.
 - 3) (Ryan) after seeking other legal advice, feels it will take a longer discussion. (Jonathan) to table, he does not want to be here late.
 - (a) Motion passed 4 to 1
- F. O 2025-XX Draft of Resolution to Protect Privacy and Limit Access to Sensitive Records (3:55:04 recording)
 - i) (Alexis) this one also had very little comments and has also been suggested to take to outside legal.
 - ii) Record – Kathleen
 - 1) This resolution concerns me. Over the past year and a half, council members have attempted to review staff time to improve processes, ensure job responsibilities are properly assigned, and track how time is spent on various tasks—but we have been

denied access to timesheets. Our goal has always been simple: to determine fair and accurate charges for permits and waste services and ensure that time is being used efficiently—nothing more, nothing less. I cannot think of any suspicious activity that could result from these efforts other than ensuring taxpayers receive the services they pay for and are not being overcharged. On December 30, 2024, the city auditor sent an email asking me to answer a few questions. One question stood out: "Do you have knowledge of any possible or actual noncompliance with laws and/or regulations, or knowledge of waste and/or abuse of City resources?" In good conscience, I could not answer "no" to that question. The reason is simple—this area of the city's operations has been largely inaccessible to others, and I have seen continued overtime and a failure to implement process improvements. In my view, this is an abuse of city resources. When the auditor requested timesheets to verify compliance with our guidelines, I forwarded that request to the HR committee, who assured me they would send the information directly to the auditor and not me. However, since neither I nor other council members were included in reviewing the timesheets, I cannot confirm whether the auditor actually received the information. I am not a politician, so I fail to see how seeking transparency in staff time, wages, permits, and waste charges could be viewed negatively. Regarding waste account information, I find it surprising that efforts to ensure residents receive their bills, get their questions answered, and have their waste cans delivered are being perceived as problematic. The only conceivable way I can think of to manipulate someone's waste account would be to pay their bill for them. Frankly, I do not have the mindset to devise deceptive ways to misuse this information. My only concern is that we remain accountable to the public and manage their money responsibly. At the end of the day, our job is to serve the citizens, ensure financial responsibility, and maintain transparency. That is all I have ever sought to do. I cannot support excluding any council member from information that pertains to public funds—funds that we are all responsible for managing. I can not do this, you are excluding half the Council on how our money is being sent.

- iii) (Kathleen) She does not support it, that is why she has not put any comments in the doc.
- iv) (Alexis) thinks it needs to be expanded to more fully cover areas that were intended. When she was informed of it, it was not just for protecting employees, but every member of the city along with the City Council. There is nothing for that right now.
- v) (Ryan) He reached out to the GRAMA office, and they have never heard of the governing body being denied access to records and GRAMA does not apply to the Council.
- vi) (Jonathan) Would you consider personal information on personal computers not tied to the drive, a concern?
 - 1) (Kathleen) received the account information the County and downloaded. What personal information is being referred to, feels there is a lot of accusing going on.
 - 2) (Jonathan) expressed he could not hear Kathleen's previous statement and would review it later.
- vii) (Jonathan) as we are discussing time spent, there are plenty of meetings, and Council is not being informed about and feels it is very weird.
 - 1) (Kathleen) does go to a lot of meetings
- viii) (Jonathan) all this is trying to do is protect sensitive records. All that is needed is aggregated data. He does not feel Council members need access to all that information.
- ix) (Kathleen) staff has access to detailed info.
- x) (Ryan) doesn't feel it should be limited to just staff as the governing body. No information should be withheld from the Council.
- xi) (Ryan) releasing information for GRAMA is referenced to anything outside the governing body. Having the information helps the Council govern taxpayer monies.
- xii) (Ryan) continued to read from the information he was emailed.
- xiii) (Jonathan) asked for him to please share the information when he receives it.
- xiv) (Ryan) already expressed in an email this was illegal, and he is not subservient to a committee.

- xv) (Ryan) continued to explain that other entities are required by law to release information to other entities, and so why would it not be required inside an entity. He has 17 coded and criminal codes this violates.
- xvi) (Joel) wanted to state that he advised the Council, in the email chain, to get a second opinion, because another attorney was involved, and it introduces a conflict of interest for his representation, because he represents the Council. Because of this he cannot advise on this.
- xvii) Motion-Alexis to table this draft of Resolution to Protect Privacy and Limit Access to Sensitive Records, she feels like this needs a more in-depth discussion among the Council. Whether we bring it back to another meeting, whether we do that through email with each other and get it to a point where we can bring it back to another meeting, or whether we decide to dissolve the whole thing altogether, it doesn't matter. But there is a lot of emotion that is in this right now, it is very late, and I think we all need time to read through it and consider it and move forward from that point. Kirk 2nd
 - 1) Motion passed unanimously
 - 2) (Doyle) from the outside, you are the governing body, and the buck stops there, and you should all have an equal playing field when it comes to information. He has a hard time with the restriction of information.
 - 3) (Diane) expressed that they were voted in and they trust everyone on the Council. You don't get to say that you don't trust them.

G. Committee Reassignments (4:09:38 recording)

- i) Motion-Alexis to table. Jonathan 2nd
 - 1) Motion passed unanimously

12. Attorney Clarification (4:09:53 recording)

- A. Nothing

13. Council Updates

A. Kathleen VonHatten (4:10:14 recording)

- i) Recognize a new business, Under Dogs Creative Pet Grooming
- ii) Graffiti near Starbucks, facing I-80, she wants to talk to them about it.

B. Jonathan Garrard

- i) No updates

C. Ryan Zumwalt

- i) No updates

D. Kirk Pearson

- i) He talked to the state water dept, and what we are using and how it gets distributed. Oquirrh Mountain is not a registered company with the state as a company, and so the state isn't regulating them. The state will look into it further. They confirmed that they had water shares, they just were not a Company as "Oquirrh Mountain Water Company".

E. Alexis Wheeler

- i) She updated that HBB 355 was passed in the Legislature, and we need to keep an eye on it. It is related to gravel pits expanding onto their own property without consent of the governing body.
- ii) (Ryan) asked if there was an outside place where upcoming agenda items were being listed, he only saw one item for the next agenda.
 - 1) (Jamie) there is not a different list, it is all there. Alexis will not be to the meeting on the 26th. She explained the next meeting only has a few things and explained all the other upcoming and now newly tabled items, that need to be put on an agenda.
 - (a) (Ryan) was trying to find out where to put the budget amendment. The Council was okay to put that on March 12.
 - (b) (Jamie) will need the budget in the next couple of days so she can post it.

14. Public Comment (4:18:14 recording)

- A. Motion- Alexis to open Public Comment. Ryan 2nd
 - i) Motion passed unanimously

- B. Diane Young (4:18:19 recording)
- i) Backdating on contracts- she didn't agree on the backdating, when you have nothing to show accountability, why would you do that if you don't even know they are doing the job.
 - ii) There should be reviews and accountability before even offering them a job.
 - iii) There was a part saying "other benefits", what does that mean, do they get a 2 hour lunch every day?
 - iv) The Council has given out more benefits than actually making sure they are doing their job.
 - v) She asked when it will be back on the agenda?
 - 1) (Alexis) not sure, there will be a public notice.
 - vi) She complained that online the font was tiny and it needed to be expanded to be able to see it. She wanted it in a font big enough to read.
 - 1) (Jonathan) asked what she was looking at for the agenda.
 - (a) (Diane) wasn't sure.
 - (b) (Jonathan) referred her to the Utah Public Notice website.
 - vii) (Diane) It seems like there is a lot of bickering and there should be visibility. She voted you in and isn't sure if she would again. She is seeing Biden administration here.
 - viii) (Diane) She appreciates you and so does the town. She appreciates the activities that have been done.
- C. Alexis Wheeler (4:23:49 recording)
- i) (Alexis) is the only one not elected to this position, she was appointed.
 - 1) (Diane) commented about how she should be getting benefits
 - ii) (Alexis) expressed that communication is key in everything we do, part of the reason she wanted this position, is because she saw a massive disconnect between the Council and also the Council and the public. She has felt it hard to figure out the reasons. But the Council does not communicate. There are some that have information and they do not share. We have asked for members to share their comments. We don't need to sit in a public meeting and argue. We look like a circus. Government is not meant to be like this. She agrees this looks like a Biden Government, and we are not meant to be arguing with each other. We all put a lot of time, we need to be accountable to each other and the constituents. The public cannot come and listen to a 5-hour meeting. We need to commit to change. Whether we run again or not, we need to hand off a cohesive Council to the next Council members. She pleaded for Council members to get into the documents so they are in the best interest of the city. No one is putting forward something that is a hard line. The city voted for a 5-member council, we sit here for hours, and we go nowhere. She asked for the Council to commit to do better, work together, and get things done.
 - iii) (Diane) expressed that doesn't mean you don't have a difference of opinion.
 - iv) (Ryan) he is confused by what she said, putting forth a policy that divides the Council is not what Alexis just said. He knows she didn't write it.
 - v) (Alexis) again expressed that putting forth something doesn't draws a hard line. Nothing happens if things are not put on an agenda.
 - vi) Continued back and forth opinions between Alexis, Ryan, and Kathleen.
- D. Ryan Zumwalt (4:31:58 recording)
- i) He does not feel what was proposed in the ordinances was what was just expressed. He sent a long email, and no one responded but legal. He tracks stats on when the Council agrees unanimously or super majority. Then the Council changed after 2 years, and now that has changed. We diverted more power to the Planning Secretary, Legal, and Recorder to make decisions, and it divided the Council. The Council is the governing body, and we have turned it over to others to tell us what to do.
 - ii) He stopped commenting on documents, because his comments go nowhere and are ignored.
 - iii) He wanted to be transparent, so he brings it all to the meeting to share.
 - iv) That is his method, so it is on a recording.
 - v) If he sends out an email saying it shouldn't be done, and it goes on the agenda, he is going to just save his comments for the meeting.

- vi) He doesn't see anything in the two policies that benefits the citizens
- vii) He is the one who filed the incorporation and has been in this from the beginning. He wants full transparency. He doesn't want policies that counter working together.
- viii) He feels the way it was written makes it so the HR committee answers to the Council.
- ix) If it comes back, he has a prepared statement and he will read it.
- x) He has had lengthy conversations with Joel, the auditor, and GRAMA officer, and couldn't understand why this was being done. It would be shocking to the media as well. The first year we were in, we passed 47 things, the last year we passed 5 things that were beneficial to the citizens.
- xi) He tries to bring his expertise, from his numerous professional experiences. If he feels something isn't received, he will pull back and put it all out in public.
- xii) He repeated he wanted wages separate from contracts.
- xiii) He appreciates your comments, he knows Alexis wants to be here.
- xiv) He doesn't want the public to question why they are even doing this, right now he does not see the vision.
- xv) He expressed that he feels we need a different legal counsel, he does not have the capability of representing the city on these things. Our attorney is a criminal prosecutor for other cities, and he was given to us when our other attorney left. The firm's other attorney is about to retire and just runs the firm. He appreciates Joel but he did not have the expertise to say this was not legal.
- xvi) He expressed that if we are paying overtime, it tells him they need more staff. Things need to be put back to the Council instead of having someone else do it.

E. Diane Young

- i) She explained that the old farmers see the vision. She feels we haven't had more educated people in Lake Point. The churches, the school, the community, are all better with all the people that have moved to Lake Point.
- ii) You won't have complaints from the farmers, they know what it is like to serve on 10 committees. The best is yet to come.
- iii) Don't give up, we don't want to go back to Tooele.

F. Motion- Kathleen to close Public Comment. 2nd Ryan

- i) Motion passed unanimously

15. Adjournment- 10:42 pm

16. Closed Session- not needed

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 12 day of March, 2025

Kathleen Vontell
Chair



ATTEST:

Jamie Olson
Jamie Olson, City Recorder