

Lake Point City Council Business Meeting Minutes

Date: Wednesday, Sept 9, 2026

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

Time: 6:00 PM

1. Opening Formalities

- A. Call to Order- 6:07 pm
- B. Prayer- Lori Chigbrow
- C. Pledge of Allegiance- Kirk Trimble
- D. Presiding Officer- Kirk Pearson
- E. Attendance Roll Call-

Lake Point Council & Staff (C=Council)	Public	Public
Kathleen VonHatten (Chair)- Absent	Fire Marshal Buck Peck (NTFD)	
Kirk Pearson (Vice Chair)	Sgt Lerdahl (TCSO)	
Kirk Trimble (C.)	Jonathan Garrard	
Ryan Zumwalt (C.)		
Lori Chigbrow (C.)		
Jamie Olson (RCDR)		
Jay Springer (Attorney) arrived 6:11 pm		

2. Legal Training/Clarification

- A. No legal training today

3. Staff Updates (2:36 recording)

- A. City Recorder Jamie Olson provided the monthly staff report.
 - i) Five new home-based businesses were reported.
 - ii) Nine building permits were issued, representing a variety of projects including solar, basement finishes, a deck, and accessory-type buildings.
 - iii) Four new waste accounts were established and eight new cans were issued.
 - iv) Council members were reminded to submit any items needed for the upcoming budget amendment to the Finance Committee.
 - v) The City's annual Otter.ai subscription was inadvertently charged twice. Jamie identified the duplicate charge and advised that a refund was being processed.
 - vi) The one-year bond inspection for the commercial subdivision on Commerce Drive was completed and passed without identified concerns.

4. Public Comment (4:25 recording)

- A. Motion- Pearson to open public comment. Trimble 2nd
 - i) Vote was unanimously approved
- B. Jonathan Garrard
 - i) Jonathan Garrard commented regarding the Enforcement Ordinance draft scheduled for discussion later in the meeting. Garrard acknowledged the considerable work that had gone into the draft and expressed support for several provisions, including the emphasis on voluntary compliance, education before escalation, proportionality, individual rights, reasonable cure periods, protections against entry onto private property without consent or lawful authority, an independent hearing process, placing the burden of proof on the City, and keeping individual Council members out of the enforcement role. He stated that the Council

should establish law and provide oversight while individual enforcement matters are handled objectively and professionally.

- 1) Garrard expressed concern that the restrained philosophy stated at the beginning of the ordinance did not appear consistent with some of the governmental powers provided later in the draft. He referenced principles contained in the City's General Plan, including liberty and freedom, limited government, property rights, free enterprise, individual responsibility, transparency, and community involvement, and stated that those principles should constrain the authority granted to government.
- 2) Garrard specifically questioned language providing that the ordinance be liberally construed to accomplish compliance and enforcement and preserving enforcement authorities and remedies beyond those specifically listed. He stated that, for a City committed to limited government, he would prefer clearly defined governmental authority exercised only to the extent reasonably necessary to obtain compliance, remedy an actual violation, or protect the public. He indicated that he had additional comments but wanted to hear the Council's discussion before addressing them further.

C. Motion- Pearson to close public comment. Ryan 2nd

- i) Motion passed unanimously

5. Approve the Minutes (8:38 recording)

A. 08.12.2026

B. 08.26.2026

C. Motion- Pearson to approve the minutes 08.12.2026 and 08.26.2026. Lori 2nd

- i) Motion passed unanimously

6. Reports/Presentations (10:13 recording)

A. Tooele County Sheriff's Office

- i) Sergeant Lerdahl reported 81 calls for service in the Lake Point area during August. Significant incidents included two deaths, one at the TA truck stop and one at the Comfort Inn, with the Sheriff's Office investigators responding to both incidents.
- ii) Five arrests were made, including two drug-possession arrests, one at Holiday Oil and one near Saddleback Boulevard.
- iii) Deputies issued 17 citations within the City and 41 citations when activity on the highway was included. No animals were impounded.

B. North Tooele Fire District

- i) Fire Marshal Buck Peck reported that the District responded to 15 calls during the month, including one residential structure fire in Lake Point. The fire originated after smoking materials were placed in an ash bucket outside the residence, which ignited and spread to the porch and then into the home. A juvenile inside the home was alerted by the family dog and notified the other occupants. The occupants began extinguishing the fire with a garden hose before firefighters completed suppression and ventilation efforts.
- ii) In response to a Council question regarding Fire District leadership, Peck explained that the District currently has a command structure in place and is relying more heavily on its command staff and mutual aid while the process of selecting a new Fire Chief continues.
- iii) Kirk Pearson asked about current fire restrictions. Peck indicated that restrictions had recently been reduced and believed the area had returned to normal restrictions. He encouraged residents to consult the Fire District's information regarding requirements for recreational/backyard fires.

7. Discussion Items (No Vote) (13:47 recording)

A. Enforcement Ordinance Draft Presentation

- i) Attorney Jay Springer introduced the draft Enforcement Ordinance and reviewed the process used by the Ordinance Committee in developing it. The Committee reviewed comparable provisions, existing Lake Point City Code, particularly the nuisance provisions, and applicable state requirements. Springer explained that the intent was to establish a streamlined enforcement framework. The draft emphasizes education and voluntary compliance while establishing procedures that allow enforcement to escalate when voluntary efforts are unsuccessful.

- ii) Springer explained that the framework separates the Council's legislative and policy-setting role from individual enforcement decisions. Enforcement officials would apply the adopted regulations independently, while the Council would retain responsibility for establishing and revising the governing rules. The ordinance provides for enforcement and hearing officials, recognizes that specialized matters such as fire and building enforcement may continue to be handled by the appropriate officials, and is not intended to supersede appeal or enforcement procedures otherwise required by state law.
- iii) The Council discussed the anticipated enforcement official position. The draft contemplates an independent person outside of Lake Point to reduce conflicts associated with enforcement involving neighbors or constituents. Trimble noted that implementation would require the Council to establish an appropriate budget for enforcement. Springer stated that the position would likely be contracted and that the level of service, reporting expectations, procurement, and available funding would affect the ultimate cost and structure.
- iv) Council Oversight and Enforcement Official Accountability.
 - 1) Lori questioned how the Council would maintain oversight of an enforcement official while remaining outside individual enforcement actions. She emphasized that the Council should retain the ability to evaluate whether enforcement is being performed effectively, efficiently, consistently with City Code, and without inappropriate targeting or misuse of City resources. Springer clarified that the ordinance is intended to remove the Council from day-to-day enforcement, not from its broader oversight role. The Council discussed establishing appropriate reporting and performance expectations through policy, contracting, or other administrative processes.
- v) Council and Staff Roles/Voluntary Compliance.
 - 1) The Council discussed the distinction between informal efforts to obtain voluntary compliance and a formal enforcement action. Council members would remain able to receive complaints, relay information, answer questions, and participate in appropriate neighborly or courtesy conversations before formal enforcement begins. Once a matter progresses to an active investigation or formal Notice of Violation, the Council should step back and allow the designated enforcement official to administer the case. The Council discussed the importance of coordination so that a Council member or staff member does not inadvertently take action that conflicts with an active enforcement matter.
- vi) Ryan explained that the same principle would apply to City staff: complaints should be routed to the official with the appropriate authority rather than requiring staff to investigate matters outside their assigned responsibilities. The City Recorder could receive and route complaints without becoming the enforcement official.
- vii) Records, Tracking, and Reporting.
 - 1) Lori emphasized the importance of maintaining records sufficient to evaluate enforcement activity and identify trends, including the types of complaints received, how quickly they are addressed, how they are resolved, and whether recurring issues indicate a need for the Council to review City regulations. The Council discussed maintaining a complaint/enforcement log and providing periodic reporting so the Council remains informed about enforcement activity without participating in individual cases.
- viii) Fire Marshal Buck Peck noted that the City already has a structure available through Civic Review for receiving and tracking enforcement-related matters. City Recorder Jamie Olson explained that an enforcement official could be provided access to Civic Review and incorporated into the City's existing workflow, similar to processes currently used for building, zoning, and fire matters. The Council discussed using the existing system rather than creating a separate tracking system for the enforcement official. Springer indicated that recordkeeping and reporting requirements may be more appropriately established administratively rather than within the ordinance itself.
- ix) Property Entry, Inspections, and Warrants. (58:22 recording)
 - 1) Lori requested clarification regarding provisions limiting an enforcement official's authority to enter private property without consent and the process when a property owner refuses an inspection. Springer explained that an enforcement official may not force entry simply because an alleged violation exists. Where access is necessary and consent is not

provided, lawful authorization such as a warrant may be required. A property owner seeking a reinspection or Notice of Compliance after corrective work would, by requesting the inspection, be consenting to that inspection.

- x) Peck described the distinction between ordinary code violations and immediate life-safety situations under the authority applicable to fire enforcement. He explained that non-emergency entry may require an administrative warrant, while immediate life-safety circumstances may involve different authority. The discussion emphasized protection of private property rights and that compelled entry, when required for a non-emergency enforcement matter, must follow the appropriate legal process.
- xi) Emergency Abatement and Immediate Hazards.
 - 1) Lori requested clarification regarding the emergency abatement provisions and when the City could correct a condition without first providing a property owner an opportunity to resolve it. She supported the City's ability to address an actual emergency and recover necessary costs but wanted a clear distinction between circumstances requiring immediate action and conditions where the responsible person could first be contacted and provided an opportunity to correct the problem.
- xii) The Council discussed that emergency abatement is intended for an immediate risk to public health or safety, including risks of personal injury or property damage. The City would pursue only the minimum correction or abatement necessary to eliminate the immediate hazard. Trimble noted that if a condition can reasonably wait while the responsible person is given time to correct it, it would generally not fall within the concept of an immediate emergency being discussed. Springer stated that the ordinance is not intended to authorize unnecessary entry onto private property or serve as a revenue source and agreed to review the language to ensure the emergency provisions do not interfere with other existing authorities, including those of fire and building officials.
- xiii) Effectiveness and Future Evaluation.
 - 1) Springer noted that the City will not fully know how the enforcement framework functions until it has been implemented and actual enforcement data is available. The Committee intentionally did not build aggressive automatic escalation into the draft. The Council could later evaluate compliance rates, enforcement outcomes, fines, and other data to determine whether the process is working as intended and whether amendments are necessary.
- xiv) Draft Corrections and Records.
 - 1) Lori asked whether the Notice of Compliance section should expressly require documents to be maintained in City files. Springer and Trimble explained that written enforcement documents are City records and are governed by applicable records-retention requirements, so that requirement did not need to be separately stated in the ordinance. Springer emphasized the importance of written notices and decisions to establish a clear enforcement record.
- xv) Next Steps.
 - 1) Springer summarized the items identified for additional review, including clarification of life-safety and other existing enforcement authority; references to warrants or other lawful authority; the Council's role in courtesy and voluntary-compliance communications; reporting and enforcement logs; and identified drafting corrections. Trimble stated that the Ordinance Committee would reconvene to review the items raised during the discussion and anticipated returning the revised Enforcement Ordinance to the Council as an action item.
- xvi) Council members were asked to provide any additional comments before the Committee's next review. Pearson indicated that he wanted to review the ordinance again with a better understanding of the proposed process and would submit any additional comments. The Committee anticipated meeting the following week and requested remaining feedback by the morning of September 14, 2026. No action was taken.

8. Council Updates (1:23:26 recording)

A. Committee Updates

- i) Trimble reported that the Committee Governance/Responsibilities Draft is being worked on. Work on the Enforcement Ordinance had taken priority because of the amount of work

required to prepare it for Council discussion. The Committee Governance/Responsibilities Ordinance had previously been distributed to the Council and will return for additional committee review and discussion.

- B. Kirk Pearson
 - i) Pearson reported that cleanup work at the 1200 East area had been completed. A small trench was also created to direct water toward the intended overflow areas. Kathleen VonHatten was continuing to work on bids for repair work, and Pearson did not have an updated status on those bids.
- C. Lori Chigbrow
 - i) No update
- D. Kathleen VonHatten
 - i) absent
- E. Kirk Trimble
 - i) No updates
- F. Ryan Zumwalt
 - i) No updates
 - ii) Jay Springer requested an update on the conservation-related work currently subject to a moratorium timeline. City Recorder Jamie Olson reported that the Planning Commission's work was nearing completion and that another draft had been prepared. The Commission was anticipated to move toward a public hearing, with additional information expected following its next meeting.

9. Public Comment

- A. Motion- Pearson to open public comment. Lori 2nd
 - i) Motion passed unanimously
- B. Jonathan Garrard
 - i) Jonathan Garrard followed up on matters discussed during the Enforcement Ordinance review. He stated that aggregate enforcement reporting could provide useful information to the Council, including the number and categories of complaints, voluntary-compliance rates, and developing patterns. He cautioned, however, that complaint volume alone should not be treated as evidence that additional legislation is necessary. He stated that complaint data should identify areas where the Council may need to ask further questions rather than predetermine a legislative response.
 - ii) Garrard stated that before imposing an additional restriction, the Council should consider whether an objective harm exists, whether the issue is widespread, whether existing law already addresses the concern, and whether additional governmental intervention is necessary. He emphasized that the number of people objecting to otherwise lawful conduct should not, by itself, determine whether that conduct becomes unlawful.
 - iii) Garrard also expressed concern regarding access to underlying complaint and enforcement records. He clarified that he was not opposed to appropriate City records being retained but questioned who should have access to case-level information. He distinguished between an enforcement official's need for detailed information to perform an assigned enforcement responsibility and the Council's need for aggregate information to perform legislative oversight.
 - iv) Garrard encouraged the City to consider protections addressing who may access case-level records, the governmental purpose for that access, whether resident-identifying information should be restricted, and what information should instead be provided to the Council in anonymized or aggregate form. He advocated for a "least necessary access" approach in which access is based upon governmental responsibility and legitimate need rather than solely upon the office held.
 - v) Garrard stated that the ordinance should be written with future officeholders in mind and that resident privacy protections should be incorporated into the structure rather than depend solely upon the judgment of those currently holding office. He requested that the issue be considered as the next draft is prepared.
- C. Motion- Pearson to close public comment. Ryan 2nd

i) Motion passed unanimously

10. Closed Session- if needed for purposes listed under Utah Code 52-4-205

A. Closed session was not needed

11. Adjournment- 7:38 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 but not limited to 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.

Note- Any "For the Record" statements included in these minutes represent the individual Council Members who made them. They do not reflect official findings or the position of the city unless adopted by majority vote.

Note – These minutes may have been prepared using AI tools (ChatGPT and Otter.ai); all facts have been reviewed and verified.

Note- This meeting may have included public comment that was written and given to the City Recorder for the record. To find the complete record please visit lakepoint.gov Departments-Recorder-Downloaded Forms- Meeting Minutes.

PASSED AND APPROVED by the Council this 23 day of Sept, 2026


Chair

ATTEST:


Jamie Olson, City Recorder