

Lake Point City Council Minutes

DATE: Wednesday, December 21, 2022

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

TIME: 7:00 PM

1. **Call to Order-** 7:01pm
2. **Prayer-** Dan Crawford
3. **Pledge of Allegiance-** Kathleen VonHatten
4. **Presiding Officer-** Jonathan Garrard
5. **Attendance Roll Call-** (Jamie Olson)

Lake Point Council & Staff (C-Council)	Public	Public	Public
Jonathan Garrard (Chair)	Curtis Tonks-Utah Trust		
Ryan Zumwalt (Vice Chair)			
Dan Crawford (C.)			
Kathleen VonHatten (C.)			
Doyle Garrard (C.)			
Jamie Olson (RCDR)			
Rob Patterson (Attorney)			

6. Public Comment-

A. Motion open Public Comment Dan, Ryan 2nd

B. Vote was unanimous

1) Curtis Tonks, Ogden Utah Trust. Insurance

- a. Pay premiums into pool to provide insurance. Office in North Salt Lake City. Steve Hansen CEO and legal hotline. Local and insure government in the state of Utah. We try to be very accessible and let us know how we can help.
- b. General liability and worker compensation, premises liability. Protects Recorder and Council members. Anyone on business for the city.
- c. Cyber security, cyber security has gone up over 3,000% in the last year for local government.
- d. Trust property insurance when you have property, large machinery, own property, electronic equipment. (More than a filing cabinet) computer would be a place to start. We can provide the free cyber insurance once you have property. Until you have property, we could go to the commercial insurance to find coverage.

- e. Premiums are annual, we can hold off a couple months for fees.
- f. Premiums will not have increases for 2023, some years it will raise depending on the year and claims in the pool. We have about 560 members.
- g. Things that are included once you have property insurance, cyber, crime and pollution policy.

C. Motion Close Public Comment Kathleen, 2nd Doyle

D. Vote was unanimous

7. Approve the Minutes- 12.14.2022

A. Motion to approve the minutes for 12.14.2022 Kathleen 2nd Dan

B. Vote was unanimous approved

8. Consent Agenda-

A. Resolutions Proposed Contracts

1) Attorney – 2022 Engagement Letter - Jonathan Garrard (City Council)

- a. Discussion- discuss 3,500 to end of January instead of Dec. 31, 2022, Rob agreed.
- b. (Ryan) Price was quoted 100,000 last week, which was concerning. Other firms said they might handle it by having a flat fee a month, or project.
- c. (Rob) If there was a project that Rob estimates a job might take 3 days and Rob would give a quote and what it might cost, if he goes over then he wouldn't charge more.
- d. (Rob) Some projects and how long they take depend on what the public wants.
- e. (Rob) "I am happy to cap it to not go over 50,000 for the year".
- f. You need a process how you view and review for building applications, rezoning, plat, and the code that applies, setbacks etc. So, I can give you a bare bones to start and you can make it what you want to save money.
- g. (Rob) "I'll can promise I won't go over 4,000 a month".
- h. Council agreed they didn't want to cap Rob, there might be bigger projects certain months or if we need you more come to us and let us know and we can adjust.
- i. (Ryan) Can we get some examples so we can get an idea and get working on it?
- j. (Ryan) said we don't want CUP's and Rob agreed to get rid of CUP's
 - (i) Ryan Motion with change of extending the deadline to end of Jan 2023 for the \$3,500 2nd Dan
 - (ii) Roll Call Vote-Jonathan Yea -Dan Yea -Ryan Yea -Kathleen Yea - Doyle Yea
 - (iii) Vote was unanimous approved

2) Recorder – Employment Agreement - Ryan Zumwalt (City Council)

- a. Discussion- Employment Agreement Changes added items from last time based off discussion. Referenced Job duties Exhibit A added items discussed from last week

- b. Added additional responsible for city emails and route them where they need to be. Add election duties, and how external elected and appointed boards.
- c. Ryan Motion to approve Recorder Employment with edits from previous and added reimbursement on employment agreement and with addition on Job Duties Exhibit A with election verbiage Doyle 2nd
 - (i) Roll Call Vote-Jonathan Yea -Dan Yea -Ryan Yea -Kathleen Yea - Doyle Yea
 - (ii) Vote was unanimous approved

Resolutions

- B. RESOLUTION 2022-07 - Reimbursement Policy – Staff – Doyle Garrard (City Council)
 - 1) Discussion-flexibility with reimbursements before the Dec 21st and more formalized after Dec 21, 2022. Changing verbiage with committee approval and changing it to saying two council members.
 - a. We need a paper trail and documentation of spending, and this works well with the verbiage on this Resolution.
 - b. Rob explained making sure we don't get in trouble with monies and the Treasurer. Treasurer receives money.
 - c. Recorder can't directly access money with Chairs approval. Money in and Money out needs to be a different person.
 - d. (Dan) Recurring bills? How does that work? Changing verbiage in Section 3 covering reoccurring bills and single transactions, adding a section making a new 3c and making what was 3c to 3d.
 - e. Motion Dan with amendments as discussed and documented by counsel Kathleen 2nd
 - f. Roll Call Vote-Jonathan Yea -Dan Yea -Ryan Yea -Kathleen Yea -Doyle Yea
 - g. Vote was unanimous approved
- C. RESOLUTION 2022-08 - Joining ULCT - Utah League of Cities and Towns – Dan Crawford (City Council)
 - 1) Discussion- cost for joining ULCT \$884.00 for 6 months and can make payment when we have funds. Great resources and education for the council.
 - a. Motion Kathleen as written with Exhibit A membership fees Dan 2nd
 - b. Roll Call Vote-Jonathan Yea -Dan Yea -Ryan Yea -Kathleen Yea -Doyle Yea
 - c. Vote was unanimous approved

9. Ordinances

- A. ORDINANCE 2022-05 AN ORDINANCE ADOPTING REGULATIONS RELATE TO GOVERNMENT RECORDS – Dan Crawford
 - 1) Discussion-Section 7c Lake Point and not Highland.
 - 2) 14 b. where D. 1. is it should be A. i.

- a. Motion Kathleen to accept with changes discussed Ryan 2nd
 - b. Roll Call Vote-Jonathan Yea -Dan Yea -Ryan Yea -Kathleen Yea -Doyle Yea
 - c. Vote was unanimous approved
- B. ORDINANCE 2022-06 - AN ORDINANCE ADOPTING REGULATIONS RELATED TO THE FINANCIAL ADMINISTRATION, PURCHASING, PROCUREMENT, AND PROPERTY MANAGEMENT OF AND FOR LAKE POINT – Kathleen VonHatten**
- 1) Discussion- strike 11. b. iii which was a part on newspaper notification. Adding another section between 7. d. and 7 e. concerning preference to local provider.
- a. Motion Doyle to accept with changes discussed with Counsel, Dan 2nd
 - b. Roll Call Vote-Jonathan Yea -Dan Yea -Ryan Yea -Kathleen Yea -Doyle Yea
 - c. Vote was unanimous approved

10. Action Items

- A. Request For Proposal (RFP)– Engineer (Land Use & Zoning committee) – Dan Crawford (City Council)**
- 1) Discussion-get RFP started. List currently has Ridgeline, Ensign, Sunrise, Jones and Mill and JUB
 - 2) Add Somas and Aqua.
 - 3) Counsel (Rob) has worked with all of them they all do good work.
 - 4) Do an RFP for Engineering and RFP for a General Plan.
 - 5) (Ryan and Jonathan) General Plan would prefer Planner have rural experience. (2:00 recording)
 - 6) Allow 30 days for bidding process. It would be great to get bids out by mid-January.
 - 7) Make this a priority RFP's for Engineer and General Plan.

11. Boards and Committees

- A. Internal – Appointing 2 Council Members to Historical Committee – Ryan Zumwalt (City Council)**
- 1) Discussion- protect Lake Point and is important for grants. (Kathleen) wants the committee and wants to be on the committee but doesn't want to put time toward this when other things are more pressing. (Jonathan) mentioned the reason it is important is to protect Lake Point history and applying for grants.
 - 2) Planning Commission could take charge of the committee with 2 council members overseeing the committee.
 - 3) Ryan will write up what the committee expectations would be so it can be well presented the public.
 - 4) All City Council members are very interested on being on this committee. Possibly sub-committees might be finance, location preservation, public education.
 - 5) Council needs to add volunteers to Google sheet. We will appoint committee in the future.

12. Council Updates

- A. Update on meeting with County Attorney and County Manager – Kathleen VonHatten (City Council). Return to this item after 12 B. and 12 C. (3:53 recording)
- 1) Ryan and Kathleen Hoffman, Tripp, Alison (auditor) and county manager. Set it up for a year but with a 30 day out clause.
 - 2) Financial Payment 180,000 for 3 months for sale tax advance. We expressed we would rather the county short us up front and not overpay us.
 - 3) First thing they suggested was not to bid out Solid Waste. The counties contract proposal shows 2027 on waste, but they left out Solid Waste on the 30 day-out clause. So that needs to be changed and make sure the solid waste has the 30-day clause.
 - 4) County won't be able to vote on this until end of January, because it needs to be voted on and then have a public hearing. So, the sooner we fix the proposed contract and let them know how many months we want an advance. Rob can help with wordage change.
 - 5) Do we want a 6-month advance, or a 3 month advance or how many months? Our city won't see money until end of May from sales tax.
 - 6) The county did confirm that they will push services will end for incorporated cities in 2024.
 - 7) Verbiage needs to be fixed or clarified the moratorium takes effect on Dec 7, not on the date of certification/incorporation. County will put this on their agenda for discussion Jan 3, 2023 and then would vote the following meeting.
 - 8) Ethics Report.
 - 9) Council of Governments- Whoever needs to be the voting person needs to be there Jan 5, 2023
 - 10) Class C and Class B Road Funds. We need our road map printed, with a good legend.
- B. Follow up with phone on Recorder – Dan Crawford (City Council) (2:21 recording)
- 1) Discussion between FirstNet, Google Voice, the phones, and hotspots.
 - 2) Who wants a phone or line, who doesn't. Jonathan won't be able to use it at work and doesn't want to incur the cost for the city. Ryan is good with his phone. Doyle would like to separate his personal and city phone. Kathleen will take a phone. Dan I'd like to separate and have a phone.
 - 3) Dan will talk to them about delayed payment, or if Dan pays for it and gets reimbursed. And what phones have the emergency capabilities and what are the "cheap" phones capabilities.
- C. Follow up on Waste Services – Doyle Garrard (City Council)
- 1) Discussion- Met with Michelle Pitt (City Recorder) Tooele City fees for cans approx. \$12 and about \$6 for 2nd can. Grantsville 1st can 14.57 and 7.50 second can and 65.00 if purchase your own can.

- 2) Discussion on each company and if there have been responses. The option and difference between dumping at the Tooele County Dump and Salt Lake Dump.

13. Other Business/Discussion (Postpone 12 A until after 13.)

- A. Discussion on these municipal taxes: Telecommunications Tax; Energy Sales and Use Tax – Jonathan Garrard (City Council)
 - 1) Not something the counties are charging us right now. It's listed on the gas company or telecommunication company bill.
 - 2) These are certain sales taxes on power and natural gas, telecommunications.
 - 3) (Rob) These taxes offset costs incurred to the city when a utility company needs to burrow under a road for example.
 - 4) (Rob) Energy is power and natural gas; city can charge a tax for that service 0-6% on that one. These taxes replace franchise fees.
 - 5) (Rob) These are additional taxes that would be imposed. The county would still get the county taxes, they are already getting. Every city out here has these taxes.
 - 6) (Rob) These won't take effect for 90 days. 1st of 1st quarter. If you adopt after Jan 1, 2023, it won't take effect until the middle of the year.
- B. Website Content – When to go live [redirect for minimum of year if start with '.org'] – Separate email address for future planning and zoning commission – Kathleen VonHatten (City Council)
 - 1) Still not there with .gov
 - 2) Still working on website.
 - 3) Council we need to give Michael content.
 - 4) We need to look at the proposal for the next year of service.
 - 5) (Ryan, Jonathan) Wait to go live with website until we get the .gov.
- C. Insurance Discussion – options available in conjunction with payment – Dan Crawford (City Council) (3:19 recording)
 - 1) Curtis with Utah Trust presented during public comment. Waiting for Olympus bid. But we need to get this taken care of before Jan. 1, 2023
 - 2) (Ryan) what qualifies as equipment so we can get the cyber security. Dan will check. Do the microphones qualify?
 - 3) Also ask the company to address conflict of interest clause.
 - 4) Dan brings it back for next meeting for a vote. Done through resolution including a contract.
- D. Lake Point Businesses discussion/report – Kathleen VonHatten (City Council)
 - 1) (Ryan) Post a thank you to the business who responded with their business name.
 - 2) Maybe make a bulletin board on website for local in city business meetings.
 - 3) Change meeting time to 6pm? Amend meeting schedule starting in January- Dec 2023 Jan- May every Wednesday and June-December 2nd and 4th Wednesday. Work sessions might need to be on a different day.
 - 4) Electronic calling put the phone by the speaker so

- 5) Moratorium- we need to tell the county what our wishes are with open permit list.
- 6) Google Vault-
- 7) Do we need anything for ADA on the website-
- 8) GRAMA training-Jamie will work on it
- 9) Court Services- what does Rob recommend for a future item.
- 10) City Certified- City is certified today 12.21.2022
- 11) Now that we are certified, do we need banks to present to us now? Plan for a purchase card for required and have all council come when opening the account, for signature reasons.
- 12) They continue to push the road up on the mountain. We need to protect the petroglyphs. (3:48 recording)
- 13) What Impact fees can we charge? water sewer, infrastructure, there are tons listed by counsel. List will be sent to the Council from Rob.

14. Public Comment

- A. No public in attendance

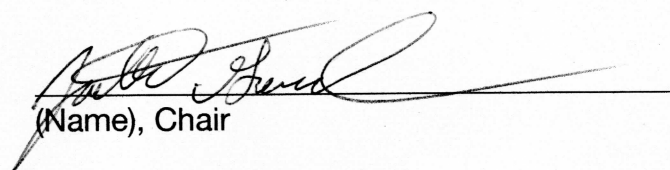
15. Adjournment

- A. Dan Crawford motion to adjourn 11:25pm

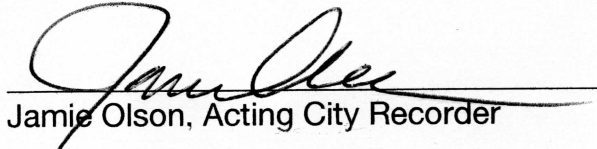
16. Closed Session- if needed

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 28th day of December, 2022


(Name), Chair

ATTEST:


Jamie Olson, Acting City Recorder