Lake Point City Council Minutes

DATE: Wednesday, Jan 4, 2023
PLACE: Lake Point Fire Station 1528 Sunset Rd Lake Point, UT 84074
TIME: 6:00 PM

1. **Call to Order-** 6:02pm
2. **Prayer-** Dan Crawford
3. **Pledge of Allegiance-** Terre Marshal
4. **Presiding Officer-** Jonathan Garrard
5. **Attendance Roll Call-** (Jamie Olson)

Lake Point Council & Staff (C-Council)	Public	Public	Public
Jonathan Garrard (Chair)	Terre Marshall		
Ryan Zumwalt (Vice Chair)	Zack Bartholomew		
Dan Crawford (C.)	Kevin Nunn		
Kathleen VonHatten (C.)			
Doyle Garrard (C.)			
Jamie Olson (RCDR)			
Rob Patterson (Attorney)			

6. **Public Comment-**
   A. Motion Ryan to open Public Comment, Doyle 2nd
   B. Vote was unanimous approved
   C. Motion Doyle to close Public Comment, Dan 2nd
   D. Vote was unanimous approved
7. **Approve the Minutes- 12.28.2022**
   A. Motion Dan to approve the minutes, Kathleen 2nd
   B. Vote was unanimous approved
8. **Consent Agenda-**
   A. Contracts
      1) Website Contract for new year (discussion/update) – Kathleen VonHatten (City Council)
         a. Still Pending .gov
         b. Waiting for .gov before working on contract.

c. .gov email won't work with the current hosting site, but he has a site in mind that will work. He paid the hosting fee for 2023 already so he might eat the $150 unless we reimburse him. We can approach that once we get the .gov
d. Discussion on listing businesses on the website. If the business approach's us, we can add them. Maybe a future discussion on whether we list business that maybe have owners that live in Lake Point, but their business is elsewhere. Or only have businesses listed that are locally owned and operated out of Lake Point.
e. Discussion with Terre Marshall concerning the website and districts
    (i) The Improvement District webpage is informational only.
    (ii) Terre if the Lake Point Improvement District would like a certain picture on the city website would you get back to the council.
    (iii) (Terre) gets asked about different things in Lake Point that potentially could be listed as "Resources"
    (iv) (Terre) gets asked about garbage service and churches in Lake Point for example.
    (v) (Ryan) is for having a "Resources" tab and "District" tab
f. (Kathleen) just an FYI there are a lot of cities that don't use .gov
    (i) Council wants to continue pursuing the .gov

9. Resolutions

A. RESOLUTION 2023-01 – A RESOLUTION APPROVING THE AUTHORIZED SIGNERS FOR BANK ACCOUNT ACCESS AND USE – Ryan Zumwalt (City Council)
    1) (Ryan) asked about the PTIF being a different resolution.
        a. PTIF has been handed in and approved. (Rob) said we should be good.
    2) (Kathleen) question about adding all 5 on the bank resolution as rolls might change
    3) (Rob) said you might need to add Jamie so she can be a signer for checks. (Ryan) envision Jamie as the secretary.
    4) Discussion on separation of duties, whomever prepares and writes the checks you don't want to be a signer. Then create financial policies once you have an account.
    5) Everyone will need to go to the bank and sign, Doyle will have to be there with anyone who is signing, so the more we can get going at the same time the better.
    6) Add lines for all council and add subject to Lake Point Financial Policies and Procedures.
    7) Motion Ryan to table this for a moment and move to Council Update financial institution. Dan 2nd (30:00 recording)
    8) Vote was unanimous, approved
    9) Continue after Financial Institution discussion.

10) Motion Ryan to approve Resolution 2023-01 as amended and discussed with counsel Doyle 2nd
    (a) Roll Call Vote-Jonathan Yea -Ryan Yea -Dan Yea -Kathleen Yea - Doyle Yea
    (b) Vote was unanimous approved

10. Action Items (39:40 recording)

A. Approval of Recorder Expenses – Jonathan Garrard (City Council)
   1) Discussion on spreadsheet prepared by Jamie Olson.
   2) Jamie will pull a total for the reoccurring charges and one-time charges.
   3) Dan check with the insurance on property at 5,000, 10,000 and 15,000 and if they do any inventory and cost of property or if we need to itemize.
   4) Do an official approval next week.
   5) (Jamie) Can we purchase items on say KSL, for example Jamie could get a filing cabinet cheaper, but we need a receipt.
   6) Gun safes for records storage were discussed and a price range.
   7) The city can take donations also.

B. Interlocal Agreement with Tooele County (possible minor adjustments based on 1/3/23 Tooele County work/business meetings) – Kathleen VonHatten (City Council)
   1) (Kathleen) they changed the Solid Waste to 2023 and still the 30 day out.
   2) (Kathleen) We wanted an invoice to see what they are spending, and they took that part out. (Rob) they will just send an invoice for our funds. You could still ask for it though.
   3) (Ryan) would like to know what the county in spending if they aren't invoicing. I would like details on what they have spent on Lake Point.
   4) (Rob) talk with county and ask the county what they have done during that month.
   5) (Dan) would it possible to find out what they have done in Lake Point the last year.
   6) The 30 days out is in there, the county did ask that they would like more notice.
   7) (Doyle) move forward on this and in the spring when it warms up, we could ask about their upcoming projects are for Lake Point.
   8) (Ryan and Dan) Would like a monthly report or end of year report of services. (Rob) ask and communicate with the county.
      a. Motion Ryan approve Interlocal Agreement with Lake Point and County amendments. Kathleen 2nd.
      b. Roll Call Vote-Jonathan Yea -Ryan Yea -Dan Yea -Kathleen Yea -Doyle Yea
      c. Vote was unanimous approved

C. General Plan RFP – Dan Crawford (City Council) (1:38 recording)
   1) Discussion on the RFP edits from a draft Rob sent the council.

2) We could take the document and everyone from the council can go in and make suggestions through the week.
3) (Kathleen) wants to look at other city's general plan and see what other plan elements they might have.
4) (Rob) Transportation, Moderate Income House, Land Use are the required things on a General Plan.
5) (Ryan) on Moderate Income Housing qualifying list, Ryan suggests aiming for 5-7 instead of the required 3.

D. City Engineer RFP – Dan Crawford (City Council)
1) (Jonathan) if for making another document that the council can make suggestions.
2) Prioritize this document for next week.

11. Council Updates

A. (Kathleen) tax exempt, fill out the sales tax-exempt form and Kathleen just need a signature and will send it in.
1) If we ever want to sell something we will need to fill out a TC-69. Kathleen told her we didn't want to do that, but just for future reference.
2) Once we get a tax-exempt number, when we purchase something, fill out a TC-721-G and give it to a seller so we don't pay tax.
3) Future action items to figure out PO with businesses to put tax exempt on record.

B. (Doyle)- was able to get the annual meetings schedule to the newspaper

C. (Ryan) wants to discuss the COG, they are daytime meetings.
1) Ryan would like to know if Doyle would be able to be the voting member.
2) Doyle is okay to be the voting member for the COG
3) We need to do our own resolution for COG

12. Other Business/Discussion

A. City Financial Institution discussion/selection – Doyle Garrard (City Council)
1) (Ryan) wanting Doyle to touch on why we want to work with Mountain America, (Doyle) location and positive experiences.
2) (Doyle) Mountain America is 3rd or 4th on the list of institutions of who takes care of PTIF.
3) (Dan) can we put extra money into investments?
4) (Rob) there are a lot of rules on investing. You do gain interest on PTIF accounts.
5) (Public feedback from Zack Bartholomew from Lake Point and Terre Marshal) Fan of Mountain America and they do have some good rates on growth accounts, CD's, but I don't think you can you do that, that is why you have the PTIF account.
6) (Jonathan) is in support of Mountain America Credit Union and likes their fee schedule.

B. Discuss upcoming Requests for Proposals (RFP) (2:16 recording)

1) Law Enforcement RFP – Ryan Zumwalt (City Council)
2) Dispatch RFP – Dan Crawford (City Council)
   a. (Dan and Ryan) will back burn this a bit but combine Law Enforcement and Dispatch and add court services and bid court services separately.
   b. (Jonathan) would suggest as soon as there is a framework to make a changes and adjustments in a shared document.
   c. (Ryan) our services are great and not to go away form those services, but we need figure out the best plan monetarily.
3) Roads & Snow Removal RFP – Doyle Garrard (City Council)
   a. Doyle hasn't done anything with this, he thinks we need to have an engineer first.
   b. (Rob) on roads once you have your engineer, they will send out bids to contractors. So not necessarily suited for an RFP.
   c. (Rob) Snow Removal is better suited for RFP's
   d. (Ryan) if we don't know how much we are spending on Snow removal, it's hard to send out an RFP for snow if we don't know what we are paying for it now. Out of the money the county gets from us for roads, we need to ask what the costs is for snow removal.
   e. These last few storms they have had two plows going through town, so that is good.

C. Planning & Zoning work discussion – City Council
1) Framework
   a. 7 on the commission with a Chair and Vice Chair.
   b. Each council member appoints 1 planning commission member, and the group would appoint 2 more as a group. So, each council member has "representation".
2) Terms of Office
   a. Kathleen likes the 3-year term.
   b. (Rob) suggest a shorter term and then reappoint them.
   c. (Ryan) have them follow the terms of the council members terms and then make it a 2-year term. Initially it would be 1 and 3 year terms.
   d. How are we picking the 2 appointed by the 5 council?
   e. Have 2-year term not a 4-year term following the council members.
   f. For the 2 (appointed by council) planning members it needs a super majority vote (2/3 vote) by the council.
   g. For the 2 (appointed by council) planning members, they will alternate with the alternating terms of the city council.
   h. What do we do for vacancies. (Appointed the same way and same term of the member they were replacing)
   i. Take office first council meeting in Feb.
   j. Ask them to serve until someone else is appointed.
3) Conflict of Interest

a. (Ryan) they need to abstain or even leave the room.
b. (Rob) they can abstain from the vote, but they have a right to represent their own personal property and so could be on the other side of the table, but you can't ask them to not represent themselves in public comment for example.
c. (Dan) wants to follow state code and if there is 7 people on the board and let that committee work it out and we should have enough faith that they will do their job and we should not make them abstain.
d. (Ryan) explained how often it is a problem when people don't abstain and gave several examples.
e. (Kathleen) it is very awkward if you have a vote and you're having to vote against your neighbor and have them right there next to you, the conflict of interest protects both sides.
f. (Dan) They were appointed, and people should be able to vote and maybe just tell them what we expect.
g. (Doyle) we are going to have conflicts, if it personally benefits then they need to be on the other side of the table.
h. (Jonathan) expressed they can comment when its public comment. We have discussed giving developers similar treatment as the public comment. Developer will be treated equal to the public.
i. (Dan) can we get more research and data on this?
j. (Ryan) Part of our rules we need to make sure, the chairman isn't receiving all the information from engineering. Engineering receives applications and send it out to the commission at the same time.
k. The engineer presents the plan/application.
l. (Dan) asked about an appeals process.
m. (Rob) There is a Land Use authority and Appeal Authority, I recommend hire a land use authority that doesn't work for the city. You will have an appeal authority policy at some point.
n. (Ryan) Add ethical behavior pledge for anyone appointed.

4) Organization
   a. Who selects chair? (Ryan) likes the language on how we laid out the city councils and picked the chair, and let the commission select Chair and Vice Chair.
   b. Who gives reports to council? (Jonathan) likes allowing other Planning and Zoning members give reports.
   c. (Rob) putting language allowing an option that the chair should allow a member that had a vote that went against the rest, giving time to explain why they voted against. Verbiage- if someone descends from the majority vote, they will be given time to express their opinion on the record of the meeting as well as to the city council.

d. How often they meet? give guidance of “meet as necessary, at least once a month”
e. Language to make their meeting off set the councils meetings.
f. (Ryan) Keeping ordinance general, but when talking to them let them know that it will be weekly or biweekly in the beginning. So, they have expectations up front.
g. Determine how many hearings they are required to hold; public comment or public hearing and maybe when to leave public comment open.
h. (Rob) if you are doing something outside of state code you need to spell it out in your code.
i. Different criteria for various items. Here is how we do subdivision plats, here is how we do rezone etc.

5) Powers & Duties (3:29 recording)
   a. (Jonathan) list of options
      (i) When they recommend something
      (ii) What items they can recommend
      (iii) What items are recommended
      (iv) What items they will administer
      (v) What they will assist in
      (vi) Items they conduct
      (vii) Items they advise on
      (viii) What items they will hear on
      (ix) How they will work with historical committees
   b. Kathleen likes Manti’s and some Nibley and Roosevelt.
   c. City council needs to make a vision statement for the Commission.
   d. How they are going to working with other established committees.
   e. What items are staff approvals like solar, what’s a staff approval vs Planning Commission approval. Do we put sheds through the planning commission, to streamline items.
6) City Council Guidance for Planning and Zoning
   a. (Rob) Do it by policy and ordinances.
   b. (Ryan) Do not put a lawyer on our planning commission.
7) Follow-up on group appointments.
   a. (Ryan) wait to appoint commission members until we have this in place. No one has or should be offering a position.
   b. (Ryan) Compensation? Usually nothing. Council agrees at this time that to not compensate. (Dan) I think the citizens are willing to volunteer and help out Lake Point.
   c. (Ryan) Do we pay for Planning Commission trainings.
   d. Meeting location- will fire station allow them to meet at the fire station.
      (i) The North District Fire Department meeting we can find out what our options are for the nights the Planning Commission can meet.

(a) (Jamie) needs to know if more than 2 of you plan on attending that meeting and when you go to the bank so she can send out a notification.

(b) (Doyle) wants Jamie to know the county attorney called them out on more than 2 council members being at their meeting and we were able to tell him that we had it covered.

(ii) Leave the county building as an option as a meeting place.

(iii) (Ryan) would like to keep meeting as local as we can and if we need to budget in costs.

(iv) (Doyle) would like the commission to decide where they want to meet.

(v) (Kathleen) will ask the fire station what the cost would be if we had two entities using the building.

(vi) (Ryan) Public Hearing is there any requirement on the space we need for a meeting? You just need a space, You can't have it in a closet.

(vii) (Kathleen) are we required to own a building for our meeting?

(viii) (Rob) I have never heard of anything, but I will check.

(ix) (Kathleen) When do we want to put this together and done so we have goal?

(x) Bullet points written by next meeting to give to Rob and he can create the ordinance. Ryan and Kathleen and Doyle will work on this for Rob so it's ready for next Wednesday.

13. Public Comment

A. Motion Ryan to open Public Comment, Dan 2nd

B. Vote was unanimous approved

1) Zack Bartholomew from Lake Point
   a. Lived in Salt Lake Area as a community council chair, I received a lot of opposition in trying to do things right and being here tonight you have totally confirmed why I am here in Lake Point. Hearing you talk about ethics are really important to me and I appreciate you having the discussion on ethics and encouraging the ethics down the road.

2) Terry Marshal from Lake Point
   a. says ditto and express my appreciation to committee for all they are doing.

3) Jamie Olson from Lake Point
   a. I would like to agree with you that if there is a conflict of interest that they need to abstain and be stricter than the state code.

C. Motion Ryan to close Public Comment, Doyle 2nd

D. Vote was unanimous approved

14. Adjournment

A. 10:08pm

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 11th day of January, 2023

Vice

(Name), Chair

ATTEST:

Jamie Olson, Acting City Recorder