

Lake Point City Council Minutes

Date: Wednesday, Feb 8, 2023

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

Time: 6:00 PM

1. **Call to Order-** 6:00pm
2. **Prayer-** Jonathan Garrard
3. **Pledge of Allegiance-** Sheriff Wimmer
4. **Presiding Officer-** Jonathan Garrard
5. **Attendance Roll Call-** Jonathan Garrard

Lake Point Council & Staff (C=Council)	Public	Public
Jonathan Garrard (Chair)	Ryan Dedelow-Draper	
Ryan Zumwalt (Vice Chair)	Sheriff Wimmer-Tooele County	
Dan Crawford (C.)	Moises Tovar-Lake Point	
Kathleen VonHatten (C.)	Rhondalyn Garrard-Lake Point	
Doyle Garrard (C.)		
Jamie Olson (RCDR)		
Rob Patterson (Attorney)	Dave Sanders-Accountant	

6. Public Comment-

- A. Motion-Doyle to open Public Comment, Dan 2nd
- B. Vote was unanimous approved
 - i) Ryan Dedelow see letter attached Exhibit A. (3:00 recording)
 - 1) (Jonathan) we are addressing this and some of these items have been a surprise to us, we requested a letter of all the open permits and were told we had them all and then later we received some additional ones and so we are working with what we can do and discussing it with legal counsel.
 - 2) (Ryan) asked if he should email permits. Yes, email them to Jamie.
 - ii) Moises Tovar- (8:22 recording)
 - 1) Lives in Lake Point off center street. Nov 21. 2021 our house burned down; community was very helpful. Year of 2022 we have had issues with contractors. Spent a year without work. We reached out to Kirk Pearson and is willing to work with us to finally get things going. I didn't realize when we became a city, it stopped permits with Tooele County. I'm here to make you aware of the delays.
 - 2) Insurance that is helping with housing and they want a tentative start and finish dates, so they are able help us with housing and need a time frame, time is of the essence, and let me know whom else I can talk to speed things up.
 - 3) (Jonathan) repeated so he understood what Moises expressed and needs.
 - 4) (Dan) asked what the time frame was with the insurance.
 - 5) Rob) asked if the house was being built in the same spot and similar square footage. And Moises confirmed it was in the same spot and same square footage.
 - 6) (Kathleen) mentioned the July worst case scenario for start date.
 - 7) Ryan asked if they could get a plat map with setbacks to show where the building will be.
 - 8) (Moises) would ask Kirk for a plat map.
 - 9) (Jonathan) reviewed moratorium and process and what was discussed.
 - iii) Rhondalyn Garrard- Lake Point (7:25 recording)
 - 1) Your meeting go way too long I would like to snuggle my husband.
 - 2) I saw your trying to pass business license- I'm concerned because I teach classes out of my home and if this passes it will affect me. My daughters want to teach an art. These classes don't bring in income to us it is more to help the community. I would like you to consider this before passing and ask if ist going to help or will it be like Orem, it costs

them more money to have these licenses in place, they are paying more money out to support these business licenses. Please consider how it will impact the people.

- 3) I do believe that some businesses need to have a license in home daycare yes, preschool, McDonalds yes. But if it is voice lessons, home school classes, cooking classes etc. I don't believe they should require a business license.
- 4) If I needed to pay for a license off something I'm not making money with it would hurt the girls I'm teaching.

iv) Sheriff Wimmer

- 1) Sheriff came up but wasn't sure if he was on the agenda. He is on the agenda

C. Motion-Doyle to close Public Comment, Kathleen 2nd

D. Vote was unanimous approved

7. Approve the Minutes-

A. Lake Point City Council Work Session – Feb. 6, 2023

- i) There is a time that needs to be added, so that time will be found, added and minutes will be brought back to the council for approval.

B. Lake Point City Council Meeting – Feb. 1, 2023

- i) Motion Kathleen to approve the minutes Feb. 1, 2023, Dan 2nd
- ii) Vote was unanimous approved

8. Reports/Presentations (26:48 recording)

A. Sheriff Wimmer

- i) Honor to be here, apologies for not making it to the swearing in.
- ii) We would like to be on your 2nd week of the month.
- iii) Report see Exhibit B
- iv) If you want a speed trailer, invite us to bring it by.
- v) You can customize your report but suggest not asking about details of arrest.
- vi) (Doyle) asked about wanting to know the number of citations between the Hwy 36 and in town citations. If it's not too much to ask.
- vii) (Jonathan) asked on the report, if most of it is the sheriff's office, (Wimmer) usually and the county and UHP work together so we back them up.
- viii) Jonathan- on the remaining 75 are those calls from residence? (Wimmer) yes everything from a barking dog to theft.
- ix) (Jonathan) asked where they put for example the cougar sighting- (Wimmer) that would fall under an animal problem/issue.
- x) (Dan) asked are you able to map out where we might be having problems?
- xi) (Wimmer) Explained there is a link to states crime statistics and you can drill down to Lake Point City. Go to the sheriff site and there is a link there or dept public safety dashboard crime statistics.
- xii) (Kathleen) how often is that updated- (Wimmer) About a month or two after, it use to be a year.
- xiii) Council asked Wimmer more questions about reports.

B. Dave Sanderson - City Accountant (49:20 recording)

- i) Introduced himself and gave qualifications
- ii) Explained what he can do for the city and answered questions.

C. Treasurer Report - Doyle Garrard (1:20:00 recording)

- i) Have funds \$360,000 from advance from the county for 6 months sales tax.

9. Action/Business Items

A. Ordinances (1:22:00 recording)

- i) O 2023-02 DRAFT Business Licenses- Jonathan
 - 1) Discussed what things were changed from the draft from last week.
 - 2) (Jonathan) addressed some of his concerned with defining what a business means.
 - 3) (Dan) wanted a business license to be a physical address and not just a P.O. Box.
 - 4) Council discussed continuing edits and researching. With a big chunk done by April 5 and how to get feedback from the public.

- (a) Motion-Dan to table until April 5, 2023 with council edits and Home Occupations being written up by Rob. Kathleen 2nd
 - (b) Vote was unanimous approved
 - ii) O 2023-05 DRAFT Use of Public Ways and Franchises (2:09:00 recording)
 - 1) Rob Reviewed redlines and changes to the draft from last week.
 - (a) Motion Ryan as written Dan 2nd
 - (b) Roll Call Vote-Jonathan Yea -Ryan Yea -Dan Yea -Kathleen Yea -Doyle Yea
 - (c) Vote was unanimous approved
 - B. Appointing additional staff discussion (2:24:00 recording)
 - i) Discussion on additional staff
 - 1) Council discussed job title and possible job description.
 - 2) Will work on job description and contract
 - C. Post Moratorium Submission Review/approvals for moratorium exempt - (2:48 recording)
 - i) Discussion of the list for this week.
 - ii) Discussion in adding something to these to send to the county if any are approved.
 - iii) Discussion on compartmentalizing some of these to know what the council will approve and won't approve to send to county.
 - iv) Discussion on what the council wants to do to table or take action.
 - 1) Motion-Ryan table until next week and we can come up with carved out language after we deal with the county list until the next week or the following week.
 - 2) Motion-Ryan to table until we approve the county list and we do some more compartmentalizing on these and what we want to do. Doyle 2nd
 - 3) Roll Call Vote-Jonathan Nay -Ryan Yea -Kathleen Nay -Doyle Yea -Dan Yea
 - 4) Vote was 3-yea and 2-nay motion passes
 - 5) (Ryan) said he will go in and carve out this list so we can be better prepared for next week and also add something on the agenda between the two lists to break them up
 - 6) (Kathleen) can we move the Post ILA to the front of the agenda since it will be very early in the morning.
 - D. Discuss Post Moratorium Script- if we separate out what the council will not approve at this time. (3:35 recording)
 - i) Discussion on if they change the script Jamie sends out.
 - ii) Script was edited.
 - iii) Counsel Rob left at 10pm
 - iv) Script edits continued
 - E. General Plan RFP – Dan (4:18:00 recording)
 - i) Discussion and finalizing RFP
 - 1) Motion-Dan General Plan RFP as amended Kathleen 2nd
 - 2) Vote was unanimous approved
 - F. Waste Management – Doyle Kathleen
 - i) Come back to this after some council updates
 - ii) Discussion on the bids (4:45:00 recording)
 - iii) Discussion billing software
- 10. Council Updates (4:25:00 recording)**
- A. Jonathan Garrard
 - i) Staff utilization during council meetings discussion
 - ii) Other
 - B. Ryan Zumwalt (4:30:00 recording)
 - i) Discussion on better communication
 - ii) Return to 9.F.
 - iii) Maybe we can purchase Microsoft Office 1-3 users so Rob can have updated software (5:25:00 recording)
 - iv) Believes we need another Planning Commission work session

- v) When you need work from Rob get two council members to agree if it's something we want him to work on
- C. Dan Crawford (5:14:00 recording)
 - i) Gave update on FirstNet training done today 02.08.2023
- D. Doyle Garrard (5:17:00 recording)
 - i) Talked about having Hamner come talk to the council about the COG grants, but would follow up when to do that.
 - ii) Other
- E. Kathleen VonHatten (5:19:00 recording)
 - i) Needs someone to attend a flood mitigation meeting Feb. 16, 2023
 - 1) Kathleen will forward the information to the council.
 - ii) Businesses in Lake Point discussion
 - iii) Would like the upcoming road projects on the website so the citizens know what is going on.

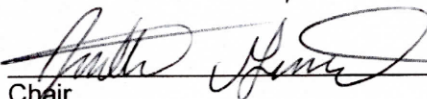
11. Public Comment

- A. Motion- Ryan to open Public Comment, Dan 2nd
- B. Vote was unanimous approved
 - i) Ryan Dedelow- what are your thoughts on lot sizes in the future, I've heard one acre I've heard setbacks? (5:29:00 recording)
 - 1) (Jonathan) we don't have general plan yet and we will be working on that
 - 2) (Dan) We will have open houses for the general plan and welcome citizen's input
 - 3) (Ryan Zumwalt) Lots zoning is locked on your lot, and it won't change.
 - 4) (Ryan D.) So, the lots that are already recorded are not changing in 6 months
 - 5) (Ryan D.) So, it seems like in my mind there would be no sense to hold off on my lot, it wouldn't change anything.
 - 6) (Ryan Zumwalt) but all the accessory buildings setbacks aren't set
 - 7) (Ryan Zumwalt) brought up ADU's
 - 8) (Ryan D.) so you could attach those conditions and allow us to build or you say we wait 6 months and we are building the same house, and all that changes is the use?
 - 9) (Ryan Zumwalt) So on our next meeting we will approve or disproving those to go back to the county and use their setbacks and their rules.
 - 10) (Kathleen) we didn't want to hold up anything if they had applied with the county and explained what happened with the missed list from the county.
 - 11) (Ryan Zumwalt) mentioned when Ryan D paid his impact fees for parks and rec. I (Ryan Zumwalt) thought they were paid when the build was done not to hold the permit.
 - 12) (Ryan Zumwalt) explained a bit more about what is going on.
 - ii) Jenny Trimble-Lake Point (5:39:00 recording)
 - 1) Dan read a message from Jenny Trimble
 - 2) See attached Exhibit C.
 - 3) Discussion on regulation
- C. Motion-Dan to close Public Comment, Kathleen 2nd
- D. Vote was unanimous approved

12. Adjournment Motion-Kathleen 11:44pm

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 15th day of February, 2023


Chair

ATTEST:


Jamie Olson, City Recorder

EXHIBIT A

My name is Ryan Dedelow. I came here today to give you some information before you make your decision for my building permit. My family bought a lot in the Davies place subdivision in Lake Point in April of 2021. We decided we would begin to build our home and started the process. We submitted our **application** and plans to Tooele County on **October 4th, 2022**. As we worked through the process we decided to go ahead and open a construction loan before the rates got too high. We opened a loan on November 8th. Working through the process as per requirement by Tooele County, on December 21st we made payments to Lake Point Improvement District for water and sewer and Lake Point Parks and Cemetery. We received our Will serve letters from the District and on the 27th of December I received confirmation of the Lake Point Park impact fee paid and all requirements being complete regarding the lot. The confirmation was from the Park Chairman and **Councilman on that date**. Up to this point, there has never been any mention of a moratorium that was in effect. After addressing the last few comments from the plans review process, we made **payment, over \$8,000**, to Tooele County for the building permit **AND** we were **issued** the permit on that day, the 23rd of January. On January 30th just 7 days later we were notified by Tooele County that our permit was on hold due to a moratorium until a general plan for Lake Point was put in place. This is the first time I heard of the moratorium. I immediately talked to the County and emailed Lake Point to find out more information. I come here today to demonstrate to the Lake Point Council the reasons an exemption to the moratorium and a release the hold on our permit # 15448 to build should be made. As mentioned earlier I also have a loan with a time limit and if the construction is delayed we will lose thousands of dollars and the ability to build in the near future. I ask you how long would it take and what changes would be made to justify delaying my building permit for a general plan? There are 10 homes in this 13 lot subdivision. Two homes in construction and 8 homes already built. Please do not delay my family home any longer.

Exhibit B



Tooele County Sheriff's Office Sheriff
Paul J. Wimmer

1960 South Main
Tooele, Utah 84074

Lake Point Calls for Service

January 2023 Stats

Total Details (75)

Arrests (2)

Citations (19)

Significant Incidents for January:

Vehicle burglary reported in the area of Lakeshore drive. Residence are reminded to keep vehicles locked and items removed from vehicle.

No other significant incidents.

Exhibit C

Email from Jenny Trimble

Couldn't make the meeting tonight. I don't know if this will already have been decided or not. I support meeting a license to run a home based business. Please just make the licenses easy to get. I have a friend in Tooele that had to do all kinds of crazy stuff with the city in order to be able to teach LPM out of her home. I would very much like to not have to go through that. I'd love to be able to fill out a form and pay a fee and get a license.

Please share with the council