Lake Point City Council Minutes

Date: Wednesday, March 1, 2023
Place: Lake Point Fire Station 1528 Sunset Rd Lake Point, UT 84074
Time: 6:00 PM

1. **Call to Order-** 6:01pm
2. **Prayer-** Doyle Garrard
3. **Pledge of Allegiance-** Chris Johnson
4. **Presiding Officer-** Jonathan Garrard
5. **Attendance Roll Call-** Jonathan Garrard

Lake Point Council & Staff (C=Council)	Public	Public
Jonathan Garrard (Chair)	Chris Johnson- Custom Design Construction-Herriman	
Ryan Zumwalt (Vice Chair)	Cleo Quintero-Tooele	
Dan Crawford (C.)		
Kathleen VonHatten (C.)		
Doyle Garrard (C.)		
Jamie Olson (RCDR)		
Rob Patterson (Attorney)		

6. **Public Comment-** (2:27 recording)
   A. Motion-Ryan to open Public Comment. Dan 2nd.
   B. Vote was unanimous approved.
      i) Chris is here to find out what it will take to get a building permit for a basement finish. We had a person that was supposed to get plans into the county before the separation, but he hasn't been able to find the documentation. We understand the plans have been presented in a council meeting and approved and just waiting. We have started the project, just waiting for a permit and inspection to move forward.
      ii) Customer is antsy.
      iii) Contacted 3rd party inspector and he felt it was better to wait until we have a permit. I believe we have finished the application and questions the council requested.
         1) Jonathan response- we appreciate your patience and how to work with the people and make sure we are legally protected. As soon as it goes to the county, we are not sure if they will accept them or not. We are trying to do our part and they will have their part to play.
         2) (Chris) would it be feasible to have an 3rd party do the inspection?
         3) (Ryan) we have voted to move this forward to the county.
         4) (Chris) I am here to answer questions, plead to whatever we can do to get this started.
         5) (Kathleen) once we get the finalized email, we can send it to the county and the county can decide.
         6) (Chris) how can I help your part get finalized?
         7) (Ryan) it will get finalized this week and then our recorder will reach out to you.
         8) (Chris) so finalized by Friday?
         9) (Ryan and council) thinks so.
         10) (Jamie) if council approves the email, it will be sent tomorrow. Jamie will send Chris an email when she knows the county will accept it. Jamie doesn't know the timeline for the county to accept.

11) (Chris) asked to be given the contact information from the county so he knows who to follow up with on the county level.
12) (Chris) would like to know when the email to the county is sent.

C. Motion-Doyle to close Public Comment- Dan 2nd

D. Vote was unanimous approved.

7. **Approve the Minutes-** (14:50 recording)
   A. Approve the Minutes Date- February 15, 2023
      i) Motion-Ryan to approve the minutes February 15, 2023, Dan 2nd.
      ii) Vote was unanimous approved.
   B. Approve the Minutes Date- February 22, 2023
      i) Motion-Dan to approve the minutes February 22, 2023, Doyle 2nd.
      ii) Vote was unanimous approved.
8. **Reports/Presentations** (16:00 recording)
   A. Cleo Quintero - commercial business Coffee Shop at Chevron
      i) Brief description on her plans- 10x20 container
      ii) Ben Johnson is running all the plumbing, electrical and sewer and cement pad.
      iii) Approval electrical- doesn't want them breaking ground unless this is going forward.
      iv) Doyle- asked about sewer, and the approval of the sewer by the improvement district. (Cleo wasn't sure)
      v) Ben had told her the sewer was in the second remodel that included her stuff for the coffee shop and the Mexican restaurant inside. First remodel was the pumps.
      vi) Council can't see the lines where the plumbing is going outside the building.
      vii) Council would like to see if they can get some plans from the county and see if we can find all the permits and see if we can find the approval of the utilities and cement slab. Jamie will reach out to the county.
      viii) Jonathan asked if they would have a separate address than Top Stop? Cleo wasn't sure how that worked.
9. **Action/Business Items** (38:00 recording)
   A. Resolutions
      i) Resolution 2023-06 to appoint to the Mosquito Abatement a board member.
         1) Motion-Kathleen to approve R 2023-06 – Resolution Appointing Tooele Valley Mosquito Abatement Board Member
         2) Roll Call Vote-Jonathan Yea -Ryan Yea -Dan Yea -Kathleen Yea -Doyle Yea
         3) Vote was unanimous approved.
   B. Post Moratorium Submission Review for moratorium exemptions (41:00 recording)
      i) Discussion on a barn permit request. Without the city having setbacks this will need to wait for engineering and planning and zoning.
      ii) Discussion on a solar permit request.
      iii) Motion- Ryan motion the following solar requested Smart Wave Solar on behalf of residential address at 7832 N Buckhorn Road be approved by the Lake Point City Council to be exempt from the city's moratorium, allowing them to be processed by Tooele County, with the following conditions of approval; that they will follow all state code and county requirements at the time of the permit and with the requirement that they are completed and closed before June 30, 2023 and if not completed and closed at that time, they will be turned over to the Lake Point, and any and all fees associated with the completion through the closure will be paid for by the applicant. Also, that the solar only be installed on a pre-existing home. This approval applies to this single application by applicant for the specific item listed and approved and no approvals have been granted for any other permits or items other than those designated at the time of approval by Lake Point City Council.
         1) Ryan Amend the motion adding to the end -If the county determines to proceed with the completion of this application the Lake Point City Council would ask that the above conditions of approval and deadlines are noted in the records and sent to each applicant.
         2) Dan 2nd

3) Roll Call Vote-Jonathan Yea -Ryan Yea -Dan Yea -Kathleen Yea -Doyle Yea
4) Vote was unanimous approved.

iv) Motion- Ryan (56:00 recording)
1) I motion to approve the application by Shane Peterson permit BP15436-22 for the Walkers at parcel address 8047 North Park Meadow Drive in the Smart Park Meadow Minor Subdivision. The applicant permit was issued by Tooele County for a lot that is in an existing approved minor subdivision established and recorded under Tooele County. This permit was issued on 12/16/2023 after Lake Points moratorium on December 7th, 2023, but was applied for prior and was under process beginning on 09/28/2022 with fees already paid to the county prior to our moratorium. This approval is based on these circumstances and does not set precedence for any other approvals outside of the moratorium which a not approved by the council. Approval conditions to be added to the permit include that the deadline for completion would be July 31, 2023, and after that time it, if is not completed, it will be turned over to Lake Point city for completion, and any new fees associated with completion will be paid by the applicant. A condition of approval is also that all ordinances by the county in place at the time of the application and the state code, will be followed to complete the process. This approval applies to this single application by applicant for the specific item(s) listed and approved and no approvals have been granted for any other permits or items other than those designated at the time of approval by Lake Point City Council. If the county determines to proceed with the completion of this application the Lake Point City Council would ask that the above conditions of approval and deadlines are noted in the records and sent to each applicant.
2) Doyle 2nd
3) Vote was unanimous approved.

v) Discussion on Miklovik plat amendment

vi) Motion-Ryan (1:01:00 recording)
1) I motion that we approve a request by Garret Miklovik residing at 7714 No Center Street in regard to Parcels 19-018-0-0001 & 21-018-0-002A with owners Garret Miklovik and Sonja Arellano for Lot 1 and Cammy Gardner and Steven Miklovik for Lot 2 in the Miklovik Estates Minor Subdivision. The applicant's request is to complete a plat amendment for these identified lots to add a portion of Lot 2A to existing lot 1. The Lake Point City Council determined this to be exempt from the city's moratorium, Approval is based on it being applied for on 12/14/2022 and fees paid by the applicant to the county which was after the Lake Point City Moratorium but prior to the ILA. The applicants process had been underway to complete the amendment prior to the moratorium since when it was submitted to Tooele County on 11-16-2022. In addition, this is also an existing approved plat amendment for a subdivision with an existing home on one of the properties and that no other Improvements will be done other than the plat amendments. We approve this change to be completed with the following conditions of approval. That the engineering drawings will be followed exactly to meet the county requirements before and after the plat amendment. That each plat follows the minimum 1 acre or other requirement for zoning that existed on the plat parcels prior to the plat amendment. That the applicant will be responsible for recording the changes to the plats with the county. That the applicant will provide a record of the recorded plat and changes back to Lake Point City at the completion of the recording. That the work be completed and closed before May 31, 2023. That all fees associated with the completion of this work, including the engineering, inspections and recording of changes to the plat and parcel be paid for by the Applicant. This approval applies to this single application for a plat amendment with no improvements on either parcel involved in the plat amendment witch the Lake Point City Council approved and no other approvals have been granted for any other permits or items other than those designated at the time of approval by Lake Point City Council. If the county determines to proceed with the completion of this application the Lake Point City Council would ask that the above conditions of approval and deadlines are noted in the records and sent to the applicant.
2) Kathleen 2nd
3) Vote was unanimous approved.

vii) Discussion on Tray Baldwin request
viii) Motion -Ryan
1) I motion that we approve a request by Tray Baldwin with Eagle Point Homes and owner of Lot 307 in Bridle Walk Subdivision Phase 3. His request is to change the water retention basin footprint from what was existing previously on the attached original plat map to what has been reengineered by Ensign Engineering to still meet the requirements of a 100 year storm event. The original plat and current water retention basis was engineered by Ensign Engineering who has redesigned the change to the basin. Included with the submitted information is the stamped engineering drawings and the letter from Ensign Engineering regarding the change and the original plat map showing the existing retention pond indicating the changes still exceed the requirements for the 100-year storm. The original plat map is also included with this application. The Lake Point City Council determined this to be exempt from the city's moratorium, Approval is based on it being an existing approved plat in Bridle Walk Subdivision with an existing home on the property and existing requirements of that lot already met by the subdivision or previous permits for the home build. We approve this change to be completed with the following conditions of approval. That the drawings will be followed exactly to meet the reengineered water retention basin and that it will follow all state code and county requirements before and after the work. That if the work requires any permits, they will be applied for at Tooele County and processed under them. That an inspection will be done and passed following the work to assure it meets the engineered drawings. That the applicant will be responsible for recording the changes to the retention basin and easement for the plat and lot 307 with the county. That the applicant will provide a record of the recorded plat and changes back to Lake Point City at the completion of the recording. That the work be completed and closed before June 30, 2023. That all fees associated with the completion of this work, including the engineering, inspections and recording of changes to the plat and parcel be paid for by the Applicant. That a record will be tied to the home for any future owners that the Water Retention Basis is not to be altered, filled in or adjusted in any way. This approval applies to this single application for a change to the Water Retention Basin for Lot 307 of the Bridle Walk Phase 3. The applicant for the specific item(s) listed and approved and no other approvals have been granted for any other permits or items other than those designated at the time of approval by Lake Point City Council.
2) 2nd Kathleen
3) Vote was unanimous approved.

C. RFP Engineering Firms-
i) Motion Dan move forward on Jones and DeMille for engineering- Kathleen 2nd
1) Vote was unanimous approved.
ii) Dan will reach out to the other proposals that were not chosen.
iii) Rob will coordinate with Jones DeMille concerning contract.

D. Review and Approve emails concerning POST Moratorium (1:24:00 recording)
i) Council discussed email verbiage for emails going to the county concerning permit requests that the council has approved to move to the county. Council concluded the email drafts were good to be sent to the county.

10. Council Updates (1:34:00 recording) Council jumped around here to ask certain items of Rob before he left. Please note- recorder will keep items in individual council updates and give time stamps to help keep track of when they were discussed in the recording.

A. Kathleen VonHatten
i) Waste Management- Kathleen asked Rob some questions. (1:35:00 recording)
1) Billing software was discussed.
ii) Kathleen gave an Emergency Flooding Update (2:39:40 recording)
1) Sandbag and sand prices and ways we could accomplish sandbags.
iii) Website- Kathleen went over some updates on the website. (2:55:00 recording)
1) Discussion on how to keep the public informed and how they can request services.

B. Grant FEMA mitigation-Notice of interest deadline is May 31, 2023 - Kathleen gave info that she had on this grant. (3:25:00 recording)

C. Waste (3:27:00 recording)
   i) Short discussion on budgeting numbers for software and mailing.
   ii) Wanting to move forward on the decision on Waste and can cost for citizens. Add it on the agenda for next week to make a decision and vote. (Move to Ryan's update)

D. Dan Crawford (2:03:00 recording)
   i) General Plan RFP's were received. Council will review this over the next week, have brief discussion next week, and continue working on it as needed.
   ii) Discussed their general plan ideas and how important the general plan is for the city and it's future.

E. Doyle Garrard
   i) Update on Roads (2:18:00 roads)
      1) Snow removal
         (a) The county does have a county wide map and will work getting Lake Point a map specific to Lake Point.
      2) Discussion on the canal.
      3) Update on the Kennecott road section and fixing it.
      4) Speed limit signs were discussed, solar panel speed limit warning signs.

F. Ryan Zumwalt (3:49:00 recording)
   i) Update on Budget and how to proceed to get budget finished.
   ii) Discussed pricing on storage unit.
   iii) Ryan will get pricing for a conex for storage.
   iv) Do we do a mailer and pamphlet for the website? And they discussed communicating with the public.
   v) Setting 2 upcoming meeting dates, times, locations and who is going. (moved to Jonathan G.vi.)

G. Jonathan Garrard
   i) Jonathan wanted to ask if we can get Rob to work on a resolution for Emergency Manager Designation. So, they can start working on emergency management. Rob will work on it. (1:45:30 recording)
   ii) Website questions for Rob concerning the contact info on the website for the Planning and Zoning Commission and what should be posted on the website. (1:48:00 recording)
      1) Possibly sending questions to a planning and zoning@lakepoint.gov and have each member have an email but have them communicate to each other with those emails.
   iii) Council discussed 5 more permits that were missed from the county and not in the ILA agreement with Lake Point (1:54:00)
      1) (Rob) you can do it like the other ones and compartment them but again you don't have to. Council will come back to this, Jonathan just wanted to check if there was anything legal they needed to be aware of before proceeding.
   iv) (Rob) had a question for the council that Jamie had brought up. He would recommend adopting a Retention Schedule. Recommend adopting the state code until you have time to revisit it to customize it to your cities needs or wants. (1:57:10 recording)
   v) Rob left at 8:03pm (2:02:00 recording)
      1) (Back up to Dan Council Update)
   vi) Add RMP Franchise Agreement on next meeting, 03.08.2023. (4:06:00 meeting)
   vii) other to-do items
      1) Jonathan asked about the census bureau. (4:06:50 recording)
         (a) Kathleen did notify the census bureau.
         (b) Some conversation on census bureau.
      2) Jonathan brought up needing addressing adding Court Services and getting an agreement sent up.

3) Addressing other utilities and services that we would need a franchise agreement.

viii) Council discussed 5 more permits that were missed from the county and not in the ILA agreement with Lake Point. This would be discussed again in two weeks. (4:22:00 recording)

ix) Other

11. **Public Comment**

A. No public comment

12. **Adjournment** Motion-Dan 10:48pm

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 March, 2023

Chair

ATTEST:

Jamie Olson, City Recorder