

Lake Point City Council Minutes

Date: Wednesday, April 19, 2023

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

Time: 6:00 PM

1. **Call to Order-**
2. **Prayer-** Jonathan Garrard
3. **Pledge of Allegiance-** Rhondalyn Garrard
4. **Presiding Officer-** Jonathan Garrard
5. **Attendance Roll Call-**

Lake Point Council & Staff (C=Council)	Public	Public
Jonathan Garrard (Chair)	Chaelea Allred	Jordan Taylor
Ryan Zumwalt (Vice Chair)	Hannah Caldwell	Ahekye Larson
Dan Crawford (C.) online	Rhondalyn Garrard	Heath Denney
Kathleen VonHatten (C.)	Becky Cook	
Doyle Garrard (C.) online at 6:24	Mark Gines	Attendance Checked
Jamie Olson (RCDR)	Marianne Gines	
Rob Patterson (Attorney) 9:46pm left the meeting	Brendon Hatch	

6. Legal Training – Rob 2:40 (recording)

- A. (Rob) sent an email to the council covering the new bills
- B. (Rob) There might be funding available for cities to draft ordinances.
- C. (Ryan) asked about creating policy and can it be applied to anything done in the past (not complete) and future. (4:32-14:40 recording)
 - i) Rob explained and council discussed this topic and how to handle public comment in minutes.

7. Public Comment-

- A. Motion -Ryan to open Public Comment, Kathleen 2nd
- B. Vote was unanimous approved (without Doyle)
 - i) Hannah Caldwell (15:50 recording)
 - 1) Listen to all the meetings
 - 2) When discussing the business license taking place when fire inspectors presented at the meeting
 - 3) Fire marshal or inspector commented that business licenses should be required so they are allowed to go into homes to ensure safety measures are taken and gave extreme examples
 - 4) Concerned if that is a reason to require it, it is government overreach.
 - 5) Concerned of being able to rent out your home and the city requiring a business license
 - 6) Not sure how it's the city's business, because it is their private property and pay taxes and pay the mortgage etc. It's complete over reach.
 - ii) Rhondalyn Garrard (18:09 recording)
 - 1) Second what Hannah said
 - 2) Believes in freedom and should be able to choose what we want.
 - 3) Commercial licenses at low cost.
 - 4) If it's in your own home should not tell us what we can do in our own home. It's our home.
 - iii) Jordan Taylor (19:15 recording)
 - 1) Sliding scale for business licenses

- 2) Lake Point Insurance built that house in residential zoning.
 - 3) He provides jobs, but no one lives in the house.
 - 4) That means the house next to me could be a real estate office.
 - 5) The county allows for under 6 employees to get a CUP
 - 6) It is important to have home-based businesses.
 - 7) Concerned with exploited residential and using them explicitly for business venture sites.
- iv) Mark Gines (21:40 recording)
- 1) He doesn't have a business out of his house
 - (a) A commercial business pays a lot more property tax
 - (b) Automotive repair at homes upsets him because someone doing it out of their home can charge half the amount Mark charges because he doesn't have to pay the higher taxes.
 - (c) Someone said, to bring in the businesses because they pay a lot more in property tax
 - (d) He agrees with Hannah -bakery is no big deal
 - (e) If we are selling, are we collecting sales tax?
- v) Hannah Caldwell (24:15 recording)
- 1) Question-
 - 2) If an ordinance is broken it's a Class C Misdemeanor.
 - (a) Who is going to enforce that?
 - (b) Quoted House Bill 181 section 89. If you are selling direct to a consumer, it's basically buyer beware
 - (c) So, if the city requires me to get a business license and I don't, that could be Class C Misdemeanor
 - (d) Is it worth it to the city to give me a record for not harming anyone to just try and pay for some bills because of a hobby?
 - (e) My retirement is up to me, I don't get to see how anyone is providing for their retirement.
 - (f) I may have to rent out my house so I'm not a burden to my children
 - (g) I don't think the cities should tell me what I can and cannot do in my house and if I don't do it right, I can be slapped with criminal activity
- vi) Brendon Hatch (28:00 recording)
- 1) Agree with Hannah and other comments
 - 2) A benchmark for other cities that have faced the same problems and we can look at other cities
 - 3) And look at the outcomes of laws that were made, before jumping to conclusions.
- C. Motion- Kathleen to close Public Comment, Ryan 2nd
- D. Vote was unanimous approved
- 8. Approve the Minutes- Date no minutes to approve**
- 9. Reports/Presentations (30:18 recording)**
- A. Treasurer's Report
- i) Doyle reported on expenses.
- 10. Action/Business Items**
- A. General Plan Engineering Contract - Jones and DeMille DocuSign (32:52 recording)
- i) A document has been sent ready for DocuSign.
 - ii) Review and Sign type. Jonathan would like Rob to review it to make sure it's the same contract before it's signed.
 - iii) Motion-Ryan to table after counsel reviews the contract and the council can review it
 - iv) Jonathan -amend the motion if in the review legal finds in acceptable as well as us, we can act on it. Dan 2nd
 - v) Ryan- withdraws the previous motion
 - 1) Motion -Ryan approve contract, subject to legal counsel review and council approval, when completed. Jonathan 2nd (42:00 recording)
 - vi) Roll Call Vote-Jonathan Yea -Ryan Yea -Dan Yea -Kathleen Yea -Doyle Yea
 - vii) Vote was unanimous approved

- B. Post Moratorium Submission Review for moratorium exemptions (44:33 recording)
 - i) Lance- reroof
 - 1) Motion- Kathleen approve 7296 Foothill Drive with solar motion substitute solar for roofing with a deadline of August 31 and returned to Lake Point if not completed. Doyle 2nd
 - ii) Memmott- Power Box
 - 1) Motion- Kathleen to approve Memmott at 7914 N. Cobble Rock for power box using solar motion verbiage with completion by August 31. Jonathan 2nd
 - 2) Vote was unanimous approved
 - iii) Matt Holste- new build
 - 1) Motion- Ryan – that we withdraw the permit request for 1618 Parker Lane at the request of Matt Holste for lot 418 in Bridle Walk Acres and that we approve lot 431 at 8234 N. Strasser. Kathleen 2nd (54:00 recording)
 - (a) Vote was unanimous approved
 - iv) Permit 15518 (54:54 recording)
 - 1) Kathleen recommends to send back to the county
 - 2) Motion- Ryan to approve permit 15518 where the applicant applied and made contact with the county on 11.21 prior to Lake Point City Moratorium and had paid fees during the process of negotiations with Tooele County for our ILA agreement and can't be refunded for those fees for a barn on their property for applicant Steven Evans at the address 8870 N. Lake Shore Dr. Dan 2nd (58:58 recording)
 - (a) Vote was unanimous approved
- C. Contract for Deputy Recorder/Secretary for P & Z (1:00:00 recording)
 - i) Chaelea reviewed the contract
 - ii) Motion-Ryan to approve the contract for planning secretary, 2nd Dan
 - iii) Roll Call Vote-Jonathan Yea -Ryan Yea -Dan Yea -Kathleen Yea -Doyle Yea
 - iv) Vote was unanimous approved
- D. Waste Contract (1:01:38 recording)
 - i) Approval of contract discussed.
 - ii) Motion- Doyle to table waste contract till next week to give Ace a chance to talk to their administrator
 - iii) Vote was unanimous approved
- E. Software decision (1:09:00 recording)
 - i) Polaris- doesn't do trash
 - ii) Cassel and Tyler are too expensive
 - iii) Two options are
 - 1) Trash Flow only do trash billing
 - 2) If we go with Trash Flow- we would need Civic Review- takes care of licenses- planning and zoning permits
 - 3) IWorq's, has a lot more features and has all the features in the price.
 - 4) Council discussed their options
 - 5) Motion- Kathleen to table until next week Doyle 2nd
 - 6) Vote was unanimous approved
- F. Commercial Business License - (only addressing alcohol section) (1:32:54 recording)
 - i) Ordinance 2023-02 Business License No HBB
 - 1) Council Discussed
 - (a) Motion- Kathleen adopt Ordinance 2023-02 with addition to section 12 on Commercial, Dan 2nd
 - (b) Roll Call Vote-Jonathan Yea -Ryan Yea -Dan Yea -Kathleen Yea -Doyle Yea
 - (c) Vote was unanimous approved
- G. Business Fee's Commercial (1:46:00 recording)
 - i) Council discussed commercial business license fees and what to set the fees at and categorize them.
 - ii) Resolution 2023-13 Fee Schedule

- iii) Motion-Jonathan to adopt the Resolution 2023-13 Fee Schedule as discussed and amended in the meeting tonight under the addition in the Land Use Engineering review fee when state fee for engineering review and when the fee is found it will be inserted in language that would be appropriate by legal. Ryan 2nd (2:56:00 recording)
 - iv) Roll Call Vote-Jonathan Yea -Ryan Yea -Dan Yea -Kathleen Yea -Doyle Yea
 - 1) Vote was unanimous approved
- H. Permit Fee's
 - i) Briefly discussed in the business fees schedule
- I. Inspector contract - building official (2:57:00 recording)
 - i) Council discussed what they want to do to move forward.
 - ii) Motion- Kathleen to table the inspector and building official and come back in two weeks. 2nd Doyle.
 - iii) Vote was unanimous approved
- J. Firework discussion/plan- Delegate to North Tooele County Fire Department (3:11:45 recording)
 - i) Fire Chief and Fire Marshal offered to come to answer the council questions.
 - ii) Discussed classifications and the council will do more research as to what fireworks they want to regulate.
 - iii) Motion- Jonathan to table for discussion next week after we have listened to Chief Nunn and Fire Marshal Peck and make a decision on May 3rd, Kathleen 2nd
 - iv) Council moved to Attorney Clarification so they could excuse counsel
- K. Value/mission statement (3:43:43 recording)
 - i) Council returned to this agenda item
 - ii) Kathleen brought up some ideas.
 - iii) Create City Vision
 - iv) Create Council Mission
 - v) (Jonathan had an update on the commission listed in his updates and then came back to value/mission statement)
 - vi) Motion- Ryan to table with us working on it in the shared document until the end of May, unless we need to speed it up for the general plan
 - 1) Vote was unanimous approved
- L. **Attorney Clarification -for any items in Council Update** (3:31:10 recording)
 - i) Rob found the percentage on the state fee and it's 1%
 - ii) Rob brought up Property tax
 - 1) Council and Attorney discussed and explained establishing property tax rate.
 - 2) Council wants to keep the same municipality property rate as the county

11. Council Updates

- A. Jonathan Garrard (3:51:00 recording)
 - i) Commission had questions on the length of the moratorium.
 - 1) City attorney says it can be extended and Mike Hansen said that the moratorium cannot be extended (except something about subdivisions)
 - ii) Commission is divided into committees and are working together.
- B. Kathleen VonHatten (4:05:00 recording)
 - i) General Community Notification
 - 1) The home business license
 - (a) Council needs to look at the one Rob gave us
 - (i) (Jonathan) would like to add the House Bill that Hannah brought up and add it
 - 2) (Kathleen) How are we going to get feedback from the public
 - 3) (Kathleen) after the council gets some ideas narrowed down can we do a work session just for business licenses where the public can give feedback
 - ii) Website Logo payout
 - 1) (Doyle) needs the info for the 3 people who submitted Logo's for Lake Point so they can get paid
 - iii) (Kathleen) Scheduled a meeting with Chris to coordinate what times will work for pairing up council members for Monday (04.24.2023) over Zoom.
- C. Doyle Garrard (4:25:25 recording)

- i) Canal update-
 - 1) (Doyle) updated on the canal cleanout.
 - 2) (Ryan) is waiting for a communication from Beehive concerning the canal cleanout.
- ii) Tax rate
 - 1) Doyle will contact Allison and get clarification on the property tax rate
- D. Dan Crawford (4:34:20 recording)
 - i) Public Prosecutor/Defender services
 - 1) Dan is working on the prosecutor and Ryan is working on the public defender
 - 2) (Dan) asked for an update on the Emergency Plan
 - (a) Kathleen gave a brief update
- E. Ryan Zumwalt (4:47:19 recording)
 - i) Improvement District- reassess how to get more info on the sewer district capacity
 - ii) Found a used office Connex for \$6200 delivered. 40 ft.
 - 1) Council members will take a look at it.
 - iii) (Kathleen) May 9 in Lake Point- North Tooele Fire District Town Hall meeting, there will be a meeting at the fire station.
- F. (Jamie) updated the council on 3 permit requests that require setbacks and will stay under the moratorium. Jamie just wanted the council to be aware.
- G. Zoning Map was briefly discussed

12. Public Comment

- A. Motion- Ryan to open Public Comment 2nd Kathleen
- B. Vote was 4 council members approved- (Doyle disconnected online)
 - i) Rhondalyn Garrard
 - 1) Mission statement and Value statement -she teaches a youth group that has a mission statement, and they repeat it, it is powerful. As you plan a mission statement, Lake Point is our kingdom and palace. Make it powerful and have it define what you stand for. Keep in mind as a council what you say matters and what you stand up for. You are amazing.
- C. Motion-Ryan to close Public Comment, Kathleen 2nd
- D. Vote was unanimous approved

13. Adjournment -Ryan, Jonathan 2nd 11:18 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 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.

PASSED AND APPROVED but the Council this 7th day of June, 2023

Chair

ATTEST:

Jamie Olson, City Recorder