

Erda City Council Minutes

10/26/2023 – 7:00 pm

Tooele County Building - Auditorium

View-Only Live Stream on Youtube: <https://tinyurl.com/2p8ffnfx>

1. Call to Order 7:00PM
2. Roll Call
 - a. Terry Miner, Kael Martin, Jess Bird, Craig Smith, Scott Droubay
 - b. Jennifer Poole- City Recorder, John Brems- City Attorney
3. Pledge
 - a. Jess led the pledge of allegiance
4. Public Comment
 - a. Derald Anderson- It seems like we get to deal with Tooele County Land Use Ordinances. We are talking about Chapter 31 the PC zone. We've come up with an issue or decision point. We've gotten the area rezoned, and we have the master development plan. The next part is a community structure plan. In that plan you show where roads, sewer, what the setbacks are going to be and other such items. We've done that with the first part. We have the community structure plan here by PSOMAS. Rachelle pointed out that in Chap 31 it says that for each community structure plan it needs to have its own development agreement. Then it shows that you need another development agreement for the project plan. We could end up with like 15 development agreements. I am afraid it will create a mess. It looks like we could have up to 6 development agreements per community structure plan. I have a suggestion that we also use the community structure plan as the development agreement. This would lay out everything we need. I think we could use the community structure plan, and then use the project plan as the new development plan. Instead of having to have both every time. We want to get this on the next Planning and Zoning agenda and this is the last piece we need to get that going.
 - b. Scott- Do you know why Chap 31 requires a development plan with each step like this?
 - c. Derald- I think it was an error. No one has actually gone through the whole process with this Chapter. I don't think the way it was written was logical.
 - d. Craig- Have you, John had an opportunity to look over this?
 - e. John- No, I didn't know this was an issue until he stood up.
 - f. Craig- I think we can come up with an answer but we need a minute to go over this and speak with Rachelle and John about what we want the solution to be.
 - g. Derald- In Chap 31 where it talks about the community structure plan, it only references the Planning and Zoning commission. But earlier in the ordinance there is a table that shows where each phase of this needs to be seen. We just need some clarification on where this needs to be seen. We got a community structure plan through Tooele County, it was small, it only had 1 lot. And it didn't have a development agreement. It might have been because it was so small.

- h. Criag moved to close public comment, Scott seconded the motion
 - i. Voting was unanimous to close public comment
 - j. **Public Comment Closed**
- 5. Approve meeting minutes from 9-28-23
 - a. Jess moved to approve the meeting minutes from 9-28-23, Kael seconded the motion.
 - b. Voting was unanimous to approve the meeting minutes from 9-28-23.
 - c. **Meeting minutes from 9-28-23 APPROVED**
- 6. Sheriff's Monthly Report
 - a. Sheriff rep handed out the report and asked if there were any questions on the report.
- 7. NTFD Monthly Report
 - a. Buck Peck-We have 15 EMS calls 6 weren on Bronzewood circle, 2 outside fires, 2 car wrecks. Other things we did were, trunk or treat, chipper days, dumpster days, an open house, and football games. As for Trucks, Cars or Credit on Cimarron, I don't think they are going to get the water or necessary items for a certificate of occupancy. I know they are currently still operating without a license. They have a shed/ connex box they are using as a business. It doesn't have a sprinkling system and there is nothing there. I told them to contact Tooele Valley Motorsports and get a written agreement with them to use their water. I believe that is where it has stopped. There has not been an agreement made. I will continue to see if we can find a work around the code. The car dealership across the street West Auto Sales is going to go in. It hasn't changed occupancy so they don't need anything additional.
- 8. Annual Audit Report with Larson and Company
 - a. Terry and Dave do a really good job. Give them a pat on the back. It is nice and easy to go over their stuff. We've finalized the audit and we give an unqualified opinion, meaning a clean opinion. We need to make sure there is clear communication as to who is responsible for what. In this report it states we have followed the government standards for a government audit. Our opinion is limited to the areas issued by the state. There is nothing that you are out of compliance on. Our audits are risk based, it's our job to assess risk on each of the areas. We haven't found any misstatements, or had any difficulties in performing the audit, it was clean and good. You can accumulate as much money in your capital assets fund to purchase things in the future as long as it is spent on capital assets. But in your general fund you can only have up to an extra 35% of your planned budget and as low as 5%.
- 9. Committee Assignments Report and Discussion
 - a. Finance (Miner/Droubay)
 - i. Treasurer Report
 - a. Terry- It's bigger than usual. Deposits \$174,336.35 into checking, \$120,288.11 was a transfer from the PTIF account. Checks written: Clerks salary \$943.68, accounting for \$750, Tooele County Roads \$42,655.11, Legal \$5,000, North Tooele Fire Department Building Fees \$1,167.84, dispatch \$9,383.25, sheriff \$77,644, city planner \$4,312.50, aqua engineering \$838.75, state of utah first quarter permit surcharge \$120.95, CVE \$310.44, Ensign Engineering \$9,583.75, Larson and Co for

the audit \$10,300, Clerks salary \$977.63, payroll tax federal \$443.66, Payroll tax for state \$53. For a total of \$164,484.56. We also had two separate credit card bills \$29.40 Walmart for office supplies, \$66 dollars for stamps for a total of \$95.40 that was paid on Oct 2. Then we also had \$8.82 for the monthly microsoft, \$21.39 for the adobe, per diem for the clerk \$31.28 which came to \$61.49 paid on Oct 21st.

10. Proposed adoption of **Ordinance 2023-09** regarding the compensation of the clerk/recorder
 - a. Jess- I think we should have a discussion on this before the public hearing.
 - b. John- The statute says that a class A notice should be given on this, the proper parties were notified, but I probably would have done the notice differently.
 - c. Terry-I talked to the accountant and he says it raises the salary, it will raise the budget and we need to do an amendment before we can approve this.
 - d. Jess- Read the ordinance as written, it's not written in stone and could be adjusted. The ordinance would adjust the raise to \$30 an hour, and retroactively make it to Jan 1, 2023, as would issue a one time payment for past wages.
 - e. Terry- I am all for Jenn getting a raise, but what do we use to give that raise or a job rating guide? What guide did we use? There is usually a rating system and a way to do this. We don't have any way to rate the position or to let them know what they could do better. I think we need steps and processes in how to evaluate. I also think it's unwise to give such a large bump. I think we can do \$5 now and then do more.
 - f. Craig- I think her job is clearly defined. It's the clerk and recorder, she is the person who represents the city and has done an excellent job. The only area I could not give her a 10 is time of service. What we are doing here today would not exceed the budget.
 - g. Terry- I understand that, right now we don't have a plan B. What happens if we need to get another employee?
 - h. Jess- Personally I think we didn't have a good idea of all that would be required. I think we cast the net really low and caught a very lucky fish with that net. I feel she has excelled with both positions. So whether or not she works 25 or 29 hours the phone is still on. It's not just daytime areas. I do not believe 45k is out of line. I am not really considering the full time argument at this time.
 - i. Terry- My whole concern is that she is working more hours than she is claiming.
 - j. Jess- I will echo with Craig that she hasn't asked for help. So I am not concerned about this.
 - k. Scott-As I have thought about this over time. Will we be setting a standard that we can't back off of? Suppose Jenn moves and we have to replace her. We are not going to get someone as good as Jenn, they may ask us well what have you been paying? That could be a trap for us. I am constantly surprised at how good she does at her job and where she learns how to do all of this. I think she is worth all of this. I would support the \$10 but would prefer \$5 now and \$5 next year. I think we need to do something.
 - l. Kael- I think we do need to have some written way we go about it so we can let people know yeah that is what they were paid but you will start out here.
 - m. Jess- I am certain the city will in the future need something to that effect but it doesn't seem necessary at this point.
 - a. Open Public Hearing
 - b. Craig moved to open the public hearing, Kael seconded the motion

- c. Voting was unanimous to open the public hearing
- d. **Public Hearing OPEN**
- e. Jason White- A couple of things; Job what you do is not easy. In 1996 I was the director of Stansbury Park agency when we had one employee, it was me. This type of discussion should not be had in front of the employee.
- f. Derald- I just want to give a small perspective. I've dealt with a number of government employees. Dealing with Jenn, her availability , timelyless, she is among the top. From an outsider looking in I've dealt with a lot and you've got a good one.
- g. Buck- I am going to use a personal hat with a couple of comments. The cost of living has gone up for the past couple of years. Her salary is far behind what it should be. Also if you have 2 employees 1 plus 1 doesn't equal 2. Speaking as fire marshall I work with Jenn on an active basis. If I were to give her a performance it's a 10 out of 10. She is top notch. She already has a job description and she is exceeding her job description. My salary being a public servant is also done in a public meeting and is hard.
- h. Sheldon Birch- I currently manage 50'ish employees. I am no expert in human resources. My opinion, in the employment sector there are eagles and turkeys. And the eagles are worth their keep. I think one of the right ways to manage something like this is that money is not the reason they leave. The average salary of a clerk and recorder combined is 50-60 an hour and she is doing both.
- i. Close Public Hearing
- j. Craig moved to close the public hearing, Kael seconded the motion
- k. Voting was unanimous to close the public comment
- l. **Public Hearing Closed**
- m. Kael- I think we can all agree that Jenn does an awesome job.
- n. Jess- Jenn is a self starter and a finisher and takes responsibility for everything she does.
- o. Jess- So we have 3 people that would approve the wage of \$25 starting at Jan 1, 2023 and then \$30 an hour moving forward, with a 1 time payment of 5,312.50
- p. Jess- Moves that we adopt Ordinance 2023-09 with the following amendments. \$25 an hour starting on Jan 1, 2023, with a second raise to \$30 an hour starting now, with a one time payment of 5,312.50. Craig seconded the motion
- q. Terry moved to amend the raise to take effect Nov 1 for accounting purposes, Kael seconded it and was approved by the council
- r. **ROLL CALL VOTE: Scott- Yes, Craig-Yes, Kael-Yes, Jess-Yes, Terry-Yes(Yes to \$25/hr raise No to \$30/hr raise)**
- s. **Ordinance 23-09 APPROVED**

11. Railroad Discussion

- a. Terry- The environmental and wildlife impact has been completed. We have until the 30th to respond to it.
- b. John- I just need to know how you want me to respond to this.
- c. Terry-I read the entire 600 pages and have some bullet points. There are concerns about the impact on the wells. Terry read the points.
- d. Kael-I think we could have Terry send this to John, have him perfect it and we could approve it.
- e. Council agreed to use Terry Miner's points to send in

12. Council Representative Reports

- a. Terry- I had a meeting this morning. It was on Mass Care training. They suggest we do a table talk about scenarios and put together plans.
- b. Craig- Planning commission had a long meeting last meeting. They ended up tabling the ordinance change that would allow semi-trucks. They also have the subdivision ordinance that will come to us. They had a lot of public input on that. We had a meeting with Comcast and they are bringing high speed internet to everyone in Erda by the end of next year. I think it would help a lot. They had a lot of good inexpensive options.
- c. Jess- We met with Rocky Mountain Power, they are bringing in some redundancy into the valley.
- d. Craig- They want to add a substation in the area of the Mormon Trail.

13. Comments from Council Members

- a. No comments made

14. Adjournment

- a. Scott moved to adjourn the meeting, Kael seconded the motion
- b. Voting was unanimous to adjourn the meeting
- c. **Meeting adjourned**

Note: these minutes represent a summary of the meeting and are not intended to be verbatim.

Prepared by: Jennifer Poole, Erda City Recorder

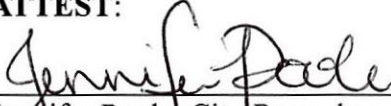
PASSED AND APPROVED by the Council this 30th day of November, 2023.

ERDA



Jess Bird, Chair

ATTEST:



Jennifer Poole, City Recorder