

Erda City Council Minutes

1/11/2024 – 7:00 pm

Tooele County Building - Auditorium

1. Call to Order 7:00PM
2. Roll Call
 - a. Scott Droubay, Sheldon Birch, Craig Smith, Clyde Christensen, Terry Miner
 - b. Jennifer Poole-City Recorder, John Brems-Attorney, Rachelle Custer-City Planner
3. Pledge
 - a. Craig led the pledge of allegiance
4. Elect Chair and Vice Chair for 2024
 - a. Craig-Nominated Sheldon Birch as Chair, seconded by Terry Miner, ^{who is} ~~who is~~ amended the motion to add Craig Smith as Vice Chair,
 - b. Voting was unanimous to approve Sheldon Birch as City Council Chair, and Craig Smith as Council Vice-Chair.
 - c. **Approved Sheldon Birch-City Council Chair, Craig Smith- City Council Vice-Chair**
5. Approve meeting minutes from 12-28-23
 - a. Craig moved to approve the meeting minutes from 12-28-23, Terry seconded the motion
 - b. Voting unanimous to approve the meeting minutes from 12-28-23
 - c. **Meeting Minutes from 12-28-23 APPROVED**
6. Public Comment
 - a. Kendall Thomas-Tooele County Council I'm here to give an update on the Mid Valley Hwy in Oct of 21 was the first phase that opened. They are going to have a meeting on Feb 8-9 not sure where it is yet. It's a 5 member commission that sets the priorities of the projects in Utah. They are going to go visit the sites with UDOT. I went to a meeting in Salt Lake in Dec. Told them about Mid Valley they are well aware. We need to have a good presence there. The worst thing we can do is be divisive. Let's come together and make a good presentation. We need your support, we need to be unified. The impact is big in Erda, and the county for several reasons.
 - b. Terry-Last month they were talking about waiting on phase 2 and doing phase 3.
 - c. Kendall- We are just looking to get on the funding list. We need this committee to recommend to the state and UDOT that this needs to be funded.
 - d. Sheldon-So you want us to be present in an informal matter, attend those meetings and be a part of representing our county to the committee.

7. Sheriff's Report

- a. Lt. Wayman handed out a paper with all of the details in Erda City. We did have a meeting with the Director of the facility on Bronzewood Cir. It was very productive and helpful.

8. NTFD Report

- a. N/A

9. Treasurer Report

- a. Terry- I want to go over a few items. The council chair is the Budget Officer, you will be required to approve the payroll checks. Jenn, can you add a signature to your timecard for Sheldon to sign off on? As the Budget Officer you need to approve any checks written, or expenditures as well as another councilman. In the past the council has given the treasurer the power to pay the regular monthly bills without additional approvals needed.
- b. **The Council agreed to continue as things have been done.**
- c. Terry- We now have a capital improvements fund. It's restricted once we put money in that fund we can't take it out. Deposits from Dec 29th, 2023 till today, \$632.18. Our expenditures or checks written accounting \$750, City Planner \$2,125, photo shoot \$104.85, Legal \$5,000, Clerk salary \$1,267. NTFD 583.93 and we have a refund that we need to approve so I can pay ES Solar applied for a permit and they were charged \$175 so we need to send that back to them. The total was \$10,005.78. On the CC we had \$93.83 for office supplies, \$25 for an email program, \$11.93 for envelopes and \$66 for stamps for a total of \$196.66. That was paid on the 2nd of January. Now we have \$8.82 on the credit card for the monthly Microsoft fee. We got the quarterly state permit fee that will need to be paid.
- d. Craig moved to accept treasurer report, Clyde seconded the motion
- e. Voting unanimous to accept the report
- f. **Treasurer Report Accepted**

10. ORDINANCE 2024-01 Establishing a regular meeting schedule for 2024

- a. Terry-moved to adopt Ordinance 24-01 but to amend it that we move to have our meetings at the Fire Station in Erda, Clyde seconded the motion
- b. Craig- As long as we are allowed back if we don't like being there. I don't want to spend money on new equipment now, when we can meet for free here. The recording systems here are 10xs better.
- c. Sheldon- I don't want to make this decision on principle as we are Erda and should meet in Erda. We want it to function well and be frugal. Although I do feel there is room for improvement. I am afraid that our own building may be so far down the road that it wouldn't be good to wait that long to purchase quality audio and sound equipment.
- d. Terry- We have enough money on the IT budget to purchase the equipment.
- e. John- I think we should look at the state list and have it bid out by those on that list.
- f. Sheldon- I appreciate John's suggestion about going through the state.
- g. **ROLL CALL VOTE: Scott-No, Craig-No, Terry-Yes, Clyde-Yes, Sheldon-No**
- h. **Motion FAILED 3-2**
- i. Craig moved to adopt Ordinance 24-01 as is, Scott seconded the motion
- j. **ROLL CALL VOTE: Terry-No, Clyde-Yes, Scott-Yes, Craig-Yes, Sheldon-Yes**
- k. **Motion PASSED 4-1 to Adopt Ordinance 24-01 AS IS**

11. Approve Planning and Zoning Meeting Schedule for 2024
 - a. Scott motioned to accept the Planning and Zoning meeting schedule, Craig seconded the motion
 - b. Voting was unanimous to approve the Planning Commission meeting schedule
 - c. **Planning Commission meeting schedule approved.**
12. RESOLUTION 2024-01 Consideration of Nancy Martin Appointment to Planning and Zoning Commission
 - a. Clyde-I nominate that we put Nancy Martin in the vacant spot in District 3.
 - b. Terry-I think the way it reads is each district can appoint their district representative, and the 2 at large are appointed by the chair and voted on by the council.
 - c. Jenn-Read the definition of appointment of Planning Commissioners from City Code.
 - d. John- The council must approve the resolution to appoint a member
 - e. Craig- I think it's safe to say there is some hesitancy on the council as to her appointment. I hope for the best but I do have some concerns.
 - f. Scott- I'm not in favor of putting people on the council that already have an agenda.
 - g. Nancy-I have been raised in Utah, I have been on the national board of quarter horses for 24 years. I've learned a lot there. You can be passionate but you have to be well rounded. I feel I represented Utah well. I have learned a lot. I am of the opinion that things need to be looked at. If you throw a pebble in a pond you need to see the ripples it would create. I am passionate, I love living in this area and love that it's rural. You need to have rules and ordinances put together. You need to have an educated and informed decision on what would be best for Erda City. That is the part where I can help I can read the rules and ordinances. I can share those voices. I am educated enough that I can do that. Yes I have a loud voice, but I feel like I am fair. I don't think one thing fits everything. You need to have a well rounded circle.
 - h. Scott-Thank you for being willing to come up and share how you feel. While you are here, you were very adamant about the petition.
 - i. Nancy- I think everyone needs to be very transparent. I've heard people say they feel like background deals and things get done. We don't want any of that. When I read the ordinances then went to the Planning and Zoning meeting where they are working on it and I liked all of the additional changes they are looking at. I have no issues with that.
 - j. Craig- Do you feel that you can follow the law and ordinances if a vote is something you feel personally opposed to.
 - k. Nancy- If there is something in writing then that's a rule and you need to abide by it. And I may be opposed to it. But that's the rule.
 - l. Terry- I think we should be careful here. This is the first time we have put into question an appointment by a councilmen. We have never done this. This is a bad precedent.
 - m. Scott- Terry you shouldn't look at it this way, she was willing to come up and share her feelings on some of these things. It's been enlightening.
 - n. Craig moved to adopt Resolution 24-01 Appointing Nancy Martin to the Planning Commission, Clyde seconded the motion
 - o. **ROLL CALL VOTE: Scott-Yes, Craig-Yes, Terry-Yes, Clyde-Yes, Sheldon-Yes**
 - p. **Motion PASSED 5-0 Approving Resolution 24-01 Appointing Nancy Martin to the Planning Commission**

13. City Council Assignments Review and assign

- a. Clyde- When I talked to Craig earlier today I thought I would just fill on what Kael was doing.
- b. Terry- Most of it is now "as needed."
- c. Craig- The chair of the council should be on the IT committee for the .gov purposes,
- d. Sheldon- Do we need a second person on this?
- e. Terry- I think Clyde could go on the Land Use as he was on the planning commission
- f. Clyde- I can do that
- g. Sheldon- All agree that Clyde does the Planning Commission.
- h. Clyde- I can help with the Economic Development committee
- i. Sheldon- Let's decide on the SL airport advisory board, Craig said he would be willing to serve there, I can fill the technical advisory board position for the airport.
- j. Sheldon- Craig was assigned to the Mosquito abatement for a 4 year term. I will fill in on the IT board, Terry-I can be the other person to help with the IT
- k. Sheldon- On the Hiring and HR board I can fill in on that with Terry. We also have the options of a Grants committee, and an Inland Port Authority. Do we need to fill those at this time? Council agrees to no need for it at this time.
- l. Craig-The other one I think we need a contracts board to speak with the County about these contracts. The roads, the police, the civil inspections. I think we should put a separate committee for just contracts.
- m. Terry- That used to just be the finance committee.
- n. Craig- I think it should be a different committee just for contracts and I think it should be Sheldon and myself.
- o. Sheldon-I can serve in that capacity.
- p. Scott- I think it might be helpful to have them more centralized.
- q. Terry- I just want to remind everyone that we pay 1,000 a day for Sheriff's services. They do a good job but it does cost. And roads we just pay them what the state pays us.
- r. Sheldon- I am willing to learn if you'd be willing to help me Terry. I am excited to learn and just don't want to miss anything.

14. Discussion of repeal of Low-Impact Business regulation

- a. Rachelle- There is some concern about the way this low-impact was written. With the way this is written we could have some possible big issues. We just need to tighten some things up a little. It is written a little vague and could cause problems. I am not opposed to what Erda wants to do, we just want to remain cohesive.
- b. Craig- The low impact business will allow almost anything as long as they don't have more than 1 truck or 3 or more employees. It just doesn't seem like it's a great idea.
- c. Scott- Why wouldn't we rewrite this then repeal it?
- d. John- That would just be an amendment to it.
- e. Craig- The low impact was designed specifically for those little startups. I just think we need some guard rails.
- f. Rachelle-The benefit of repeal and rewrite is no one can apply and get a license under the old code. But if you're not worried about it.
- g. Terry- Will there have to be a public hearing on this?
- h. Rachelle- Yes it will have to be noticed and go through the process.

- i. John- We can do a pending ordinance and it puts it on hold for 180 days. We will have that on the next council meeting agenda.

15. Discussion on a Council Agenda Policy

- a. Craig- This is one that I put on there. I know we have been following the letter of the law closely. I would like to see the city policy be at least 7 days, Terry thinks 72 hours. I am open to that. I would like to see as a policy that it all be posted with the handouts 72 hours beforehand. Then they can give public input and be informed.
- b. Terry- Would this need to be done by resolution?
- c. Sheldon-I think this would be a good idea, and I think everyone agrees.
- d. Craig- I move we direct the attorney to make a resolution adopting an agenda policy with 72 hours notice with all documents included, and if anything passes through the city council it takes 3 votes in the affirmative to pass, Terry seconded the motion.
- e. Voting was unanimous

16. Council Representative Reports

- a. Craig- Planning and Zoning is going to recommend for approval a rezone that should be at our next meeting.

17. Comments from Council Members

- a. Terry- I want to thank you two new members and willingness to serve.
- b. Craig moved to take a 5 minute recess then move to a close meeting, Terry seconded,
- c. **ROLL CALL VOTE: Terry-Yes, Scott-Yes, Clyde-Yes, Craig-Yes, Sheldon-Yes**

18. Adjournment

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

Notice is hereby given that the Erda City Council will hold a closed meeting on Thursday January 11th, 2024 per Utah Code Ann. §52-4-205(1)(c). It will be held after the open meeting that began at 7:00 pm has concluded. This meeting will be held at the Tooele County Auditorium, located at 47 South Main Street, Tooele, Utah

Closed Meeting

- 1. Roll Call Vote to close the meeting
 - a. **ROLL CALL VOTE: Terry-Yes, Clyde-Yes, Sheldon-Yes, Craig-Yes, Scott-Yes**
 - b. Move to Closed Meeting
- 2. Council will convene in a closed session per Utah Code Ann. §52-4-205(1)(c)
- 3. Adjournment
 - a. Terry moved to close the closed meeting, Scott seconded the motion
 - b. Voting was unanimous to adjourn the closed meeting
 - c. **Closed 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 25th day of January, 2024.

ERDA

ATTEST:


Jennifer Poole, City Recorder


Sheldon Birch, Chair