

Erda City Council Minutes

8/8/2024 – 7:00 pm

Erda City Office/Fire Station - Auditorium

1. Call to Order 7:04PM
2. Roll Call
 - a. Councilmen- Clyde Christensen, Scott Droubay, Craig Smith
 - b. Jennifer Poole-City Recorder, John Brems-City Attorney, Rachelle Custer- City Planner
 - c. Absent and Excused - Councilman Sheldon Birch, Councilman Terry Miner
3. Pledge
 - a. Scott led the pledge of allegiance
4. Public Comment
 - a. Dereck Jones- I live in east Erda. I represent the soccer club. We have been talking to the developers of Oquirrh Point and there is an area where we can potentially have soccer fields. There are funds from our organization to help develop soccer fields. I hope to continue to work with them and get this used in Erda.
 - b. Miranda Smith- I live on Cimmarron Way. I know that on the agenda there is a discussion about home businesses. There is a part in here about no home business using any class 3 vehicles. I feel that's very unfair to a lot of businesses in Erda. There are a lot of small businesses that don't have the funds to rent commercial space to keep their equipment. There is a fine line between the small family business and the commercial business. Usually when they live there they are more considerate of their neighbors. That's very restrictive. I think we need more detail in here, to differentiate between the small family business and the more commercial businesses. That way they can keep their equipment on their property. With the changes on Oquirrh Point with removing the 5 acre lots, that was a lot of what people wanted. We were told that this would happen, they would promise the 5 acre lots and then take them away because changes can be made.
 - c. Clyde moved to close public comment, Scott seconded the motion
 - d. Voting was unanimous to close public comment
 - e. **Public Comment Closed**
5. Approve meeting minutes from 7-25-24
 - a. Scott moved to approve the meeting minutes from 7-25-24, Craig seconded the motion
 - b. Voting was unanimous to approve the meeting minutes from 7-25-24
 - c. **Meeting Minutes from 7-25-24 APPROVED**
6. Sheriff's Report
 - a. Sheriff Wimmer- The most significant incident was a DUI on Cimmarron Way. But a total of 85 details for the month of July. Do you have any questions?

- b. Craig motioned to move item #9 on the agenda to next on the list, Clyde seconded the motion
 - c. Voting was unanimous to move item #9 to the next agenda item.
- 7. NTFD Report
 - a. None present for report
- 8. Treasurer Report
 - a. Scott- Terry is not here, we've written out a few checks totaling \$16,951 and we had \$155 on credit card for the GoDaddy account.
- 9. Judy Warr- Traffic Issues on Tom's Lane
 - a. Judy Warr- I have lived on Tom's lane for 56 years. I would like to address some of the issues on this road. There are 15 people that live on this road. Right now the traffic on this road is questionable. It's a byway for 3 different schools, a gas station, hwy 36 and legacy hwy. This road was not built for this. 3 times in the last year people have run through the stop sign and damaged the property and fence. People don't slow down for joggers, mothers with strollers, or kids on the track team. It is scary for me to drag my garbage can across the street. I've put up slow down signs, waved flags, ect. The dangers are real. I don't want to wait until it's too late. I feel as a citizen of Erda City I am entitled to ask for help. I would like speed bumps or strips to be placed on Toms Lane. Or even an empty police car.
 - b. Craig- I have spent time at Judy's home and while I was there, there was a near miss of 6 inches. I know that speed bumps have to be approved by an engineer.
 - c. Sheriff Wimmer- We can put a speed trailer there and to get that as part of the rotation.
 - d. John- Talk to public works to check what the clear view requirements are and if it violates it they can cut that back.
- 10. Consideration of Ordinance 24-09 An Ordinance Granting a Cable Television Franchise Agreement to Comcast of Utah II, Inc
 - a. Joe- I got you the new document with the reparations agreement added in there. We wanted to hear if we've done better with communicating where we are going to be and getting that word out as well as putting things back the way they found it.
 - b. Scott- It doesn't seem like much has changed, they moved into my neighborhood. I had some issues when I talked to one of them. He said anymore fixing of the road than what he's done and Comcast will have to approve it and pay for it. They have torn up the road and not put that back as it was. The road base was not restored. This was in the Brookfield subdivision, Droubay Rd.
 - c. Joe- I will contact those contractors and let them know that they need to go and repair those areas.
 - d. Miranda- I had issues with them on Cimarron they left gravel on the roads that chipped or cracked my windshield.
 - e. Craig- In my neighborhood they absolutely did the work. They left the door hangers, they didn't block driveways. They were very mindful of the rite of ways. They did eat lunch under a tree but asked to do so. They were very good and all that you'd hope for them to be.
 - f. Clyde- Do we want to give them more time and another extension?
 - g. Scott- But this agreement will give clarity and power over the situations correct?

- h. Joe- Yes, it will. It gives you more control and power of the situation.
- i. Craig- I think a big disconnect in the first place was not having this done before the work began. I would be in favor of voting on this tonight.
- j. Scott- What would you say John?
- k. John- I don't have any issues with this agreement.
- l. **Craig moved to adopt Ordinance 24-09 Granting the Franchise agreement with Comcast and the City of Erda with the allowance to make any changes as John deems appropriate, Scott seconded the motion.**
- m. **ROLL CALL VOTE: Clyde-Yes, Scott-Yes, Craig-Yes**
- n. **Ordinance 24-09 ADOPTED VOTE 3-0**

11. Discussion of Proposed Third Amendment to Oquirrh Point MDA

- a. Derald- We've been floating this 3rd amendment for 6-8 months. It's really just the two issues we're trying to address. POD A and POD E. POD A the parcel east of the IMC parcel. When we originally designed this with the County they were hoping to put more of the housing closer to Tooele City. In working with land designers PSOMAS they suggested spreading out the housing throughout the project. We do have a lotting map being drawn up.
- b. Clyde- Can we get this new map? I know in the latest idea you were thinking of getting rid of those 5 acre lots, but I like those.
- c. Derald- So with all of the land being donated to the City, the Catholic Church, the School District, and the open space I don't foresee there being much space left for any residential in POD E, even those 5 acre lots. I am fine to leave the option of having residential there but I don't see us actually utilizing that option. One of the issues with POD E, is some of the language in the first amendment to the development agreement is having POD E "fully developed" by the 100th lot. That feels a little premature in the design stage. We are just asking for the ability to smooth out the residential and to have more time to plan POD E and do it better.
- d. Rachelle- Do you plan the alignment of 33rd parkway to change in the future?
- e. John- Why would it be sad for 33rd parkway to go in right now?
- f. Derald- If we need to "fully develop" POD E then it's going to be rushed. If we put those things in before it's needed then it just deteriorates. I'm not sure that makes sense.
- g. Clyde- On that new map there was a road or blvd going through the middle of this correct?
- h. Derald- Yes there will be a collector road in the middle to help with the new traffic.
- i. Clyde- You would think that with as long as you've had this, you would have a better plan.
- j. Derald- I would agree with that statement. I do understand that the original approval of this was perhaps a little rushed. But I do think that having more time has helped us improve this concept. We hope to come to the table with Erda City and improve this.
- k. Scott- Let me bring up something the way this was originally laid out. In POD A there were a few less homes and the Catholic Church. I am probably agreeable to move more units into A. But right on Erda Way we ought to have quarter acre lots not 6000 sq ft lots. I am in favor of helping Brookfield by moving more homes into POD A if it will prevent any townhomes or apartments being put anywhere near Brookfield.
- l. Derald- That is the heart of the issue. If we can spread this out better it will make it so we don't have to do any apartments in the project. We will have some townhomes. The vast majority of homes will be single family homes.

- m. Craig- I think we can come up with language of what we want to see in each of those PODS. **I agree with Scott in trying to help out Brookfield Estates. We could also state that anything bordering them must be single family homes. We could state that POD A must have quarter acre lots along Erda Way, and only single family lots along Brookfield.**
- n. Clyde- So you're going to take the Catholic church out of POD A and put it in POD E. You're going to put quarter acre lots right on Erda Way. What's going behind that?
- o. Scott- Small lots.
- p. Clyde- So I would like to see half acre lots on Erda Way.
- q. Scott- That would probably not be possible.
- r. **Craig- I have some thoughts on POD E, I would propose that we change the language to in POD E the master developer shall put all horizontal utilities including roads, at the final plat of lot 600. Largely because that is what our 2nd amendment calls for. Allowed uses in POD E include but not require civic uses, open spaces, to include cemeteries and parks, religious uses and limited commercial as approved by the zoning administrator and the city planner. Also up to 10 large rural residential lots. I don't think they will build them but they should at least be an allowed use. I don't see cutting all residential out of there for no reason.**
- s. Clyde- I know that 5 acre lots don't work for everyone but it'd be nice to have 1-2 acre lots.
- t. Craig- Those large rural lots should be 1 acre or larger. I don't want to remove the option to have those 10 lots in there if it ends up working. But that was the gist of what I think could work. I think this should be consistent with everything else in there.
- u. Clyde- So do we need to define "fully developed".
- v. Craig- Not if we approve this.
- w. Derald- I am not sure if that would accomplish what we were looking for. If I could have the ask of plus 18 months after the recording of the 600th lot to have all of those items developed.
- x. **John- I think we need to be consistent with the PID language and agreement.**
- y. **Derald- I'm saying if it wouldn't violate the PID I would like to have the recorded 600th lot plus 18 months to have all of those items put in.**
- z. Rachelle- So if we can get these changes made how long do you need John?
- aa. John- It depends on how quickly Derald gets me the updated paper.
- bb. Craig- So somewhere in the next meeting we can wrestle out those details.

12. Discussion of updating Low-Impact Business/Home Based Business Definitions and Use Table

- a. Rachelle- After going through many business licenses it became very apparent that we needed to update the home occupation definition and include the low-impact business definition and make it permitted in all areas. Right now we have to do a C-1 permit for every home based business.
- b. Clyde- So the home occupation sounds like you are living in the home. Do we need to add the word business to this?
- c. Craig- I say move this onto the Planning Commission and let them work on it.
- d. Scott- I would agree with this.
- e. **Council agreed to sent this onto the Planning Commission for their review**

13. Council Representative Reports

- a. Clyde- It's quite on my side of town.
- b. Scott- I have a question, I have stumbled upon a gentleman who is putting parking spaces in the front of his house while having a Taco Truck on the lot. Is that allowed?
- c. Jenn- The State Legislature has opened up their abilities a lot. If a property owner allows it then it is allowed to be there.
- d. Rachelle- That might be considered a home based business, where we can regulate this.
- e. Scott- The chicken issue will be resolved by Mid September. There are still the issues with the Child Care business, but we've made some progress on the other issues.
- f. Craig- Met with Savage railway about the crossings on Erda Way. They have claimed that they have a deeded right on Erda Way. I have not yet seen it. They will do a 5 ft fence all through Gunderson Acres and they will do all maintenance on crossings. They don't feel like they have the funds to do two silent crossings. They will do a silent on Hwy 36 and a regular on Erda Way. They are under the impression that they don't have to get any building permits but I don't agree.

14. Comments from Council Members

- a. Clyde- What is being built on Pass Canyon?
- b. Jenn- An Agricultural Structure
- c. John- The update on Beacon House is that they won't get the reasonable accommodation, they didn't make their case.
- d. Judy- I have some ground in AG protection and I want to add some more ground in AG protection.

15. Adjournment

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

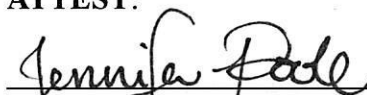
Note: these minutes represent a summary of the meeting and are not intended to be verbatim.

Prepared by: Jennifer Poole, Erda City Recorder

PASSED AND APPROVED by the Council this 24th day of October, 2024.

ERDA

ATTEST:



Jennifer Poole, City Recorder



Sheldon B. Birch, Council Chair