

Erda City Council Minutes

5/22/2025 – 7:00 pm

Erda City Office/Fire Station - Auditorium

1. Call to Order
2. Roll Call
 - a. Councilmen- Terry Miner, Clyde Christensen, Sheldon Birch, Scott Droubay
 - b. Jennifer Poole- City Recorder, Jessilyn Stagg- Deputy Clerk, John Brems-City Attorney-Via Google Meet
 - c. Absent and Excused: Craig Smith-Councilman
3. Pledge
 - a. Clyde led the pledge of allegiance
4. Public Comment
 - a. Chief Nunn- Light month, small fire on Erda Way, 2 EMS calls. It was a very light month.
 - b. Terry- What's your recommendation for fireworks this year?
 - c. Chief Nunn- The best you can do is have your fireworks in a designated area. We haven't had any issues with fireworks in the area you've listed previously.
 - d. Terry- July 1, 2025 We are due for a new contract. Do you see this continuing?
 - e. Chief Nunn- We are happy to continue our contract at the same rate.
 - f. Clyde- How do you get a burn permit?
 - g. Chief Nunn- You can go to the North Tooele Fire District website and get a burn permit there. Or you can contact Dan Walden for the County to obtain a burn permit.
 - h. Sheldon moved to close public comment, Clyde seconded the motion
 - i. Voting was unanimous to close public comment
 - j. **Public Comment Closed**
5. Approve meeting minutes from 5-08-25
 - a. Sheldon moved to approve the meeting minutes from 5-08-25, Scott seconded the motion
 - b. Voting was unanimous to approve the meeting minutes from 5-08-25
 - c. **Meeting Minutes from 5-08-25 APPROVED**
 - d. **Terry motioned to move item #12 to current, Sheldon seconded the motion**
 - e. Voting unanimous to move item #12 to the next item on the agenda
6. Treasurer Report **(Timestamp 56:30)**
 - a. Terry- Deposits from May 9th to today are a total of \$21,577.90. For the expenditures during the same time, they total \$9,464.43. We also had the Objective Redact renew for the year. We need a way to approve the renewals.

- b. Sheldon- So what are the renewals that we need to be aware of.
 - c. Terry- We have the website Go Daddy, the Objective Redact, DNS Premium.
 - d. Sheldon- Jenn and I will find those dates. We have not gotten any deposits from Comcast, correct?
 - e. Terry- That is correct.
 - f. Sheldon- Does anyone have the Comcast contact information?
 - g. Jenn-I have it I can pass that onto John
 - h. John- I will reach out
7. Consideration of Ordinance 25-11 The Adoption of the 2025-2026 Annual Budget and Certified Tax Rate
- a. Jennifer- The certified Tax Rate hasn't been calculated yet, that will come out June 8th, according to the County Auditor. However you can adopt this budget stating that you'll accept whatever the certified tax rate will be.
 - b. Sheldon- So what does the property tax go towards?
 - c. John- Running the city, to pay your employees, to pay for your offices. The idea is that it is the same number of dollars each year.
 - d. Sheldon- So can we adjust the rate down to adjust for inflation and property prices rising?
 - e. Sheldon- Moved to open the public hearing, Scott seconded the motion
 - a. **Public Hearing Open**
 - b. No comments made
 - c. Sheldon moved to close the Public Hearing, Clyde seconded the motion to close public hearing
 - d. **Public Hearing Closed**
 - e. **Terry- Moved to Approve Ordinance 25-11 with the amendment to add that any excess funds above the 35% will be deposited into the Capital Projects funds, and to adopt the County's certified Tax Rate, Sheldon seconded the motion**
 - f. **ROLL CALL VOTE: Terry-Yes, Clyde-Yes, Sheldon-Yes, Scott-Yes**
 - g. **Ordinance 25-11 Adopting an Annual Budget and Tax Rate PASSED 4-0**
8. Consideration of Ordinance 25-12 Amending the Financial and Administrative Ordinance to Identify Check Signing Authority (Timestamp 1:13:40)
- a. Terry- I want to get rid of the 3rd "Where as" the whole thing. It has nothing to do with what we are doing today.
 - b. Council and John agreed to that change
 - c. **Sheldon- Moved to Accept Ordinance 25-12 with the amendment of removing the entire 3rd "Where as" and adding to the end the statement For purposes of this section, authorized signatures mean the treasurer or deputy treasurer and cosigned by city recorder, or member of the finance committee., Terry seconded the motion**
 - d. **ROLL CALL VOTE: Terry-Yes, Clyde-Yes, Sheldon-Yes, Scott-Yes**
 - e. **Ordinance 25-12 Amending Financial Ordinance Check Signing Authority PASSED 4-0**

9. Consideration of Resolution 25-08 Approving adding additional Signers to the Bank Card
 - a. Sheldon- Moved to accept Resolution 25-08 , Scott seconded the motion
 - b. **ROLL CALL VOTE: Terry-Yes, Clyde-Yes, Sheldon-Yes, Scott-Yes**
 - c. **Resolution 25-08 Approving additional signatures to bank card PASSED 4-0**

10. Consideration of Resolution 25-09 Approving the Name Change of a portion of Cochrane Lane to Toms Lane (**Timestamp 1:20:50**)
 - a. Sheldon moved to open the public hearing, Clyde seconded the motion
 - a. **Open Public Hearing**
 - b. Margaret Miner- What portion of Chocrane Lane will be renamed?
 - c. Sheldon- The new road that is being built just south of Toms Lane, will be Toms Lane and the part of Cochrane that is south of the S bend will become Toms Lane to the south edge of Erda.
 - d. Sheldon moved to close the public hearing, Scott Seconded the motion
 - e. Voting was unanimous to close public hearing
 - f. **Public Hearing Closed**
 - g. Scott- This makes logistical sense
 - h. Sheldon- I think it'd be good to maintain the culture of Erda and keep the historical name of Toms Lane, and keep the designation of 400 W. As the City Planner mentioned there will be 13 residences whose addresses will change from Cochrane to Toms Lane
 - i. Scott- Moved to Approve Resolution 25-09, Clyde seconded the motion
 - j. **ROLL CALL VOTE: Terry-Yes, Clyde-Yes, Sheldon-Yes, Scott-Yes**
 - k. **Resolution 25-09 Approving name change of a portion of Cochrane to Toms Lane PASSED 4-0**

11. Consideration of Resolution 25-10 A Resolution approving the amended and restated Master Development Agreement for Oquirrh Point (**Timestamp 1:30:40**)
 - a. John-There were several points that were still an issue. 5.2 is the big issue. They want to use "affordable housing" instead of "moderate income" housing.
 - b. Rachelle- Moderate income housing is a big issue with the state. When the OP development agreement was done they were given density bonuses for 10% moderate income housing. The affordable housing doesn't meet what was intended when this was written.
 - c. Terry- Wasn't this already decided?
 - d. Sheldon- They are proposing some ways to adjust the moderate income standard. They have 3 proposed ideas.
 - e. John- This will effect 10% of the units
 - f. Sheldon-So the risk is that we get a lower quality product, if we use Tooele County's moderate income number.
 - g. Rachelle- One thing I'd really like you to consider is, Erda City doesn't want anything lower than 1 acre, these two developments are really your own options to create moderate income in your city.
 - h. Derald- We need clarification on the 126 moderate income housing units. We need to know when we need to build those homes. Also HUD does not have a specific number for Erda City. If we use the Tooele County number we are looking at modular homes, or apartments. That number is very low. I'm not sure that something that was approved in 2021 will count towards your plan.

- i. Clyde- So your 9000 sq ft lot with a 900sqft home isn't going to qualify for the moderate income housing?
- j. Derald-No, we are having to look at rentals to accomplish the plan. Well apartments really. We have another option, which is to set the moderate income level to Erda City's.
- k. Clyde- So where are you planning on putting those apartments?
- l. Derald- If I had to guess they would go south of 33rd Parkway.
- m. Rachelle- They can't change the density of the project. So it might be beneficial to have apartments.
- n. Derald- If we use the Erda City number we meet the moderate income housing plan, and meet 4 or 5 of those state requirements. I would be happy to pay to have PSOMAS draft up your moderate income housing plan.
- o. Scott- I am having a hard time seeing the downside to changing it to Erda's moderate income.
- p. Sheldon- If we don't do this now, it's going to cost the city money in the future, this is our opportunity to have the developer pay for it.
- q. Tom Checketts- The question is does the City want to saddle itself with high density apartments before you even have to comply, or do you want to provide homes that your kids can buy?
- r. Clyde- I think "affordable housing" is a myth.
- s. Sheldon-When I think about this, I am thinking about the City's requirements in the future. I am not prepared to let this development off the hook to provide the moderate income housing.
- t. Tom- We can put a trigger point in that once the city hits its 5000 mark, we can begin doing what the state requires for the moderate income housing.
- u. John- I'd like to hear your draft on that idea with the trigger point.
- v. Sheldon- Do we need to have this help us meet those requirements?
- w. John- I think we can work through this with that trigger point.
- x. Tom- We are able to offer 200,000 to the city if they are willing to drop the moderate income housing requirement.
- y. Scott- I am not okay with that, that sounds like bribery.
- z. Clyde- Without OP, how long would it take to hit the 5,000?
- aa. Rachelle- About 10 years.
- bb. John- Went through additional changes that were being made to the development agreement.
- cc. Terry- I just don't trust anything you say because it keeps changing.
- dd. Sheldon- I think tonight we can task Terry and John to work through this and see what we are owed. Or we can move forward in good faith. John, can you explain this?
- ee. John- So they are set up to pay the 1 million dollars when they record the first plat. We can put in a trigger point for when they pay the \$200,000.
- ff. Sheldon- I have no idea when the trigger should be.
- gg. Tom- How about the recording of the second plat.
- hh. Sheldon- moved to continue Resolution 25-10 to next meeting, Clyde seconded the motion
- ii. **ROLL CALL VOTE: Terry-Yes, Clyde-Yes, Sheldon-Yes, Scott-Yes**
- jj. **Resolution 25-10 CONTINUED TO NEXT MEETING PASSED 4-0**

12. Business License Fee Cost Analysis (Timestamp 08:25)

- a. Heather from Zions Bank on the Business License Fee Study- The fee is based on 4 parts 1- the actual cost to process the permit, 2- special fees for extra permits, 3-Enhanced service fee, 4-Disproportionate fee. The business license fee is calculating the direct and indirect costs to process the base license. That is all the employees that touch the permit, the indirect cost is all of the overhead costs. We then separate out the new business licenses vs the renewal application. Then we take the total units completed in a year. The base fee is the possible fee for each business license. Then we move onto the disproportionate fees. We took the total amount of Sheriff Calls and found the disproportionate impact that different types of business had on the city average. This disproportionate fee is then put on top of the base fee.
- b. Sheldon- I am curious as to what other cities look like for their fees.
- c. Lindsey- Some of the struggle is that each city has different types of businesses.
- d. Scott- You talked to Sheriff Wimmer and he said that only 15% of his time is spent on calls. So can we figure that number out? Because we are charged \$400,000 for that 15%.
- e. Lindsay- So it works a little differently, the Sheriff is saying that 15% of his time is spent responding to calls.
- f. Sheldon- So is this an all or nothing?
- g. John- No you can pick the types of businesses you want to charge the disproportionate fees to, but it has to be to all of those types.
- h. Sheldon- So we can look at the base fee, the disproportionate fee, and the renewal fee.
- i. Lindsey- State Code caveat on Home Based Business you can not charge a home based business a fee that is below the standard of a single family home.
- j. **Agenda returned back to ITEM 6**

13. Road Impact Fees

- a. John- I sent you two options for people who can provide an impact fee study. How would you like to proceed? Once you start it's a lifetime commitment. It makes new development pay for their impact on the roads.
- b. Sheldon- Do we have the money in the budget for this Terry?
- c. Terry-Yes
- d. **Council is in agreement to do a road impact fee study**

14. Council Representative Reports

- a. Clyde- The Planning commission approved the 13 one acre subdivision off of Erda Way.
- b. Scott- Jenn I need that property you gave me that name for that's not where she lives. We need to get a hold of the land owner. I will send a registered letter.
- c. Sheldon- I did not attend COG, Craig went in my stead. I did learn that there is a plan already in place on OP for Erda Way. As a follow up to that there was a question on the rite of way was that resolved?
- d. Rachele- Jacob said 84ft to 100 ft. Usually a rite of way is required at subdivision phase.

15. Comments from Council Members

- a. None Made

16. Adjournment

- a. Sheldon 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

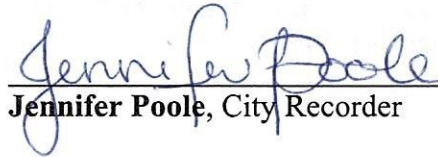
PASSED AND APPROVED by the Council this 14th day of August, 2025.

ERDA



Sheldon B. Birch, Council Chair

ATTEST:



Jennifer Poole, City Recorder