

Erda City Council Minutes

6/12/2025 – 7:00 pm

Erda City Office/Fire Station - Auditorium

1. Call to Order
2. Roll Call
 - a. Councilmen: Scott Droubay, Craig Smith, Sheldon Birch, Clyde Christensen
 - b. Jennifer Poole-City Recorder, John Brems- City Attorney, Rachelle Custer- City Planner
 - c. Absent and Excused- Terry Miner
3. Pledge
 - a. Sheldon led the pledge of allegiance
4. Public Comment
 - a. No comment made
 - b. Craig moved to close public comment, Clyde seconded the motion
 - c. **Public Comment Closed**
5. Approve meeting minutes from
 - a. Sheldon moved to postpone approval of meeting minutes, Craig seconded the motion
 - b. Voting was unanimous to postpone the approval of meeting minutes
 - c. Approval of meeting minutes postponed till next meeting
6. Sheriff's Report
 - a. Deputy Caldwell- A few incidents at the Boys home on Bronzewood, we had an arrest of a man with some felony warrants in the area of Bates Canyon Road.
7. NTFD Report
 - a. Chief Nunn- We had 126 calls for service in the last month. 15 were in Erda, which is typical for us. We had 1 vegetation fire, 2 EMS calls with no vehicles, 1 attempted burning, 1 vehicle fire, 1 accident with injuries, 1 accident with no injuries. I am working to have these reports prepared in advance and to have a better report each month. We have many calls on I-80, and we have no compensation for that. That is where we spend the majority of our time. We are working to get proper compensation for that.
8. Treasurer Report
 - a. Scott Droubay- We had 9 checks this month \$DS Accounting for \$762, Attorney \$5,000, Tooele County Roads \$64,522, Tooele County Civil Inspections \$35,928 and \$17,408, clerk salary \$1,265, deputy clerk \$434, phone bill \$417, City planner \$4,000. There was \$312 charged to the Credit Card that has been paid. We had a total of deposits for \$125,860.

- b. Sheldon moved to accept the treasurer report, Craig seconded the motion
 - c. Voting unanimous to accept the treasurer report
 - d. Treasurer report accepted**
- 9. Consideration of Ordinance 25-13 Regulation, Prevention, and Banning of Fireworks in certain parts of Erda City
 - a. Sheldon- This is the same map and area as previous years.
 - b. Sheldon moved to approve Ordinance 25-13, Craig seconded the motion
 - c. ROLL CALL VOTE: Craig-Yes, Clyde-Yes, Sheldon-Yes, Scott-Yes**
 - d. Ordinance 25-13 Regulation of Fireworks in Erda City PASSED 4-0**
- 10. Consideration of Ordinance 25-14 Amending Erda City Code for A-20 Zones for lot coverage and approved uses.
 - a. Rachelle- This came from an application from Cal Maine foods. They have asked that agriculture industry be an allowed use in A-20, that lot coverage allotments be raised to 15%, and that height of buildings can be up to 45ft west of Sheep Lane, and east 1200 E. This was voted for approval 6-0 by the planning committee.
 - b. Craig- I would like to perhaps add the additional engineering of the property if they want to go that high.
 - c. Rachelle- I did speak with Jake our Engineer and he was not concerned about the storm water calculations for an A-20.
 - d. Sheldon moved to approve Ordinance 25-14 with the amendment as provided, Craig seconded the motion
 - e. ROLL CALL VOTE: Craig-Yes, Clyde-Yes, Sheldon-Yes, Scott-Yes**
 - f. Ordinance 25-14 Amending City Code for A-20 lot coverage, approved uses and building heights PASSED 4-0**
- 11. Consideration of Resolution 25-11 Approval of Lease of Erda Fire Station
 - a. Craig moved to approve Resolution 25-11, Clyde seconded the motion
 - b. ROLL CALL VOTE: Craig-Yes, Clyde-Yes, Sheldon-Yes, Scott-Yes**
 - c. Resolution 25-11 Approving continued Lease of Erda Fire Station PASSED 4-0**
- 12. Discussion of Interlocal Agreement with Tooele County for Police, Roads, Garbage
 - a. John- I was told by the county attorney for numbers to be inserted into it, so they aren't even ready.
 - b. Craig- We have been warned that the police budget will be higher than last year, but we knew that.
 - c. Scott- I think we want to keep them.
 - d. Craig- This also adds in the Civic Inspections, we just need to adjust the language in paragraph 3 to only say civil inspections not land use inspections.
 - e. Clyde- The only thing I'd like to see is road maintenance done quicker. The sides of the road are breaking down, and we have pot holes.
- 13. Discussion on Business License Fees Study
 - a. Jennifer- This is the updated fee study from Zions Bank with the recommended changes you suggested. This has the updated numbers for your review.
 - b. Craig- I think we should get together in the next week with Jenn and John to discuss this.
 - c. Sheldon- I will get together with John and Jenn and discuss this matter.

14. Consideration of Resolution 25-10 A Resolution approving the amended and restated Master Development Agreement for Oquirrh Point

- a. John- I think I have the latest version, let me call your attention to the issues. The first thing done was they deleted a provision in Paragraph 3 page 9. The next issue is 5.3 construction of Moderate Income Housing. They changed it to say it's up to them when they build them. That could lead to clustering. I believe Rachelle has an issue with that.
- b. Rachelle- By spreading out the moderate income housing throughout the development you don't create a blighted area.
- c. John- To be surly you are creating a ghetto.
- d. Craig- I understood that we would consider this change, in waiting until this is required by the state. I would be good with them holding all 126 until we meet the threshold where we need it.
- e. John- I think if we do that, they will be behind in building. We could add a table that they have to build so many until they catch up to that 10%
- f. Joe White- From a planning standpoint that is very difficult to do. I do want to do 126 moderate income homes. I don't think I want to go back and put them in an already developed area.
- g. Sheldon- As I read the code we don't have a requirement to build any homes, but we have to create a plan for the building of moderate income housing. We don't have a specific amount that is required. We have to have a plan with at least 3 of the 30 items and follow up on them.
- h. Rachelle- You can have those items, but if people don't apply for those items, you get dinged for it. The county was dinged for that last year. There is talk of getting rid of those population stipulations.
- i. Sheldon- I feel like we are trying to hit a moving target that is always changing.
- j. Craig- My thoughts are I want all 126 units spread throughout the development. I would like to have them done after the 5000 population. I would like the language to say that these have to be spread throughout the remaining PODs.
- k. John- I also suggest you don't wait until the very end, because developers disappear.
- l. Joe- Erda City will in writing notify the Master Developer of the trigger point to start the moderate income housing.
- m. Craig- So the wording would say that the MIH will be spread evenly throughout the remaining PODs.
- n. Sheldon- We can add the lease language as stipulated by the State, and change the deed restrictions to 10 years.
- o. John- To the big items paragraph 16 the chart they took out the 200,000. There was 200,000 if we approved the PID timely.
- p. Joe- We have already given the City 4.5 million'ish dollars worth of items in land and other items. We have given more than our fair share.
- q. Craig- Terry and I talked at length about this this week. Terry feels it is owed to us. As the contract states it is not owed to us. But I feel the intent of what was written is that it is owed to us. I don't think it has to be in money, but it could be in land next to the City Hall for a park and ride. I think we need to add the stipulation that the money given to Erda City would be held for a City Hall, and that the credit for impact fees would be in the accrued value that Oquirrh Point has taken on.
- r. Clyde- I think that 33rd Parkway was an inducement to the County to get this passed. They keep telling us they are giving us all of this stuff. But they are getting plenty in

return. I think that a turn lane should be put in with every subdivision. I just don't want us to be behind, like what happened with Excelsior.

- s. Rachelle- A traffic study is what determines if we can justify the addition of lanes.
- t. Sheldon- The two hundred has been removed, and we are wanting to get land for a park and ride instead.
- u. Scott- I am very uncomfortable with this idea of getting paid for passing this.
- v. Joe- So what if we can alleviate that, by giving us credit for the open space for that park and ride. No exchange of monies.
- w. John- I think Craig's idea of using what's been given in 33rd parkway, the underpass, and land can go towards their credit on impact fees.
- x. **Scott- I motion to approve Resolution 25-10 with a provision with a final form of the agreement be approved by Sheldon, Attorney, and Rachelle, Craig seconded the motion**
- y. **ROLL CALL VOTE: Scott- Yes, Craig-Yes, Sheldon-Yes, Clyde-No**
- z. **Resolution 25-10 Approving the Amended and Restated Development Agreement with Oquirrh Point PASSED 3-1 VOTE**

15. Council Representative Reports

- a. Scott- We need to send out a couple of cease and desist letters, we have an issue with Keith Toone on Church Road. But I have a question here, we had a complaint about an old Erda resident moving into his house without an occupancy permit.
- b. Sheldon- There is an issue with the legal access to that property.
- c. Craig- Next month I have to have the proposal for COG. Jake is putting together the cost estimate for Cimmarron and 33rd Parkway. It looks like we will get the funding for that chunk. It's mosquito season, call mosquito abatement and they will come to treat and fog it.
- d. Sheldon- I attended the Rural planning meeting, where our funding for the trail to go by Erda way. The other point is the need for the incident management truck. UDOT plans to start in the next 2 weeks to add a 3rd lane from Lake Point to 201 on I-80. The will also start the addition of a 3rd lane on SR36. The COG meeting for June has been cancelled.
- e. Clyde- Planning Commission was a packed house. They were worried about the sewer, water, and animals. They didn't like that only 1 acre ft of water was allocated to those homes and that they needed more water for their animals. We can't get any turn lanes on Droubay. What is the chance of getting double lines 200 ft by any intersection?
- f. Craig- Coming down here I saw OPID putting in their sewers. I'd like to try and get the most bang for our buck. Do we want them to do a whole half of a road? Or hold it until we will redo all of the road at once?
- g. Clyde- I think they should do the whole half of the road.

16. Comments from Council Members

- a. Sheldon- On the follow up items we took care of 1 and 3, Terry is not here for number 2. I did speak with the Stansbury Library, and thought it would be a good idea to let that happen.
- b. Craig moved to take a short recess then move into a Closed Session to discuss pending or imminent litigation, Clyde seconded the motion
- c. ALL VOTE YES
- d. Sheldon- Reconvened the open meeting

17. Adjournment

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

18. CLOSED SESSION

- a. Sheldon-This is the closed session of the Erda City Council
- b. ROLL CALL: Scott Droubay, Craig Smith, Sheldon Birch, Clyde Christensen
- c. Sheldon moved to close the closed session, Scott Seconded the motion
- d. Voting was unanimous to close the closed session

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

ATTEST:

Sheldon B. Birch
Sheldon B. Birch, Council Chair

Jennifer Poole
Jennifer Poole, City Recorder