

Notice is hereby given that the Erda City Council will hold a work meeting on Thursday, December 2, 2021 at 7:00pm. The meeting will be held at the Tooele County Auditorium, located at 47 South Main Street, Tooele, Utah

You may join in person or via Google Meet link:

Video call link: <https://meet.google.com/gff-bfjm-ohy>

Or dial: (US) +1 617-675-4444 PIN: 872 026 514 5311#

View-Only Live Stream:

<https://stream.meet.google.com/stream/610032df-05fb-4627-95d0-e0e0ea397d28>

Pledge of Allegiance

1. Call to Order/Roll Call

- a. Terry Miner - Present
- b. Craig Smith - Present
- c. Jess Bird - Present
- d. Josh Kael Martin - Present
- e. Scott Droubay - Present
- f. Cory Warnick - Volunteer Recorder

2. Discussion Items

a. Council Member Remote Attendance

How to deal with when someone is out of town for a meeting? Kael has a conflict next week (Las Vegas). Craig doesn't see any reason to not allow a remote meeting/participant. Precedent with planning/zoning and others. Scott asked what kind of equipment it takes. Phone or laptop would work. Scott asked about an app. Google meets would work. Jess says no need to vote. Everyone is agreement.

3. Committee Assignments Report and Discussion

a. Roads (Droubay/Miner)

Terry has meeting set up for Monday morning with Tooele County roads division. Craig asked to break down services, ie snow removal, mowing, other piecemeal. Terry most concerned about disruption in service. Scott says first option is to make sure the County can keep doing what they are doing, most seamless.

b. Police (Smith/Droubay)

Craig has been in contact with Grantsville City, Tooele City, Tooele Co Sheriff. Sheriff isn't thrilled about the idea, but is willing to help. Currently in negotiations with Sheriff, we don't know what the numbers are yet. Sheriff is willing to work with us and come up with a good number. Can't lose money. Has to cover expenses and administrative fees. County Council would have to approve. Likely will go with County Sheriff. Most seamless and no disruption in service. Craig says that we think the Sheriff could just keep doing what he is currently doing. Would be more difficult to drag Grantsville over. Craig smith question: How many officers dedicated to Erda. Answer: The officers go where they need to. They aren't really assigned areas, but it's based on need. Service should be expected to be at a level that we currently get. We currently get great service.

c. Ordinance Adoption (Smith/Martin)

Kael: We have been looking at county codes and codes from towns similar to Erda. Have seen Cache County cities. Received a lot of emails on this on a lot of different sides. Craig: IT's not a small job. Tooele County currently has 29 chapters, hundreds of pages. It takes a long time to find something that's comparable to us. I've gone through 3-4 cities in Southern Utah. Haven't been able to find anything with RR5. I think it's important to maintain that in Erda. It will be hard to find something that will work and we will be making a lot of changes once we do find one. This is a very time consuming job. We're working on it. I'll play with it more this weekend.

d. Articles of Incorporation (Martin/Bird)

Kael: We need to focus on sending in a map as well as a retirement letter to the Lt. Governor. We've hit some road blocks with the civil engineers. Need to find somebody who can find some modifications to our boundaries. One roadblock is time. We have deadlines we need to meet. Found some quotes. BRUCE PARKER - civil engineer. He is a past witness. Has offered to do our map for around \$1000. Erda CA offered to pay anything over \$1000. Other engineers are weeks out and would cost around \$4500. Major difference between this guy and others who have offered. Jess: Due date is Dec. 16th. We're going to miss that date. The county says it often takes 2-3 months to go back and forth on boundaries. We are trying to go as quickly as possible. IT doesn't look likely to happen. It sounds like the Lt Governor will be pretty lenient with us if we don't make the deadline. Since we are doing the steps, it should be pretty smooth. Terry asked if Parker needs the money up front. Parker would be willing to do it and get paid afterwards. Jess, Terry, Craig and Scott were all willing to be out of pocket some money and get reimbursed later when there are funds in the city. Scott Droubay asked a city of leagues and towns council about this, he said that there is no stipulation on what to do if we miss the deadline. He recommended getting ahold of Lt Governor. (Kael confirmed we've already done this) He also recommended getting ahold of a guy who left Lt Governors' office (Justin Lee). He would send Lee's number to Scott Droubay. Craig

Smith already has his number and will give it to both Scott and Kael. More difficult without any money now. Some guys would do it for \$6000, but need the money now.

Retirement letter. Shouldn't take much time at all. Will contact them in the next few days and ask where the letter is.

e. IT (Martin/Bird)

Jess: Email has been working great. Have been receiving lots of emails from the city. Have not started on the website yet. Website is low on to-do list. With Google cloud you get all sorts of services. This meeting is on Google meet. Right now it is a free trial, but we will have to start paying soon. Outline different tools including Drive, etc. Gave instructions on how to use Google Drive to contribute to things that everyone is working on. Jess has already created a bunch of folders. Eventually code will go in there. I've looked out a few other cities to see how they do code, Duchesne City is using Google Drive. It's much easier to change a Drive document than to edit a website. Scott: Asks if everybody who wanted to know about it could access it. Jess: I'm proposing that it would be accessible to residents as read only. Scott: Do you see any reason why it wouldn't work. Jess: I think it would work great. \$7/user/ month. 20 employees would be \$140/month. Jess asked if County had email addresses. He does. Jess suggests that eventually our planning/zoning people would have access and emails as well. Craig said that they would need emails at minimum for GRAMA requests. It makes it very convenient to just turn over all communications that are at one email address. Craig said we don't have to deal with it today. Jess doesn't like the expense, but it has to be done at some point. It deserves some more research.

f. Attorney (Droubay/Miner)

Scott: WE have 3 people who have expressed interest. We are hoping to get more. Scott thinks Craig has talked to somebody who is marginally interested. David Church is the name. He is retired, but gave 4 names of people he would recommend. Hayes Godfrey, Bell is the firm that we have talked to the most. Jess asked what other cities they represent. We don't have a list. Another name is Scott Shields, a local Erda kid. The other name is Janet Conway. Terry Miner wanted it to be clear that we haven't even advertised yet, these all provided unsolicited bids. Scott Shields wants \$45,000 for the year. The other 2 were each \$200/hour. No caps, no minimums, just straight time. Scott asked the public for input on a lawyer that would be willing to do it from the public. We don't think 3 is enough to be looking at.

g. Garbage (Martin/Smith)

Craig Smith: We've talked some with Tooele County. They are getting numbers together. They can't lose money on what they are doing. We know that rates are going up, they already are for everybody in the county. They also have to put numbers

together because they can't charge us less than they are charging Tooele or Grantsville. Our garbage cans are owned by the county. Also, if we hire a private company it still goes to the county dump. Setting up a meeting with Ace. We'll get some numbers and hopefully have something firmed up for next week. Jess: Only 2 bids? Kael: We've contacted 3, and they are either too far away or not interested. It will come down who will give us the best price and the best service. Craig: Either way we have to have a contract with the county to accept our garbage. It will either be a secondary contact with a secondary company or with them directly. They would love to make a great deal for us, but they can't charge us less than they are charging other cities. Jess wanted to clarify that there will be an increase in fees no matter what across the county. It's not because of us. Diesel fuel is more (almost double), everything is more expensive. Scott: Has anybody at the county hinted that they would sell those garbage cans? Craig: I hinted at it, but they haven't negotiated back yet. I'm open to all options. Kael asked for public input on waste disposal companies. Please submit via email to us.

h. Land Use/Zoning (Bird/Smith)

Craig: I had a map populated of what's reasonably current. I've circulated it so that we can make notes there as to what we want to adopt as zoning for our city Day 1. I have hard copies in addition so we can make notes all over it as to changes we would like to see. Jess: De facto plan is to adopt what we have and hand it over to planning/zoning and let them go to work? Craig: It will also go hand in hand with ordinance adoption. For example we need an ordinance that allows for RR5 zoning. Scott: WOuldn't it be simple to adopt Tooele County zoning. Craig: It would be simplest, but it won't be the best thing. Scott: Will we have time to go through it all? Jess: It's like 20 pages for other cities, it's not that bad. It would be nice to have an attorney in place to help us adopt that. Jess: Simple fact is that it will take some time. We don't want to rush things, but it needs to be done right. Craig: We need to have it done before we submit to the Lt Governor. If we don't we start as a city with no zoning. Without zoning there is no baseline. Without ordinance, we can't enforce zoning. You can't say 'we'll address it' because there is no ordinance to enforce.

i. Finance (Miner/Droubay)

Scott: We went to 3 different banks who do this kind of stuff, set up accounts for municipalities like ours. They will usually establish a credit line as well. The first thing that we need before they'll talk to us is an EIN. We also spoke with the county about what they would be willing to do. The state allows them, but doesn't require them, to either give or loan money to us. They will bring it up in their next meeting and they will discuss what they are willing to do. So, we have those options right now, but we do need an EIN regardless. Terry: The county uses Zions, Tooele City uses Wells Fargo. Scott: The county will tell us what they will loan us money for and how much it will cost. Terry: The state has some type of COVID related fund that they can give to us as grant

money, but only once we are incorporated. Scott: We don't know what that amount is (other than it was a lot for the county). Terry and I have to come up with a figure for how much money we need. We'll look at the feasibility study. If you have any input, let us know. Feasibility would be the base, should go up from there based on inflation. Jess: Can we get a EIN before certification? Scott: Ty Hoffman says that we can. Scott: What did we decide to call ourselves? Erda City, City of Erda? Jess: We voted to call ourselves Erda (no city). I think the sponsors call us the city of Erda, but we can change it with one ordinance or resolution. Jess: The safe entity name to use today is City of Erda or The City of Erda; not Erda or Erda City. Scott: We'll run it pass everyone again before we set up the accounts at the bank because they won't want to change it 3 months down the road. Jess: and the EIN number. Scott: It won't be a problem. Jess: I'm willing to help, needs to be done sooner rather than later.

Liability Insurance: Terry - we haven't dealt that far yet.

Jess says it's worth the effort to find the government contacts and working through them for websites, banks, or anything else.

Terry: Tooele City sent me copies of job descriptions for Recorder, etc.

j. Office and Meeting Places (Martin/Bird)

Jess: We don't have a lot to report. Kael: I've contacted Alpine, can't host us. Contacted Excelsior, \$75/hr for a meeting (2 hour minimum). Firehouse will be too small if we have the crowd we've had. Airport has been suggested, but they don't have anywhere (public comment said nothing is available). Scott said we don't mind coming here. Kael says we should continue looking for a place in our city, but for now we'll continue to meet here if the county is willing. (Public comment asking about fire museum) Kael wrote it down and will follow up. Craig: The one off of Hwy 112? I don't know if we gain anything by going there. We have all the technology we need here for free. Kael: It may be a good alternative if this building is not available. Jess: Sounds like we are here for now and we'll reach out to the fire museum as a backup. If we have to use them, we'll have to find solutions for microphone, camera, etc. . . . Are we ok to meet down here, or upstairs? Terry, Craig both think downstairs will be better. Down here we can use their technology and not need a county employee. Scott agreed.

k. Advertise for City Clerk and Treasurer

Terry handed example job descriptions to Jess. We've authorized the chair to advertise. We don't have much to advertise until we have something to pay these people. Scott:

WE ought to at least hand in a few names of people we know, CPAs, etc. neighbors.

Terry Miner also opened this up to the public to make suggestions. Jess gave email address. Craig suggested to start advertising now even though we don't know when they will start. It's not a quick process. We may take a long time to find/interview candidates. We should start taking applicants immediately. Kael has already had people take interest and email him about it. Jess asked that resumes be sent to him or put on Google drive. Jess: Where should we advertise? Tooele Transcript? Facebook? KSL?

Next business meeting: Vote on job description so we can advertise it.

4. Comments from Council Members

Craig Smith: We've had a LOT of emails over the last couple days. I'm here to tell you I appreciate it. All have been well written and thoughtful. Opposing views, but all good. I want any listening to know that we are listening. We are reading them, and listening. WE may not always vote the way someone wants it to be, but we are listening and taking input that way. I appreciate that people have concerns and are willing to voice them in a productive way. The only ask would be to create solutions rather than just oppose. The more input we get the better the city will run.

Terry: Most include community unity. That is the goal for all of us. Hopefully we can get rid of us vs them and change it to we and our. Our city, etc. We appreciate all the help to get together again.

Kael: Local government is least participated. Most can tell you who the president is but not the city council rep is. I appreciate all the participation and the email and I have read through them as well.

Jess: I appreciate them as well. I've had 30-40. A lot say to do this or not do that. Would appreciate some constructive suggestions of good ideas. We are only 5 guys, and more brains make us better.

Jess: Clarify that chairman cannot appoint 2 more city council members. What was voted in is that the chair, with the approval of the city council, has the authority to appoint 2 additional PLANNING commission people. Scott clarifies that it's not entirely chair's responsibility. Jess agrees that it is a quorum vote between the 5 of them.

Scott: Emails. Do we keep all these emails and keep a running tally? Archive? Jess: With Google vault, you are free to do whatever you want. Scott: What do you do with them? Kael/Jess: We keep them all. Scott: The latest are always at the top? Craig/Jess

just let the emails run and you can tell if they are read by if they are highlighted or not. You can delete emails, but they are still in the vault in case of GRAMA requests.

5. Adjournment

Craig motion, Terry 2nd - Passes - Meeting adjourned

Pursuant to the Americans with Disabilities Act, Individuals needing special accommodations should contact Craig Smith at 435-830-2802