

Erda City Council WORK session Minutes

6/9/2022 – 5:00 pm

Tooele County Building - Auditorium

View-Only Live Stream on Youtube: <https://tinyurl.com/2p8fifnx>

1. Call to Order 5:08
2. Roll Call: Terry, Jess, Craig, Scott, Kael will join in shortly via google meet
3. Pledge Jess led the pledge.
4. Review and Discussion of Erda City Code and Fee Schedule
 - a. John-We will pick up at page 53 section 6, 13-1. Regulation of parades and processions. Do you want to keep this in there? Do you want some rules in there that you have to comply with? You'll need to have a permit.
 - b. Craig- The reason for the permit is so we can ask for the sheriff to block off the road and provide the space. It's so you can know it's happening and support it.
 - c. Scott- Do we have to charge for that? It says \$25 dollars.
 - d. John-You don't have to have the fee for the permit but you can charge for each entry.
 - e. Scott- Can we change the language that the fee might be waived or can be waived?
 - f. Jess-Keep is as is? All agree
 - g. John-Chap 7 fee recovery for having to repair damage done by persons.
 - h. Craig- We should be able to recover the cost to fix those.
 - i. John-Overnight camping is more of a problem with homeless people.
 - j. Jess I'd say strike it. We can adopt these when we become more city-like.
 - k. John -Misc provisions..
 - l. Craig- We need to scratch 6-17-9.
 - m. Kael has joined the meeting via google meet.
 - n. John-So we are at 6-17-1.
 - o. Craig- Was 6-17-8 exploding targets? We should leave that out, those are a fire hazard.
 - p. John-On building code, public lands, I adopted the international fire code and building permits.
 - q. Jess-I'm thinking we can keep it in but restrict which areas they are allowed to use them.
 - r. John-reads the specific code of 6-17-8.
 - s. Scott- I think we should keep that in. If I am not messing around on my farm doing something like burning weeds I have to get a permit to do it because of the danger that could happen. This is more dangerous. I think we need it.
 - t. Scott, Craig, Terry want to keep it in, Jess want's it out. KEEP IT
 - u. John-Wildlife protection standards it's basically from the county. I changed it so it's applicable to the city. Any questions about those? Some of this is required for our interface requirements. If we do mitigation and there is a fire the state will take up the cost. But if we don't, the district has to take up the cost. I am down to noise control.
 - v. Terry-In 6-18-4 we need to change that language to the Tooele North Fire Chief. That is the person who we work with.

- w. John-Let's change that to the fire warden, as determined by the fire district.
- x. All agree to this change.
- y. John-Noise control, this is pretty standard stuff. This is how you measure noise. It's pretty complicated.
- z. Jess- Page 6-19-5 specific noise requirements.
- aa. John-This is the rules that were there before you became Erda.
- bb. Craig- This is just the time between 10pm and 7am.
- cc. Jess-6-19-5 (10) My speakers we used at Erda Days last year were over that. I don't think we need to change it. All vote to keep it in.
- dd. John- No smoking on playgrounds and public property, This is what the county had before I Just changed it to Erda. State code is a little funky; it was enacted by the dept of Health. It references tobacco in the state act. Display of fireworks, do you have a no burn area? Or no firework area?
- ee. Craig-In the county all of Erda was a no firework area.
- ff. John-We don't have that now, if you want to adopt it we need to go through the process. It's just outside the scope of this ordinance.
- gg. Scott- the way it is now can people do fireworks on the 4th of July in their backyard?
- hh. Craig-We need to think real hard about this and talk to the Fire chief about this. On the 4th of July I put more than 1 fire out on the 4th of July.
- ii. John-Let's talk to the fire chief and make a map. Firework sales, you control those as it's a business. You just need to comply with the State statute. Animal Control-I brought over Tooele County by reference. Do we want to make any changes?
- jj. Craig- Let's talk 8-3-1. I am not really sure we should make dog licensing mandatory.
- kk. John-It's to track rabies and to be able to find their owners.
- ll. Jess- I am in favor of getting rid of all dog licensing and just doing a kennel license for 4 or more dogs.
- mm. Terry-I think dogs should be licensed.
- nn. Craig I'm okay with getting rid of the dog license.
- oo. Vote-Is to remove dog licensing requirements but needing a kennel permit.
- pp. Terry- So what do we do if a dog bites a person? How do we handle this?
- qq. Craig- Most people would just follow the dog back to its owner and deal with this?
- rr. John -Do you still want to require rabies shots?
- ss. Jess- If you have the law and their dog bites someone you can now enforce the rabies violation against the person.
- tt. John-I'll go through and pull out all the requirements for dog licenses. Impounding animals? Craig-the county sheriff will do that.
- uu. John- Title 9 business licensing. I just bought over Tooele counties in general and put in the low impact business license. In 9.1.2. You have to have a business license to do business in Erda. All business licenses are up June 30 but we were going to give them a 2 month leeway. Alcoholic Beverages, cities get to regulate the sale of beer. Does it have on or off premise consumption?
- vv. Jess-What are we enforcing above state requirements? John-nothing really mostly space requirements.
- ww. John- I thought I picked up the new State law on what they define the alcohol content is allowed.
- xx. Jess-Does the county have any bars right now? I just don't want to make any laws that will prevent them from coming in.

yy. John-This is just what the county had in their current law. SOB we have to allow a place for those to be permitted. We allow it, just regulate it, Time, Place, and Manner. Residential solicitation, I adopted the county by reference. These are the rules that came up with this.

zz. Jess-Are we requiring them to have a license?

aaa. John- Yes they have to have a VCI check, they can automatically have the license they just need to follow state statutes. 9-4-7 The application for them to sub 7, the applicant shall provide the VCI background check, it has to be current. This just keeps bad guys off of people's steps. It has to be done for each solicitor. They can come in and get a temporary certificate and start immediately, and they have 25 days to finish the application.

bbb. Craig-Do we have to give them one? John- Yes

ccc. Jess - Are we charging for the temporary certificate?

ddd. John- Well they will have to have a business license. Jess so that fee will work for them.

eee. John- It's the cost to the applicant of the certificate or badge which will not exceed the cost to make or process the application.

fff. Craig-Let's put it in the fee schedule enough so that it's not subsidized.

ggg. John-I'll add this into the fee schedule. Justice courts I said we are in the boundaries of the Tooele County justice court. Building regulations I put in what we've adopted already. We adopted the uniform Utah building codes and permit fee schedule. Constitutional taking issue, taking property without compensation. Roads: Instead of the county road council I changed to Erda city council. Road designs, excavation

hhh. Jess - Reads 15-2-9 We need to change that language to read the city.

iii. Terry- Down to sub 7. Is there a way to change that to include more of the road than that little Whoever digs up the lane has to repave all the way down to the center lane.

jjj. Jess- Repave to the center line using common road standards should be the expectation.

kkk. John- Okay we'll add that. Snow removal on sidewalks. This says to remove snow from public sidewalks.

lll. Craig-When Oquirrh Point goes in there are going to be a lot of sidewalks. I want to leave it, in case it will be a problem in the near future.

mmm. Jess-If we leave this in we need to discuss the penalties for this. Most people who don't are older.

nnn. John-If you don't remove the snow it's a class B misdemeanor. I think for liability purposes we should keep it in there. Council votes to keep it.

ooo. John-Truck routes in 15-5-2, this is where you want trucks to go not on any other streets.

ppp. Scott- Erda Way already has weight limit signs on it.

qqq. Craig- I think you've got all of the current ones we have now.

rrr. Jess-Can we go over the Budget for 2023?

sss. John- You can talk about things but you just can't make any decisions about it.

ttt. Terry- Can we go through and change the numbers and all of that?

uuu. John -YES

vvv. Craig moves and Jess 2nds a motion for a 5 minutes recess.

www. John- Fee Schedule in GRAMA the amount of the lowest paid employee that is capable of fulfilling the request. Code enforcement I know you wanted to do \$20 a day? They will have a 30 day grace period, then \$20 a day for the next 30 days, then after 60 days \$100 per day not to exceed 10,000.

xxx. Scott-So you said in Millcreek people would just pay the fee and let it go. John- yup they paid the fee and let it go. Until another problem came up.

yyy. John-I'll take out the dog licensing. Any More questions on that code?

zzz. Jess- I don't want to offer anything that the county isn't offering at the moment. Jess, are we offering to do background checks for people?

aaaa. John- The sheriff is, it's mostly for a SOB license. I also looked up Tooele County's most current fee schedule. The Conditional Use Permit will go under community development once we adopt the land use ordinances. So a couple of other things, we need to be adopting a zoning ordinance soon. I got a criptit email from Cory, saying we adopted all of the county except what we've previously told you.

bbbb. Craig- On Tues they adopted the county zoning map they went over land use ordinance all thought they recommended elimination of a lot of the zones. All of the smaller zones. They had at least 10 days notice and a hearing about it.

cccc. John-I'll chase him down and get that written up.

5. Discussion of Budget for 2023

a. Terry- We are looking at the email from Dave, our accounting guy who broke all of these things down for us to discuss.

b. Jess- To be honest when it comes to budget stuff I feel kinda lost.

c. Terry- That is why this is a pretend thing, we are only going off of what they estimated for us.

d. Jess- So we are still making decisions based on guesses.

e. Terry- We did get our property taxes for the year, but this whole thing is mostly operational so we can have it in the budget. This is going to be for the first time for the full year. All of this first budget came from the feasible study.

f. John-So you need to amend the budget to reflect what actually happened for the first 6 months and pass it by 6/30.

g. Jess- So we need to guess going forward but change the past budget for what we actually did get and spend.

h. Jess what did we actually get?

i. Terry- We got \$365,000 sales taxes and \$362,000 for property taxes. But that number was guessed.

j. Craig-It makes sense to get this done on the 23rd so we have the time to get the notice done.

k. Jess-So when should we do this? What are we going to tell Dave to have this ready by?

l. John- It can be June 30 for next year's budget.

m. Jess- So should we try to get both of these done on the 23rd?

n. Terry-So we need to have the amended budget this year and the next year's budget ready to upload for the meeting on the 23rd.

o. John-What is the certified tax rate for property taxes that you'll be using? I'll call Dave and figure it out. So I'm hoping the county has a municipal tax rate. As long as we adopt that rate we will fit that truth in taxation. I know that the county is working to get you a new tax rate. John the variable is the taxed rates. John we adopt a tax rate that an assessor does for us.

p. John-Terry when you get those tax rates it is critical that you get those to me so we can adopt them.

q. Terry- We need to plug in the numbers for office supplies and things.

r. Jess-I say we need to keep IT at 8k or a little more especially with this new licensing program on. In fact I'd like to see it go up to 11k.

- s. Terry-Where does that money come from?
- t. Craig- If we have that discretionary fund and we all agree to it we can use that money.
- u. Jess- What's typical on a controversial budget item like that. That means anything that we think we need.
- v. John-I'd put 2,500.
- w. Terry- We need to keep things tight for the first few years.
- x. Jess- I think storing public documents at a house is not the safest idea. I'd like to get something done for that.
- y. Jess- Did we decide we had money in the budget to get the safe?
- z. Craig-The one I showed you was under \$2,000.
- aa. Jess- We are talking about vague numbers at this point. We have a few specific numbers like what the roads will be, office cost would be.
- bb. Terry- We will need to pay the dispatch fee of \$132,000 for Jan to June, then June -Sep is \$56,000 then the dispatch fee is separate. One of the things I saw said could be close to \$33,000. So at the end of things it's \$132,000 to Tooele County for Jan to June to the sheriff, then June to Sept will be \$56,000 for the sheriff and possibly \$33,000 for dispatch alone. I haven't gotten an invoice for anything yet. It makes it hard to balance anything. I think what I'll do is I'll put together a general one like the old one and let you play with it.
- cc. Jess - Maybe each committee will submit the amount in the budget they think it'll need.
- dd. Jess moves to close the work meeting, Kael 2nds the motion, the voting is unanimous.

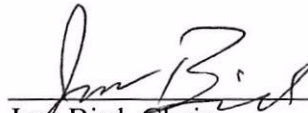
6. Adjournment

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

Prepared by: Jennifer Poole, Erda City Recorder

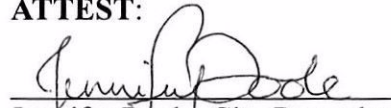
PASSED AND APPROVED by the Council this 16th day of June, 2022.

ERDA



Jess Bird, Chair

ATTEST:



Jennifer Poole, City Recorder