

Erda City Council Minutes

7/28/2022 – 7:00 pm

Tooele County Building - Auditorium

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

1. Call to Order: 7:03pm
2. Roll Call
 - a. City Councilman: Scott, Craig, Jess, Kael, Terry
 - b. John Brems City Attorney, Jenn Poole City Recorder
3. Pledge
 - a. Scott led pledge of allegiance
4. Public Comment
 - a. Jess-Opens meeting to public comment.
 - b. Craig moves to close public comment Kael 2nds the motion
 - c. Voting unanimous to close public comment.
5. Approve meeting minutes from 7-21-22
 - a. Jess moves to approve the minutes from 7-21-22, Scott 2nds the motion.
 - b. Voting was unanimous to approve meeting minutes form 7-21-22.
6. Committee Assignments Report and Discussion
 - a. Finance (Miner/Droubay)
 - i. Treasurer Report
 - a. Terry- As of today in the checking account we have \$347,031.11 and we have \$25k in savings. However I wrote 2 checks today plus paid one of the credit card bills. I paid CVE Technology for our monthly google bill. \$286.38 I paid one of the credit cards off and it was 169.02. We got the bill for the Sheriff Services from Jan-June it was \$132,205. Making the total for this week \$132,660.40 that came out of checking. When that hits we will be below 300k. Plus we currently have on the credit card 196.95 for ink cartridge and we have 107.88 for go daddy website. Our PTIF hasn't changed, we haven't gotten credited for May and June so we still have \$446,825.80 in the PTIF account.
 - b. Craig-Sheriff had called me today and said there was confusion on who was doing the billing, and you and Jess should have gotten a copy of the bill.
 - c. Terry-I got the Bill for Jan-June and the one for July-Sept that will be paid. I want to hammer on that we can't spend more than we bring in. We don't have anything coming for another 6 months and all it will be is sales tax. We need to decide how to proceed. We need to try to stay within our budget. We should be "flying standby" not even flying coach.
 - b. Land Use/Zoning (Bird/Smith)
 - i. Ordinance 22-29 Adopting a Land Use Code and Zoning Map
 - a. Jess-There should only be a couple of changes from last week.

- b. Craig-The only change I would say is the planning commission recommendation to change the wording to match the definitions in state code. Whether we put it in today or later I don't care. In the table 15-5-3.3 I believe the wording they came up with is "Your primary dwelling is on that property" . I think you can have the freedom to choose if you want to live in the ADU. They should have that freedom. They did suggest putting in that primary dwelling and that they reside in it. That means they don't actually have to live there but it has to be their primary dwelling. Where your mail comes, where your ballot comes.
- c. John-You want to add that to C or D?
- d. Craig-They didn't talk about that on the detached ADU so just part C. I wouldn't be opposed to adding it into D also.
- e. **Council votes to add the new wording in both section C and D.**
- f. Craig- The wording should be primary residence so they don't have to be living there at all times. Like if Scott went on a mission and left it would be okay. As long as this was still his primary residence.
- g. Jess- So the recommendation from the planning commission was just to remove the language "single family dwelling". There is a line in there which is located within or attached to the single family residential building. And change it to "which is located within or attached to an owner occupied residence."
- h. Cory- The document we were working from our meeting back in May. It was the ADU ordinance. And John is trying to include this into the Land Use Ordinance.
- i. Craig- I think we really just need to add the wording "be the owners Primary Residence" and that should satisfy the changes they recommended.
- j. Jess- D11 was not part of the recommendation. I suggest that we don't add that.
- k. Craig- I think adding it helps liberalize that. It says you need to be the owner of record and live there. That's too restrictive in my mind.
- l. Jess-While John is working on that is there any other discussion or are we ready to pass this ordinance.
- m. Terry-I would like to add that this map could change based on pending litigation.
- n. Craig-I can get behind that. There are going to be many changes to this map.
- o. John-I have the language here to add. So add #5 The owner of record must use the principal dwelling unit as his primary residence.
- p. Craig- In 11 it needs to be changed to read "The conditional use permit for the internal ADU is only in effect as long as the primary dwelling is the primary residence of the person of record.
- q. John- The use permit for the accessory housing unit is only in effect only so long as the single family dwelling is the primary residence of the owner of record.
- r. Craig- Terry want's language in there that says this map may change based on litigation.
- s. John-We will still have to go through the steps to change the map.
- t. Terry-My point is that there are 2 or 3 lawsuits that could change the boundaries and so I want to have that language in there.
- u. Kael-I agree with Terry on that, we should have it in there.
- v. **Council Votes to add the language about changing the map according to outcomes of pending litigation.**
- w. John-We can add this to the ordinance. Be it further ordained the zoning map may which may be modified from subsequent court action settlements.

- x. Craig-Let's read all of this new ordained stuff from this ordinance. Craig reads the Ordinance.
- y. Craig moves to adopt the ordinance 22-29, Kael 2nds the motion.
- z. **Roll Call Vote: Scott- Yes, Craig-Yes, Jess- Yes, Kael-Yes, Terry-Yes.**
- aa. **VOTING UNANIMOUS ORDINANCE 22-29 ADOPTED**
- ii. Consideration of Ordinance 22-30 An ordinance repealing portions of ordinances 22-09 & 22-10
 - a. Jess-Reads the ordinance, John do you want to summarize why we are doing this?
 - b. John-This is terminating the moratorium on building.
 - c. Scott-Moves to adopt ordinance 22-30, Kael 2nds the motion to adopt this ordinance.
 - d. **Roll Call Vote- Terry-Yes, Kael-Yes, Jess-Yes, Craig-Yes, Scott-Yes**
 - e. **VOTING UNANIMOUS ORDINANCE 22-30 ADOPTED**
- iii. Consideration of Ordinance 22-31 An Ordinance Adopting a Subdivision Ordinance
 - a. Craig-There have been no changes to this ordinance. I know that Jess wanted to change the minor subdivision from 4 to 9 lots.
 - b. Kael-Why did you want to change it?
 - c. Jess-I'm just looking out for the little guy.
 - d. Scott- We will have more than 4 lots when I finally split my land. But I am still in favor of keeping the minor subdivision to 4 lots
 - e. Craig- Moves to adopt the ordinance, Kael 2nds the motion.
 - f. **ROLL CALL VOTE: Terry-Yes, Kael-Yes, Jess-Yes, Craig-Yes, Scott-Yes**
 - g. **VOTING UNANIMOUS ORDINANCE 22-31 ADOPTED**
- iv. Consideration of Resolution 22-25 Adopting a Supplemental Fee Schedule for Subdivisions
 - a. Jess- Read the resolution.
 - b. John-So I have most of the numbers and I tried to get the correct numbers that the county used to do some of the subdivision ordinance things.
 - c. Craig-Maybe we table it till next week.
 - d. John-Maybe we should just add the language in there they would charge the same amount as the county.
 - e. Craig-I know that we were going to charge more than the county because we couldn't get these done at that price. The recommendation from them was to make it higher.
 - f. Jess- I have pulled up the county fee schedule, The amendment to the general plan was 1,000 plus 100 per acre.
 - g. Craig-We should do at least that. I think that the subdivision, Conditional use permits, and zoning map changes are \$800
 - h. John- Subdivision rates are per IBC, conditional use permit is \$800 as well as zoning map changes, and 1,000 plus 100 per acre for a general plan change.
 - i. Scott- On a family residential site plan review is 2k plus. So if you have a 5 acre lot it's gonna cost you over 3k to have a site review. We are only charging what Ensign charges us.
 - j. Craig-That is correct, we aren't making any money on this.
 - k. Jess-Moves to adopt Resolution 22-25 as amended Craig 2nds the motion
 - l. **ROLL CALL VOTE: Scott-Yes, Craig-Yes, Jess-Yes, Kael-Yes, Terry-Yes**

m. VOTING UNANIMOUS RESOLUTION 22-25 ADOPTED

- c. Roads (Droubay/Miner)
 - a. Scott- We have a meeting tomorrow about the Midvalley hwy.
 - b. Terry- I was talking with Jed. They are getting ready to do some shoulder work on Erda Way and Droubay. They have been doing some sealing of the cracks and stuff. So they are doing things to take care of our roads.
 - c. Scott-We need 45 people to comment on the alignment or realignment of the Midvalley Hwy. It would be good if we have 145 people make comments. They have 4 options of where they want the HWY to go. We don't like 3 of the 4. The 4th one is the one we like. It's the one that goes down Sheep lane and just expands it. We are going to try tomorrow to give them a better idea of why that's the best option rather than create a new corridor through Erda. Two of those options had it running parallel to the airport. I'm not sure that's the best idea. But wish us luck. There's a lot of leverage to have it run right through Erda on Evans way. They estimate it will have 28k travelers a day. I don't know how you live next to that. I should give you the email of midvalley@utah.gov so they can go make comments.
 - d. Jess-I'll send the whole email and we'll get that posted on Facebook.
- d. Economic Development (Martin/Smith)
- e. IT (Martin/Bird)
 - a. Jess-We bought our website posting.
 - b. Craig-I've had a few people asking to see what we've passed and done.
- f. Office (Martin/Bird)
- 7. Consideration of Resolution 22-26 Approval of an Interlocal agreement for Dispatch Services
 - a. Jess-Reads resolution 22-26 for dispatch services.
 - b. Terry-That's a lot of money.
 - c. Craig-Grantsville and Tooele city looked into getting out of this and did their own study and it was more expensive to go outside of this.
 - d. Terry-It says it's 33k and fees will be paid accordingly.
 - e. Craig- July 1st to June 30, is \$32,800 for the year. So it's \$8,200 for the quarter.
 - f. Kael- Maybe once Lakepoint incorporates we can look into doing something together and cut down costs.
 - g. Terry-If it's \$32,000 why would we need to pay quarterly can't we just do the whole year at once?
 - h. Craig-We could but we could also keep that money in our PTIF account accrue interest on that.
 - i. John-The contract can act as the invoice. They don't have to send a separate invoice.
 - j. Terry-Who do we pay, this contract doesn't specify where that money should go to.
 - k. Jess- We can get that figured out.
 - l. Craig-Moves to adopt resolution 22-26 the interlocal co- op agreement, Kael 2nds the motion
- m. ROLL CALL VOTE: Terry-Yes, Kael-Yes, Jess-Yes, Craig-Yes, Scott-Yes**
- n. VOTING UNANIMOUS RESOLUTION 22-26 ADOPTED**
- 8. Council Representative Reports
 - a. Scott-I am apparently on the council of governments. I need a resolution or letter.
 - b. Jess-Jenn can tell us about the meeting with Rocky Mountain Power?
 - c. Jenn- I met with Nic, he was very kind and he wanted to let us know that he is our new Representative. He also wanted to let us know that we need to sign an agreement letting

Rocky Mountain Power have the ability to go in and fix their power equipment as needed without having to contact a member of the city to get approval.

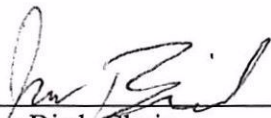
- d. John- I am looking over the contract and we need to tweak it a little but it's pretty common and standard.
 - e. Craig- In the Oquirrh Point agreement there was a problem with the moderate income requirement. We need to fix the language in the paragraph on 5.1 to meet the intent of what it was and the state code. It's for those who are making 80% of the ami. And then we will need to get with Oquirrh Point and their lawyers and get that amended.
 - f. John-It will need to be done by amendment.
 - g. Craig-I'd like to see this on our next meeting's agenda.
 - h. John-Speaking of Oquirrh Point is someone keeping track if they are meeting their requirements.
 - i. Craig-I think there are only 2 more points that they need to do. But no one is tracking that real well.
 - j. Terry-Will it change anything if they sell it?
 - k. Jess-We've had 2 tiggers already and gotten the 2 checks they agreed to.
 - l. Craig-The owners of Oquirrh Point have done everything they said they would do so far.
9. Comments from Council Members
- a. John-We may have a little inconsistency in our code and want to know what you want to do with it?
 - b. Terry -If it's about the junkyard we decided to leave what was in there.
10. Adjournment
- a. Craig moves to adjourn the meeting. Scott 2nds the motion
 - b. Voting unanimous to adjourn the meeting.

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

Prepared by: Jennifer Poole, Erda City Recorder

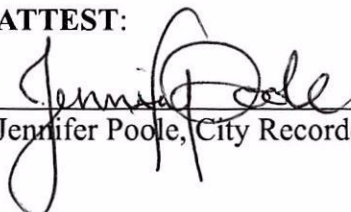
PASSED AND APPROVED by the Council this 11th day of August, 2022.

ERDA



Jess Bird, Chair

ATTEST:



Jennifer Poole, City Recorder