

Erda City Council Minutes

8/11/2022 – 7:00 pm

Tooele County Building - Auditorium

View-Only Live Stream on Youtube: <https://tinyurl.com/2p8jfjnx>

1. Call to Order 7:01 pm
2. Roll Call
 - A. City Councilmen- Terry Miner, Kael Martin, Jess Bird, Craig Smith, Scott Droubay
 - B. Jenn Poole-City Recorder, John Brems-City Attorney via video link
3. Pledge
 - a. Terry led the pledge of allegiance
4. Public Comment
 - a. Nick Child, owner of Tooele valley motorsports- I came to Tuesday's meeting and Cory talked to me about the 1% sales tax increase that was supposed to happen. That would be very detrimental to my business. That \$100 is the difference between a sale or not. Especially in difficult economic times. Cory addressed that he said that it wasn't true and it is not happening. He suggested that I come tonight and share that info.
 - b. Jess- This is news to me, where did you hear that?
 - c. Nick- A friend told me that when he bought a motorhome from a private party and took it to the DMV, the DMV he had to pay the 7.9% tax. But from all that I've seen, all of the numbers say it's the same. Cory did a real good talk talking about this with me and took the time to go through this with me.
 - d. Scott- That was a mistake from Texas we know all about that. We are NOT raising taxes, that is something we are not doing.
 - e. Nick- We do have some tough competition and wanted to address this. I enjoy being a member of your community and we are a good contribution to the community with the revenue we provide. Please call or talk to me about anything you need.
 - f. Craig- We repealed the county's 1% sales tax increase. They can't cause that extra tax within a municipality. We got rid of that.
 - g. Craig moves to close public comment, Kael 2nds the motion
 - h. Voting Unanimous to close public comment
5. Approve meeting minutes from 7-28-22
 - a. Jess-Chair moves, we adopt meeting minutes from 7-28-22, Craig 2nds the motion.
 - b. Voting is unanimous to approve the meeting minutes from 7-28-22
6. Sheriff's Report
 - a. Sarget Caldwell- I am here representing Sheriff Wimmer. We like to get around to all of the city councils that we serve. We have the July 22 stats. Total details is anything we get called to. We had 75 details ending in 6 arrests. Notable arrests we had were: July 4th we arrested and charged a juvenile for aggravated assault for assaulting a family member with a piece of glass. July 21st another juvenile who had an altercation with a family member was taken to juvenile detention in Salt Lake for a total of 6 arrests for the whole month 1 DUI, 1 domestic, a juvenile arrested for vandalism, and a warrant service.

We issued 32 citations that's a ticket or warning. One thing we want to bring attention to is the uptick in vehicle burglaries on county lane . Most vehicle burglaries are crimes of opportunity. Keep your cars locked, garage doors closed and keep an eye on each other. Any questions for me or something you want me to take back to the Sheriff?

- b. No comments or questions from the council at this time.
- 7. Resolution 22-27 2nd Amendment to Oquirrh Point Development Agreement
 - a. Jess-This is clarifying some language that was mistakenly put in there. This fixes that.
 - b. Craig-The language was on the moderate income housing aspect. Moderate income housing is where people who make 80% of the adjusted gross income can't spend more than 30% of their income on housing. It was going to be that way the first time. Something happened to change the language. This is just a correction to what the original intent was supposed to be.
 - c. Jess-Chair moves to adopt resolution, Craig 2nds the motion to adopt the resolution
 - d. **ROLL CALL VOTE-Scott-Yes, Craig-Yes, Jess- Yes, Kael-Yes, Terry-Yes**
 - e. **VOTING UNANIMOUS Resolution 22-27 ADOPTED**
- 8. Committee Assignments Report and Discussion
 - a. Finance (Miner/Droubay)
 - i. Treasurer Report
 - a. Terry- First I want to remind everybody that last year's budget is gone and we need to go off of this year's budget. So it needs to be in this year's budget. We have the fire station, we don't have a desk, file cabinet, and such. I don't know if we need to assign someone to do that but we should get that done. The other part is Jenn has a conference in Logan for all of the city recorders. It's 250 to register. I recommend that we send her to that and take the funds out of the council discretion fund.
 - b. Craig- That's a good investment for us. She's been willing to do housing and transportation. We can cover the cost and her wages while there.
 - c. Council Approves Purchase of UMCA Conference entrance fee and paid time while there.
 - d. Terry- For the Treasurer report we so far this month wrote 3 checks, we have paid Legal- \$5,000, Accountant \$750, Clerks Salary \$626.82 for a total of \$6376.82 total from checking. I paid a credit card bill of 304.83. I deposited \$7,965.94 into our permits and for those keeping score we are up to 82 permits being submitted to the city since the beginning. In our PTIF we got 623.34 in July as an interest. We still haven't received our roads for May and June yet.
 - b. Land Use/Zoning (Bird/Smith)
 - i. PID Discussion with Marcus Keller
 - a. Marcus-Zions Public Finance- I thought John was going to be here to lead the charge. To draft a public infrastructure policy. This is just the policy so if anyone is interested in doing one, these are the rules they follow. In summary the state legislature gave a new way of financing public facilities. These taxes go to the whole planned community, for the public infrastructure. Roads, water services, utilities. The PID does not retain the asset, it goes to the city or improvement district. The only thing this does is collect the tax to pay for the bond for the cost. They want to do this to access tax exempt financing. This incentives them to build larger and better infrastructure for the city. This is important as an

economic development tool. A way for the city to use this to better your position instead of impact fees and working from behind. The policy just lays out the outline of what you're interested in doing. This is good for developers, and when you have this in place we can help them. You aren't required to have one of these but it is a great help. In the end this is something that the City still has to approve of. It will go through several processes to get it to a point where you are comfortable. John has reviewed this policy and it gives the options that we feel are appropriate. I know that you have 1 applicant that is interested. It goes through several parts. The 1st is a letter of intent, then a governing document, if it matches up and John and we've reviewed it, then if you adopt that governing document the developer is good to go.

- b. Scott-These can be paid for by 2 ways, tax levee or by impact fee.
- c. Marcus- Impact fees are a little different. It's a tax levee or a fee based levee. So basically they can assess their own property to generate that revenue that will be passed on or paid off by the homeowner at some point in time. A lot of this can be negotiated. The financing or the security of these bonds that are issued by the PID, this is not a debt to the city it goes to the PID. There are a few ways are either limited general obligation bonds through that MIL levee if they receive taxing authority or special assessment bonds if they get the authority to assess that land.
- d. Scott-That's not entirely clear to me. A developer comes in, gets the infrastructure, goes in and sells the properties. My understanding is that PID can be paid back out of an impact fee when they sell that property.
- e. Marcus-We don't really want to affect the housing price because that's affected by the market. But we can make sure that incentive goes directly to the homeowner instead of the developer. So they can use that to offset part of their liability on the bond.
- f. Craig- It's an assessment fee that would go on their mortgage when they bought it?
- g. Marcus-The special assessment and limited tax. The special assessment isn't going to give them taxing authority but they can do special assessment bonds. Let's say they do 10 million in special assessment bonds then each property is assessed 15k and each homeowner is responsible for that 15k and they can pay that off how they want.
- h. Craig- If you compare the two a mill levee is less though.
- i. Marcus- Most developers want the MILL levee, it creates more revenue. It also makes it easier that they can pass on to the end user. But they have to justify why or how this is good for the community.
- j. Craig-MILL Levee- isn't a tax assessment, it's a repayment of the bond that was taken out. And it goes away once the bond is paid off.
- k. John-Put it in the price in the house or the tax notice and paid off over time.
- l. Craig-Are both methods in this policy?
- m. Marcus-Both methods are in this, but you can tell the developer that you are only interested in looking at one of the other.
- n. John-There might be reasons on why you'd want to pay over time like a commercial project. We need to decide how much for a letter of intent, and an application fee.

- o. Marcus-2k for the letter intent, it makes sure people are serious. And a 4k fee for the application process.
- p. John-You don't have to adopt this tonight but we wanted to present it and take it under consideration and adopt it at the next meeting.
- q. Craig-Our policy is usually to only charge what the actual cost of the actual application is. Is this how much this would honestly cost?
- r. Marcus- The PID process is easily 2-3 months and includes many entities. A 2k fee with the additional 4k fee might even be a little low by the time you get through every entity.
- s. John-I have a couple comments it always costs more and takes longer than you think.
- t. Craig-Some simple math 750k home taxable of 500k with a 5 MIL levee that's 250 a year?
- u. Marcus-So every MIL is .001% so it would be 2500 for the year.
- v. Marcus-This does require a 100% consent. You do have to have a public hearing and it has to be approved of.
- w. Craig-I've talked with Grantsville City they've done 4 PIDs and they love them.
- x. Marcus-They are doing a big master plan on the west side and trying to do a regional PID and do a large plan where developers buy in. It has to prove that it will benefit everyone involved. John if you want to circulate your most recent draft with the updates we can discuss this further.
- y. John-I'll get this out to the council tomorrow.
- z. Marcus-Even if it doesn't show up in this policy, you can still require more of the developer before you approve the PID.

Roads (Droubay/Miner)

- a. Terry- I forgot an important deposit. We got a \$780 Stripe deposit, it's the money from the business licenses.
- b. Scott-We met with the Dept. of Transportation about the Midvalley Hwy. We tried to keep it on Sheep Lane rather than right through Erda. They were courteous to us and listened but in the end the cost is what's driving the avenue through the middle of Erda. I hope we had quite a few people make comments. They will let us know close to the end of march what the decision is.
- c. Kael-How does it cost them more to stay with the existing road?
- d. Scott- There is the petroleum pipeline, and there are a few existing businesses that they would have to pay to build an access line to. So they would have to build more roads.
- e. Terry-We've fought to keep open areas as our way of life, but it makes it ideal for others to build those HWYs and checker board our city.
- f. Scott- I could easily see 4 hwy's going through, It's not a happy report.

c. IT (Martin/Bird)

- i. Website Discussion
 - a. Jess- I put up a rudimentary idea of our website, any comments? It's not live yet.
 - b. Craig-It looks good and it links over nice. It's easy to navigate. We need to add links to agendas and public notices on that. So it will have a greater value. We put it on the public notice website, but it'll be good to have it on our website and put everything we are doing there and easier for them to comment. We could put planning and zoning on there.

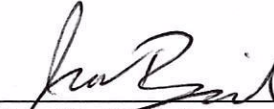
- c. Terry-We could put a finance portion there where we can show the budget what we're spending.
 - d. Jess- Right away I think we need a combined PDF of our Municipal code and land use code as they are, then give Jenn some time on getting those put into a more formal, searchable document. I have looked at what Jenn has been doing and I love what I'm seeing.
 - e. Kael-I don't want to give people an avenue to skirt the code because they didn't know what it was.
 - f. Jess- We also need to have the general plan and zoning map on there. I am not in favor of an anonymous form. I would like a name and address so they can go to the district rep who can contact them and speak to them about it.
 - g. Scott- Do we pay her enough? She is doing a really good job.
 - h. Jess-I'll ask Geoffry how long that will take.
9. Council Representative Reports
- a. Terry-We have a Pre Disaster Mitigation Committee on the 23rd. And we'll get our marching orders from Buckey.
 - b. Scott-I was approached by some folks who live in the old Clay 90, the homes behind Holliday Oil; they want to know what the chances are of being included in Erda?
 - c. John-We can do this, if the citizens are interested.
 - d. Kael-Is this the majority of the neighborhood?
 - e. Scott- I would need to go back and have them talk to their neighbors and see what they would like to do.
 - f. Craig-The Annexation Map and Policy are coming next week and we can amend the map to include them.
 - g. Scott-How much do we charge for building permits?
 - h. Craig-It goes off the IBC code the fire dept is \$500, it is largely based on how big your home is and how expensive it will be.
 - i. Jess-The city should recoup 100% of its cost of those permits. If not we are subsidizing we really want to do it just at 100%.
 - j. Scott-My son and I are building a house. It's small and I've gotten a bill for \$5700 just for the permit.
 - k. Craig-Mine was 7k when I built mine and that was years ago, and mine isn't a large house. There are a lot of trips from those inspectors and the engineers who have to look over and approve things.
 - l. Jess-If we are complaining about things, what about the \$25% property tax increase this year. This hurts, it sucks.
 - m. Terry-I want to say thanks to Jess for accepting the Chair Job, he gets a lot of the harassment before we do and deals with a lot. I appreciate him for doing it.
10. Comments from Council Members
11. Adjournment
- a. Craig moves to adjourn the meeting, Jess 2nds the motion.
 - b. Voting was 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

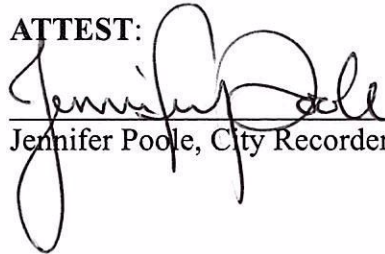
PASSED AND APPROVED by the Council this 25th day of August, 2022.

ERDA



Joss Bird, Chair

ATTEST:



Jennifer Poole, City Recorder



Tooele County Sheriff's Office
Sheriff Paul J. Wimmer
1960 South Main
Tooele, Utah 84074

Erda City Calls for Service

July 2022 Stats

Total Details (75)

Arrests (6)

Citations (32)

Significant Incidents for July:

July 4th, 2022, one juvenile was arrested and charged with aggravated assault after assaulting a family member with a piece of glass.

July 21st, 2022, one juvenile was arrested for aggravated assault during an altercation with a family member. The Juvenile was taken to juvenile Detention in Salt Lake.

*We have received several reports of vehicle burglaries on Country Lane and remind residents to keep vehicles locked. Extra patrols will continue in the area.

If you would like the Sheriff's Office speed trailer, contact Lieutenant Eli Wayman at eli.wayman@tooeleco.org or Chief Deputy Brian White at 435-882-5600. Tooele County Sheriff's Office 1960 South Main Street Tooele Utah 84074.