EUREKA CITY COUNCIL MEETING AUGUST 12, 2014 7:00 P.M.

PLEDGE

ROLL CALL: Donna Robinson, Ned Allinson, Nick Castleton, Hortt Carter, Brent Pulver

OTHERS PRESENT AT MEETING: Fred & Kathy Garbett, Teri Underwood, Suzanne Carter, Warren Holmen, Dale Robinson, Bill Riley, Doug Allinson, Hans Millican, Michael Stork, Doug Anderson, Lynn Eliott, Billy Baum, Rodney Draper, Brandy Montgomery

Patricia swore in Hortt Carter as the new Council member.

Minutes- Hortt asked if there was a conflict of interest with husband and wife being on Planning and Zoning together. Patricia stated no. Donna asked about what was going on with Rural Water Development. Patricia stated they are waiting for a public hearing. Then a conference call will be held. Hortt asked about the issue with Scott Evans. Patricia stated Denton Hatch has sent him a letter. Hortt made a motion to approve the minutes, Donna seconded. Vote was unanimous.

No Treasurer’s Report- Patricia called Caselle today, and figured out what was wrong with the GL account. Donna asked how many outstanding bills that need to be paid. Patricia stated $29,000 for last month; some of those have been paid.

Audit Report- Donna stated she worked with Patricia on Wednesday with the auditor. They also called Denton Hatch about using the funds and where they are coming from. She would like to see the Sewer Fund cover the loan payments. Donna asked if there will be enough money to cover the loan payment. Nick stated they would have to see the numbers when they are available. Hortt stated if an x amount of dollars was supposed to be put aside. Donna’s concern is not having been paid for 2 years, and using what little cash flow there is to run the city. Donna asked, when the money comes in, can the city pay off the loan and continue for the next fiscal year. Patricia stated she is not sure when the loan payments are due yet. No papers have been sent.

Nick read letters from USDA. Donna stated if something isn’t done to fix the problem, City will end up in bankruptcy. Donna made a motion to put money from the Sewer CD in January, until we get money from the State. She does not recommend spending money on any project until this issue is fixed. She stated the City Hall project is unnecessary. Nick disagrees. Donna asked if the Council approved the project. Nick stated yes, the Council approved to move forward with the project. They approved of using the money for the project, in March when Doug Wright wanted the money to go toward the restoration of the Old City Hall. Nick stated the City became the contractor for the City Hall. Donna stated a bid needs to be set out again. Nick stated it’s been out twice, and he can do what he needs to do to accomplish the goal. Hortt asked how much funds are in the account. Nick stated $38,000.

Michael Stork- He introduced Dave Allison. He handed out some papers to the Council. After the clean-up was done by the EPA, the State took the lead and was responsible to do annual inspections. The State was to do operation and maintenance. There is a Funding Agreement, and he wanted to go over it with the Council. It started in 2010 and it runs for 10 years. Mike stated the contaminated areas need to be addressed. He is hoping to get this site delisted. Donna asked if the ordinance covers non-resident areas. She stated there have been multiple atv’s in that area. Fred stated the only exposure there is, is on the road to the Eagle Mine. Mike stated he works with Fred on a continual basis, and will keep a remedy in place. Mike stated that drainage will always be a problem.

Donna asked if it is required that property is cleaned up. Michael stated if it is a new property, yes. He doesn’t want cross-contamination. Nick asked if hand held devices could be an option. Michael stated he can look into it. He does not know if using an XRF would help us in our project.

Billy Baum asked if soil is dug, can you put the soil back in. Michael stated yes, as long as it’s capped in.

Inspection & Maintenance- They had to come up with someone that could enforce the Excavating Ordinance. That’s where Fred Garbett comes in as a Permit Coordinator. Michael stated Fred is saving the City, and he has quite a lot to do and does a good job at it. There’s a checklist he goes through. Donna asked if the City doesn’t follow through with the guidelines then what penalties the City will receive. Micheal stated the biggest one, is not getting the site delisted. Also, the EPA has a remedy, and they could come back and could be a liability issue.

When EPA came, there was a capacity of 80,000 cubic yards. Open Cell is 2 to 3 properties. The Water & Sewer project uses up to 30,000 all cement and soils must be separated. Cement is not accepted. He spoke with Sunrise about getting someone to continually bulldoze, and he estimated it to be approximately $75,000. The State is looking into it. He also talked to Water Quality with Eureka Gulch. The City is responsible to keep that clean. There is fundraising available. It’s not required to have a permit to spray herbicide on the trees. He will get with Fred to see what to work on. Michael stated Fred Garbett works very hard. He suggested the Council and residents respect his position and respect him as well.

Brent asked how long it will take to get site delisted. Michael stated until the EPA feels comfortable. Brent does not want this to hinder growth of Eureka. City is in a position to have it delisted if we continue to follow ordinance. Brent asked if 5 years is possible. Michael stated it could be depending on the findings.

Doug Anderson- He is a candidate for Juab County Sheriff. He wanted to share his experiences with City residents. He has been a Sheriff for 29 years. He currently works for Nephi. He has been on the S.W.A.T Team and Government protection. He has received several awards. He works hard to keep the community safe. He wants to be in uniform and in the community and be seen. If he is elected, there will be one more officer in the field.

Warren Holman wants to know why the current sheriff doesn’t do anything. Doug wants to avoid being critical with the current sheriff’s he believes there are some good ones. Doug believes if the community is to stay safe, you have to be on the prowl. His basic premise is proactivity. Nick stated one of the issue’s we are having in town is vandalism. He can’t see calling the Sheriff, and wonder’s if the better way to resolve is someone being on foot. Doug stated there are programs available that could help train citizens to help for a community watch. Donna asked who to contact for the programs. Doug state to just select those members of the community, and the Police Department would be happy to provide the training. Brent asked if patrol size will be increased. Doug stated the County has grown. He feels there is a need for it. Someone asked if it’s the County’s responsibility to enforce ordinances. Hortt stated there is no animal control. Brent stated that they are told the City won’t pay enough to enforce City Ordinance. They enforce State law within the City. Doug stated someone needs to enforce them. Brent agrees, his issue is having the resources to do that. The biggest complaint is animal. He gave his phone number and work email to the Council.

Committee Report-

Ned Allinson- He stated there is some rain damage at the Park. Nick asked if there is anything that can be done to prevent it from happening again. Lynn stated it comes from the french drain.

Donna Robinson- She called Greg Evans about the Cemetery because she needed answers. He stated Zane’s Eagle project was to map out the Cemetery. He never agreed to do a survey. He didn’t think we had to have an official survey to get the deed for the plot. Fred Garbett stated it needs to be plotted out so the corners are marked. Zane’s map should have that information. He should be done by the end of the month.

Planning and Zoning- Kurt Montgomery and Kimberly Clem turned in an application to join the Planning and Zoning Committee. Hortt made a motion to accept both applications. Brent seconded. All in favor.

Building Permit Application- Ron Barlow submitted an application for solar panels. Brent made a motion to approve the permit, pending approval of the building inspector, Ned seconded. All in favor.

Business License- Brent made a motion to approve Justin Hannifin’s application, pending he submits all the information, Hortt seconded. All in favor.

Brandy Montgomery- She submitted an application for an In-Home business license. She is registered with the State. Hortt made a motion to accept, Brent seconded. All in favor.

She mentioned they are tearing down the old café.

Donna asked if all the unlicensed businesses have been addressed. Patricia stated there were two, and a letter has been sent to one of them. Donna stated Nick is starting a business on the web. Nick stated he has not accepted money. Brent stated if he hasn’t taken any money, he hasn’t started his business. Hortt stated he should pull the web page down if he isn’t starting his business yet.

Bill Riley- He would like to renew his grazing lease. He provided the Council with a map of the property. He would like to trade a piece of property to the City. Brent made a motion to lease the property, Donna seconded. All in favor.

Bill asked if the Council would like him to remove the two tanks that are on the hill by the property. Nick asked if they belong to the City. Bill stated no, they were donated for the motor cross. Bill stated they are 12,000 gallons tanks. Fred suggested talking with Brian about tying the Red Well into them. Bill will get the property that he wants to trade surveyed and then come back to the City.

Council decided to table the Fee Schedule

UNFINISHED

Bill Baum- He had questions about City grants.

Donna mentioned the new books will cost $30.00 for Power and Duties. She stated if anyone wanted one, she could take the payment. The City cannot finance them to the Council.

Ned Allinson- He mentioned the County is paving the Mona Cemetery.

Nick stated he spoke with the City’s accountants and the lawyer, and they told him he could proceed with the Old city hall project. The door is currently being manufactured. Donna stated the Council didn’t approve the door. Nick stated, yes the project was approved; therefore the door would be approved as well. Brent stated his concern is regardless of whether the money is designated, the policy states if project is over $1,000 it needs to be approved by Council. Hortt would like to see the estimates and how much it will cost. It also has to be finished as well. Nick stated the estimates he has for labor is $5,890 for the construction of the portico. Cory Wall will be doing the construction, he does have a license. The paperwork is available from the structural engineer. Donna asked if Nick has done a project on this scale before, Nick stated no. She would like to see all the bids come in, before any money is spent. Nick stated the bid estimates are close to $22,000, including the door, out of $38,000. A pre-construction bid meeting was held, Nick attended and no Council members showed up at all. Donna stated that money cannot be spent, and then say “oh shit we don’t have that money”. Nick stated he would like to put the doors up, so the “Ride to Light Eureka” bikers can see what has been done with the funding. Donna stated she is done with the conversation, it is going nowhere. Hortt agrees. Mayor asked if anyone has a problem with ordering the roll up door on the old city hall. Donna interrupted and stated yes, the one that was not approved. Donna stated the Mayor did not come to the Council with plans. The Mayor asked again if the doors can be ordered. Donna stated no. Hortt stated to order the doors, but for everything else Council would like to see estimates. Donna asked the Mayor if he knew the difference between an estimate and a bid. Nick stated yes he does, he has asked for bids. Brent asked if the bids went out to local papers. Patricia stated the pre-construction bid meeting was posted on the RFP website, and posted it around town. Donna asked if it was put out to bid after the meeting. Patricia stated no. Donna stated that technically the project shouldn’t be done. Mayor stated yes it can. Donna interrupted and stated no. Nick stated anything under $40,000 doesn’t need to be put out to bid. Donna asked where it states that. Nick stated he will show her. Hortt stated to move on, it’s been a long enough discussion, and to order the doors, and nothing further. Lynn mentioned there was a meeting, before the bid went out. There was one bidder, and he got the project. Hortt stated he should have been disqualified. Lynn stated with the Fire Station it was the same situation. Hortt stated the Mayor needs to be in that City Office every day and his first priority is to fix the City’s budget. Mayor Nick stated that when Hortt was Mayor he never once came down and told Hortt how to do his job. Hortt agreed. Mayor mentioned the Council does not need to tell him what to do, they can advise or council him. Hortt made a motion to pay for the doors for the amount specified, Brent seconded. Hortt stated again, everything else will need to be looked at by the Council. All in favor.

Hortt Carter- He spoke with Lynn the other day, and the dump trucks are not legal. It needs to be red tagged and left in the shop. Donna would like to know the repair cost. Hortt suggested going through the equipment, and getting estimates on replacement.

Motion was made to put off hiring an employee for the dump.

Hortt made a motion to adjourn. Brent seconded.

Nick Castleton Patricia Bigler

Mayor City Recorder