

**EUREKA CITY
COUNCIL MEETING
JANUARY 10, 2017 7:00 P.M.**

Pledge of Allegiance:

Mayor Nick Castleton welcomed everyone to the meeting and led everyone in the Pledge of Allegiance

Public in Attendance:

Tim Merrill – City Attorney, Candace Seabron, Pauline Webber, John Webber, Brandy Montgomery, Laura Kirgan, Darrin Carlson, Rachel Carlson, Ferrel Thomas, Bill Hansen, Bill Riley

Roll Call:

Brian Underwood, Kimberlee Clem, Hortt Carter, Nick Castleton

Appointment of City Council Member to fill Unexpired Term:

Mayor Castleton said there were two candidates Darrin Carlson and Brandy Montgomery both of them are currently on the Planning Commission. Darrin asked how long the term was for it is until the end of 2017. Darrin said he has been a life time resident and would like to help serve our community. He would like to see some growth for Eureka and that he helped with the setup of the General Plan. Brandy Montgomery introduced herself and said she has sat on the Planning Commission for three years and she feels that she has not helped as much as she would have liked. She would like the opportunity to do more by being a member of the City Council. Before the vote Brian wanted to take a few moments to discuss how new members are chosen. He feels that the Council has pushed through the last few candidates and have had a big turn over. He wondered if we should go with the six or five panel committee. Tim said that in order to change the Council it would need to be put before the residents. Brian felt that the Council also needs to decide the direction it is wants to go. Laura Kirgan mentioned that the Council should have had some policies in place prior to tonight's meeting as to what they are looking for in a new member. Tim asked if the City was part of Utah League of Cities and Towns and the city is. He said that they have the City covered when it comes to training all that is needed is a phone call to set it up. Hortt felt with a mostly new Council and new members coming to the Planning Commission now maybe the time to get training done. Ferrel felt we need people with common sense and would be willing to ask questions and get things done. Hortt felt that the Council should vote to fill the position while they work of this issue. The new council member will be Brandy Montgomery. Patricia administered the Oath of Office. The Council thanked Darrin for his application. Nick made the comment that he would have had a hard time replacing Darrin on the Planning Commission if he had been voted in. Nick said it was just a matter of where they wanted him and where he would do the most good and that is with the Planning Commission for now. The Council hopes he will stay with the Planning Commission.

Approval of the Minutes:

There was no meeting for December. The Council said that the minutes from November had not been approved. The Council said they would come back to the minutes after Rachel finished printing them a copy.

Treasurer’s Report:

Hortt read the Treasurer’s Report for all present. Nick let everyone know that the totals included money from the water/sewer project.

Checking Beginning Balance:	\$334,542.83
Deposit Amount:	\$564,930.74
Withdrawal Amounts:	\$320,090.98
Checking Ending Balance:	\$579,382.59
CD 102:	Maturing 01/10/2017
CD 103:	Maturing 01/10/2017
CD 104:	Maturing 01/10/2017

Hortt made a motion to accept the Treasurer’s Report. Kimberlee seconded. All in favor motion carried. Nick said that the CD’s will be renewed and asked if anyone had an issue with that. There was no issue the CD’s will be renewed.

Claims Against the City:

The Council looked over the Claims. Brian made a motion to pay the claims. Brandy seconded. All in favor motion carried.

Report of Officers and Committees:

Nick Castleton

Nick said that the Audit has been completed and all funds will now be released. That is all he had to report.

Brian Underwood

He would like to say kudos to the guys for removing snow and taking care of it during Christmas. He said he made it to last water meeting and they are pretty well shut down for the winter. The 10” line to the green tank is finished and they are still looking at getting the Vulcan well done as soon as some of the paperwork has been completed.

Kimberlee Clem

She also wanted to thank the guys for doing such a good job of keeping our roads plowed. That is all she had to report. Nick asked Tim if we have to have something in place before we start imposing a fine to people who plowing snow from their yard back into the streets. Nick said he wrote a letter and had it put in this month’s newsletter letting people know that it is illegal to plow the snow from their yards back into the streets. He asked the Council if they thought this would be good enough or if the City should start issuing a fine. Tim brought up again that the City needs to designate a Code Enforcement Officer.

Hortt Carter

He also wanted to thank the guys for keeping the roads cleaned off. He didn't have anything else to report.

Leslie Rice

She said that on the economic development still have some things from November and some of the things they are discussing tonight. Nick let her know that Brent Boswell is the director for Economic Development for the County and has a meeting coming up and asked her if she would like to go. Patricia said that the City had gotten a letter about the Enterprise Zone that Donna had been working on and when she has some time to come in and look at it. The letter stated they needed some information as to when it was put in place.

Planning Commission

Appointment of new members

The applications for Planning Commission are Ferrel Thomas, JaNeel Nielsen, Mike LaCario, and Brandon Gout. Brian asked how many openings there was and it is 4 and how many people need to be a quorum. Tim said that they need at least 3 people. Brian would like to see the Planning Commission work on other business if they there isn't enough people at the meeting to have a quorum or if they do not have any business to conduct. Hortt said he thought that the Council had discussed making building licenses and business licenses administrative duties and take it off the Planning Commission shoulders. Tim suggested that the Planning Commission chairperson needs to start making an agenda and projecting at 3-4 months and setting up tasks for each member. Leslie let the Council know that Darrin has a lot of knowledge of the Planning Commission because he was with them years ago. Hortt made a motion to appoint Brandon Gout, JaNeel Nielsen, Ferrel Thomas, and Mike LaCario to the Planning Commission. Kim seconded. All in favor motion carried. Hortt made a suggestion to Leslie to be at the Planning Commission meeting this month to let them know what the Council would like to see done.

Introduction and Adoption of Resolutions and Ordinances:

Ordinance No. 1-10-2017, Concerning Planning Commission

. Tim said that the Planning Commission Ordinance from November just needs the part in 2D about them not getting paid taken out because they do get paid. Nick said that the public meeting on January 31st is the first step in getting the General Plan updated. Tim briefly stated what the ordinance says. Brian made a motion to adopt the Planning Commission Ordinance. Hortt seconded. All in favor motion carried.

New Business:

Review Policies on Nepotism and Conflicts of Interest

Nick said to comply with the Audit the City needed to have a policy on Nepotism and Conflicts of Interest. Tim said that according to the State Ethics Law the Council cannot accept any gift over \$50.00. Conflicts of Interest in the state of Utah do not force you to recuse yourself but to force you to disclose the conflict publicly. Tim said according to State law on Nepotism you can work with a relative but cannot supervise a relative. Hortt made a motion to adopt these policies. Kim seconded. All in favor motion carried.

Hortt said before we move on let's take care of the minutes from the last meeting held on November 8th. Hortt made a motion to approve the minutes from November 8, 2016. Brian seconded. All in favor motion carried.

Unfinished Business:

Gary D. Poh, Conditional Use Permit for Old Post Office

Candace was here on behalf of Gary Poh in case the Council had any questions. Hortt made a motion to grant the Conditional Use Permit for the Old Post Office. Kim seconded. All in favor motion carried.

Peggy Dimick, Inspection Report on IGA Building

Tim said that the case has dismissed. The engineer sent a report that the inspection of the Miners Union Hall has rendered the building safe.

Bill Riley, Grazing Lease

Patricia said that it is the same property he has been using. Tim asked if this lease would be similar to the lease for Caleb Williams and it will be. Bill said he would lease it for 3 months. Nick said it didn't make sense to keep leasing and unleashing the property and asked Bill if he would lease it for a year at a time. Bill said that would be fine. The Council decided upon \$250 per year. Tim will draw up the new lease and have it ready by Thursday. Hortt made a motion to lease the property to Bill for \$250 per year. Brian seconded. All in favor motion carried. Tim asked what the status of the lease was with the Historical Society and the Old City Hall. Hortt said he was hoping to have gotten with Tim to get the answers about the in kind service and then discuss it with the Council. This would help with the Historical Societies rent. Hortt said he will get with Kathy and Ferrel and then with Tim. Ferrel said he wanted to know if the volunteer hours were for just for the Old City Hall or for all the hours the Historical Society puts in. Hortt said it is for all hours. Ferrel had brought with him copies of the hours that the Historical Society has put in and handed the Council each a copy. Hortt needs to get with Tim to get help figuring out how much money the in kind hours are worth. On the request that Ferrel had handed out he would like the City to purchase some weather stripping for the doors and for new key locks. He would also like to know if the Society could use the materials in the shed that is being torn down by the Old City Hall. Hortt said that anything in that shed the Society can have. Discussions of what items the Society would like to see get fixed. Tim said we need to get the leased signed next month.

Citizen Comments

Rachel Carlson suggested that the Council and the Planning Commission get together at a meeting and discuss what each group wants done. She feels that each group is on a different page. She also agreed with the Mayor about fining people who plow their snow into the roads and leave it there it is getting out of hand. Brian said that concerned citizens need to file a formal complaint. Tim said that you can call the County and file a Public Nuisance Report with the Police. The County then can charge that person. Tim gave Patricia the State Code 76-10-801.

Adjournment:

Brian made a motion to go into Executive Session. Brandy seconded. All in favor motion carried.

Executive Meeting:

Discussion of the Extension of Leadville Row

