

**EUREKA CITY
COUNCIL MEETING
JANUARY 13, 2020 7:00 P.M.**

PLEDGE OF ALLEGIANCE

Mayor Castleton opened the meeting and led everyone in the Pledge of Allegiance.

OATH OF OFFICE for newly elected Council Members

Recorder Bigler read the Oath of Office and swore in the newly elected Council Members Darrin Carlson, Larry Ezell, and Travis Haynes. Horts Carter will be sworn in later.

ROLL CALL

Mayor Nick Castleton – Present
Council Member Darrin Carlson – Present
Council Member Horts Carter - Absent
Council Member Larry Ezell – Present
Council Member Travis Haynes – Present
Council Member Leslie Rice – Present
City Recorder Patricia Bigler – Present
City Attorney Tim Merrill - Present

PUBLIC IN ATTENDANCE:

Ferrel Thomas, Brent Pulver, Brandy Kirgan

APPROVAL OF THE MINUTES

Council Member Ezell made a motion to approve the minutes from December 9, 2019. Council Member Rice seconded. All in favor motion carried.

TREASURER’S REPORT

**EUREKA CITY
TREASURER’S REPORT
FOR DECEMBER 2019**

Checking Beginning Balance:	\$ 44,117.31
Deposit Amount:	\$ 97,917.15
Withdrawal Amount:	\$ 84,839.87
Checking Ending Balance:	\$57,194.59

Council Member Rice made a motion to approve the Treasurer’s Report. Council Member Haynes seconded. Council Member Ezell asked for clarification on what items are included in the deposit amount.

Recorder Bigler and the Mayor explained what items make up the deposit amount. All in favor motion carried.

CLAIMS AGAINST THE CITY

Recorder Bigler brought to the Mayor and Council's attention that the small equipment gas card for the lawnmower/trimmer was being used to fuel trucks. This causes a problem in reporting which department the money should be coming out of. She asked if someone could talk to both employees about this. Mayor Castleton said he would talk to them. Council Member Ezell made a motion to pay the claims. Council Member Haynes seconded. All in favor motion carried.

REPORT OF OFFICERS AND COMMITTEES

Nick Castleton – Talked to Ferrel about the property behind his. We sent a certified letter, but it came back. We send his water bill to that address, and it doesn't come back. We will try sending it regular mail. Received a letter from PJ Dimick concerning the cleanup of her property. He read the letter to the Council along with his response back to her. Seamons' also responded to their cleanup letter. They were asking for an extension until April or May when the snow would be gone. Recorder Bigler said the Bills' had also come in, but with the snow they can't get it done. Council Member Ezell suggested we back off until Spring. Council Member Haynes agreed. We need to follow up in the Spring. Council Member Ezell said we could send them a letter letting them know when the City cleanup will be and invite them to participate. Attorney Merrill asked if the City had a committee for beautification and code enforcement. We do not have one set up. He thought this would be something the Mayor could oversee. The Mayor brought with him the time log sheets for the employees for the Council to look at. He spoke to Zions today about the impact fees. Our water and sewer connection fees will need to be lowered. Council Member Carlson asked what we have in place when they dig up the road. The Mayor explained this has been addresses in the new ordinance. Attorney Merrill wanted to know when Zions would be coming up. They said next month. If we vote next month it can take effect in May. Would anyone have a problem with calling a Special Council Meeting to go over the impact fees.

Council Appointments

Council Member Carlson refused to take Parks and Receptions. He asked for anything else but that one. List of Council Appointments can be found on the last page of this report.

Hortt Carter – Absent

Travis Haynes – Wants to work on using B & C Road Funds again this year to continue the chip seal work. Contacted two County Commissioners and asked if there was a chance the County could work with us if we have funding. Lynn Ingram, County Road Department, contacted him this morning and said they can help for a few days. He hopes to do more roads with the same amount of money used last year. He also is looking at trying to pave some of the roads. There has been some damage done to T Street and Beck St. from Main St. to Steve Childs home is falling apart. Attorney Merrill said to be proactive we need to have something in place on damaging roads during construction. Council Member Ezell said after we get the impact fees put into place, we need to address this issue. Gave Council Member Ezell Kevin Bailey's phone number for weed spray for the Cemetery.

Darrin Carlson – Nothing to report

Leslie Rice - Nothing to report

Larry Ezell – Nothing to report

B. Planning Commission

Nothing to report

NEW BUSINESS

A. 2019 Financial Report presented by Gilbert and Stewart.

Mayor Castleton read the Auditors Report for year ending June 30, 2019. Council Member Carlson made a motion to accept the Auditors Report. Council Member Ezell seconded. All in favor motion carried.

B. Review and Discussion to surplus the 20-Acre Parcel of City Property above High School ballfield and the old motocross track.

Mayor Castleton said he has been contacted by 3 different developers wishing to purchase this property. Attorney Merrill strongly advised the Council not to enter any sell contract to sell the property but only in conjunction with a development agreement. They would have to agree to develop it and not sit on it. If you want to have greater control, we must have all our ducks in a row before we go into the sell negotiations. Attorney Merrill said right now our default zone is ¼ acre lots and most developers are going to want high density or something other than straight ¼ acre lots. Council Member Ezell doesn't think we should surplus it just yet. He doesn't think we should be pressured into anything. Council Member Haynes agrees. Council Member Carlson said we should see how things go with the proposed development up by the gas station.

C. Review and Discussion on the Closeout of the Escrow Accounts from water and sewer project.

Council Member Haynes had some questions concerning the road crossing by the Memorial Building. Council Member Rice wanted to make sure everything is finished. She mentioned a possible issue with pumps. Council Member Ezell made a motion to table and add as an action item for the next meeting. Council Member Carlson seconded. All in favor motion carried

UNFINISHED BUSINESS

A. Update of Employee Policies and Procedures.

Recorder Bigler said there is the overtime policy, pay scale, holidays, and purchasing policy. It states employees can purchase up to \$1,000 without approval. Attorney Merrill said there should be a purchasing order that would need approval, so the employee doesn't have complete control. It should go to Mayor or designee. There was a discussion on approval amounts.

\$0-\$499 – No approval

\$500-\$1,000 – Approval from Mayor or designee

Over \$1,000- Council approval needed.

Discussion took place on how we bid out for diesel and propane. Mayor Castleton would like to have Council Members Carlson and Haynes put out bids for diesel, and propane for contract. Council Member Haynes asked about the tool policy which allows employees to spend up to \$100 per month. Attorney Merrill suggested putting the procurement policy on the work session. Council agreed that would be a good idea.

INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES

A. Resolution No. R-1-13-2020, A Resolution Updating the Town Fee Schedule.

Council Member Rice made a motion to update Town Fee Schedule. Council Member Ezell seconded. All in favor motion carried.

B. Ordinance No. 1-13-2020, An Ordinance granting to Questar Gas Company dba Dominion Energy Utah a franchise for the construction, operation and maintenance of a gas distribution system in Eureka City, State of Utah.

Attorney Merrill said he read over the agreement and it is very one sided. It doesn't protect the City at all. There is no control mechanism over what they do. They normally come in to get permits do dig up roads, etc. and coordinate with the public works department. This agreement essential says they can do what they want without approval. The term is 30 years he can't understand why we can't do 5 years and negotiate again at that time. He will email the Questar contact, Ashley Johnson, and talk with her. He will prepare a new franchise agreement.

CITIZEN COMMENTS

(Citizens wishing to address the council may do so at this time with any questions or concerns but will be limited to two minutes each.)

Ferrell Thomas wanted to see what he needs to proceed on his survey on the railroad property. He would like it tied to a section corner. He said on his survey his property overlaps his neighbor and needs input from the City on how we would like him to proceed. Attorney Merrill said the City cannot get involved in any adjustments with private property. The City cannot referee any private property disputes. The City has done the quick claim deed and cannot do any more. The information he wants is not something the City can do or get involved in. He wants to combine his properties. He needs to talk to the County Recorder's Office. Ferrel said he was told by the Recorders office the City needs to handle this. Attorney Merrill said if this was a subdivision plat change then we would be involved in it. If he combines them and then sells one off, he will need to change the subdivision plat. The Council asked him to let them know what he finds out from the County.

EXECUTIVE MEETING

Council Member Carlson made a motion to adjourn to Executive Meeting. Council Member Rice seconded. All in favor moved into Executive Meeting.

ADJOURNMENT

Council Member Rice made a motion to adjourn. Council Member Ezell seconded. All in favor meeting adjourned.

EUREKA CITY COUNCIL COMMITTEES

2020

Mayor – Nick Castleton

Audit & Finance
Personnel
Code Enforcement

Darrin Carlson

Buildings & City Property
Police/Crossing Guard
Licensing & Permits

Leslie Rice

Economic Development
Planning & Zoning
Sanitation
Beautification

Larry Ezell

Natural Gas
Cemetery
Historic Preservation

Travis Haynes

Streets & Sidewalks
Parks & Recreation
Adult Recreation

Hortt Carter

Wasterwater
Water
EPA Liason