

**EUREKA CITY  
COUNCIL MEETING  
JULY 10, 2023 7:00 P.M.**

**PLEDGE OF ALLEGIANCE**

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

**ROLL CALL**

Mayor Chris Dever – Present  
Council Member Greg Evans – Present  
Council Member Travis Haynes – Present  
Council Member Tom Nedreberg – Present  
Council Member Jeremy Snell – Present  
Council Member Robert Trepanier – Present  
City Recorder Patricia Bigler – Present  
City Attorney Melissa Mellor – Present  
Maintenance Technician Joe Carpenter – Absent  
Maintenance Technician Darrin Carlson - Absent

**OTHERS IN ATTENDANCE**

Todd Ryan, Steve Child, Laura Kirgan, Chad Allinson, Karen Allinson, JaNeel Nielsen, Marisa Davis, Jessica Nielsen, Shay Morrison, Shelly Stansfield, Mathew Christensen

**APPROVAL OF THE MINUTES**

Council Member Snell made a motion to approve the minutes from June. Council Member Evans seconded. No discussion all in favor motion carried.

**TREASURER’S REPORT**

Council Member Trepanier made a motion to approve the Treasurer’s Report. Council Member Nedreberg seconded. No discussion all in favor motion carried.

**EUREKA CITY  
TREASURER’S REPORT  
FOR JUNE 2023**

Checking Beginning Balance:	\$307,105.74
Deposit Amount:	\$151,916.74
Withdrawal Amount:	\$166,078.54
Checking Ending Balance:	\$292,943.94
Share Savings (Water Loan):	\$ 54,906.95
Savings (General):	\$ 82,519.69
Savings (Water):	\$ 58,663.72

Savings (Streets B & C Roads):	\$177,962.14
Money Market Fund (Wastewater Loan):	\$ 11,939.14
CD 101 (General):	\$ 11,037.50
This certificate will automatically renew for another 12 months with a new maturity date being 08/10/2024. The dividend rate and annual percentage yield has not yet been determined, but will be available on 08/10/2023.	
CD 103 (General):	\$ 12,155.81
CD 104 (General):	\$ 3,348.95
Savings (Park & Rec Impact Fee):	\$ 3,911.50
Money Market (Wastewater Impact Fee):	\$ 5,120.56
Money Market (Water Impact Fee):	\$ 1,046.61

### **CLAIMS AGAINST THE CITY**

Council Member Snell asked if the bill from Wheeler Machinery was for all the repairs on the backhoe. No, it was only for an oil change. Council Member Trepanier made a motion to approve the claims. Council Member Evans seconded. No further discussion all in favor motion carried.

### **REPORT OF OFFICERS AND COMMITTEES**

Chris Dever – The water system is a big one that he and Council Member Evans need to discuss tonight. He wanted to thank all the Council for the dedication and energy they put into the city. Joe & Darrin, Rachel & Patricia are doing a great job and he appreciates it. Council Member Nedreberg asked about the consolidation of the crossing guard, janitor, and garbage attendant jobs. Mayor Dever said that still needs to be done. He mentioned the dump is becoming a sore spot with some people and we are trying our best to make sure people have access to it. Council Member Snell reminded the Mayor that school will be starting in a month.

Robert Trepanier – Will be talking about the Cemetery later in the meeting and does not have anything else to report. Mayor Dever commented he will get with him about a report that needs to go to the State concerning the grant we received.

Travis Haynes – Fugal has been repairing some of the potholes they needed to fix. He asked the Council to let him know if they missed any and he will pass it along to them.

Thomas Nedreberg – He did not have anything to report.

Greg Evans – His report will be item 9 on the agenda.

Jeremy Snell – Trying to get this year’s celebration planned. The next recreation meeting will be July 26<sup>th</sup>. The committee asked that anyone planning an event for the celebration come to their next meeting and explain what the event is and who will be sponsoring it. This way it can be put on the flyer.

Planning Commission – No items to report.

Maintenance Technician Report – Mayor Dever informed the Council that Joe and Darrin would not be here for tonight’s meeting. He said the issue with the mold in this building has been taken care of. They are working on getting the air conditioner in the sewer building to help cool down the motors. He mentioned a discussion he had with them about the new system for work orders. The messages are coming over their phones and they didn’t particularly like that. He asked if it would help if the city paid for their phones. One of them didn’t want that at all. He is trying to figure out the methodology of taking care of the work orders. Council Member Nedreberg understood where they were coming from concerning the use of their phones. He asked if it would be possible to find some inexpensive phones the city could purchase for their use. Mayor Dever said they didn’t like that option either.

## **DISCUSSION ITEMS/ACTION ITEMS**

Shay Morrison – Six County, Discussion on the Community Advisor Program  
Shay handed out a packet to the Mayor and Council. He gave a summary of the pilot program. The idea behind this program was to provide some of the city administrator services to cities that could not afford one. They have enough funding sources to hire five people who will be split between the 49 communities. Eureka will be one of the communities that Shay will be covering. He has been mentoring with Nephi’s city administrator Seth Atkinson. The Council had a discussion with Shay on some of the items that he has worked on with the other communities he is overseeing.

Discussion on JUB Eng. – Visit with the Sate  
Mayor Dever said there have been ongoing discussions with JUB, FEMA, and the EPA. The gulch and retaining ponds are items that are being talked about. Council Member Evans said FEMA will be in Utah July 31<sup>st</sup> – Aug 4<sup>th</sup>.

Discussion and Approval of Building Permit Application for Derk Palfreyman for a new home, 134 W. Railroad St.  
Council Member Haynes asked if any of the property was Railroad property. The Council looked at the plat map and it looks like he would need to purchase some of the Railroad property. Recorder Bigler mentioned he has not submitted any bond information. Council Member Haynes feels he needs to fix the issue with the roads from his previous building before we approve the permit. Mayor Dever will contact Derk.

Discussion and Approval of Building Permit Application for Chad Allinson for a Carport, 23 W. Railroad St.  
Chad explained to the Council what kind of carport he is putting in. Council Member Haynes made a motion to approve the building permit after it has been paid for. Council Member Nedreberg seconded. No further discussion all in favor motion carried. Recorder Bigler said she has sent it to the building inspector.

#### Thomas Nedreberg – Request for refund due to water leak

The city does not have a written policy in place. The past practice has been that if the resident shows due diligence in getting the leak fixed the city will take off half the amount of excess water used. If this is the case, then he wants to make sure it is available for everyone. Council Member Haynes made a motion to have Tom only pay half. Council Member Snell seconded. No further discussion all in favor motion carried.

#### Discussion and Approval of Business License for Terry Kirgan – TK Catering Food Truck

Recorder Bigler informed the Council he has not gotten his food truck yet and will need to have a health department and fire marshal inspection. Council Member Nedreberg made a motion to approve the permit pending the inspections needed. Council Member Haynes seconded. No further discussion all in favor motion carried.

#### Discussion and Approval of Business License for Richard “Bret” Renzello – Tripe R, Mobile Mechanic

Recorder Bigler said he has completed his entire permit. Council Member Nedreberg made a motion to approve the permit pending he makes the modification to his permit stating it is an in-home business. Council Member Haynes seconded. No further discussion all in favor motion carried.

#### Resolution No 07-10-23-01, A Resolution to accept and enter into an Interlocal Cooperation Agreement and Amendment between Juab County and Eureka City for the Administration of the 2023 Municipal Elections

Council Member Nedreberg made a motion to accept the resolution and move on with the election. Council Member Evans seconded. No further discussion all in favor motion carried.

#### Water System update

Mayor Dever said all three chlorinators have been down for a very long time. We had a technician come out and try to fix one on sight. It didn't work so he took all three of the chlorinator heads with him and will get them repaired. We are also having issues with the check valves. They are leaking and we are working on getting them repaired. We are concentrating on getting the Vulcan Well going so we can work on the wells on the other side of town. Council Member Evans said we spent the money to get the booster pumps working but without having the check valves working properly and continue of erosion of the pipe's things are just going to get worse. Mayor Dever said with the fill station we are finally making some money off the commercial users. This will help pay for some of the upgrades to these systems. The residents are going to have to help with it. Council Member Evans said there are grants available and hopes Shay and the Communities Advisor Program will help us get them. Mayor Dever commented that it is critical for us to find money to fund our projects to keep our system viable. It is going to cost money to save money. Council Member Evans said it is very important that we prioritize what we need to do and make sure we have redundancies.

#### Cemetery Issues:

Steve Child request to purchase lot in Cemetery.

The lot Steve requested was not originally platted on the map. There used to be a road there. Recorder Bigler said the previous Council had approved closing off the first part of the road but not the other half. It is about three lots wide. We have already sold one of the lots and there is one that is open. The lot had been requested before, but no money was ever received. There was a discussion on what to do with the lot Steve wants and to decide whether to close off the other part of the road. Council Member Snell made a motion to sell Steve Child the lot he requested. Council Member Evans seconded. Council Member Trepanier wanted to amend the motion to request a barrier be put in place so no one could cut across the lot. Mayor Dever said we could do it, but most people usually put in their own coping. Steve came forward and said if he gets the lot, he will take care of it and didn't want the city to do it. The original motion stands and was seconded. There was no more discussion all in favor motion carried.

#### Management of newest section in Cemetery

Mayor Dever said we are having an issue with people purchasing a single space and not full lots. Recorder Bigler clarified that we cannot sell the property we sell a burial right. Mayor Dever feels we need to designate certain sections for single lots. He asked how the Council felt about doing it this way. A discussion took place on whether to designate a section for single spaces. After the discussion the Council felt this was a good idea. No vote was taken as this was not an action item.

#### Completion of Grant for Cemetery Project

Mayor Dever wanted to get with Council Member Trepanier and work on getting the grant completed. He will call him this week.

#### Discussion concerning the State historical Society/Chief Property

There have been a lot of discussions with various groups including the State Off Road Group concerning what to do with the Chief Mine. They have been discussing making it a destination for historical value and an off-road trailhead. Mayor Dever said he has not committed the city to anything. He let them know he is extremely concerned about liability with the property. Council Member Haynes said not all of it is Chief property. He is worried about the noise and the mess that may be caused if there are no restrooms. Council Member Snell was concerned about the mine sinking again from the weight of the vehicles and trailers. He would like to see it preserved more than having it as a trailhead. Council Member Nedreberg commented he felt a destination we didn't have to pay for would be good, however; all these concerns need to be addressed. Council Member Snell said we have talked about a trailhead up by the park. As a council we need to get together and look at long term plans and be the ones who determine where a trailhead is located. Mayor Dever said that Ian Wright will be coming to the work meeting to discuss this further.

#### Old City Hall – Revocation of Lease Agreement with Historical Society

Mayor Dever said the lease has not been paid for some time and we do not have a key to the building anymore. He would like to have the permission of the Council to revoke the lease. A discussion took place, and it was decided to address this issue again at the work meeting.

#### Review of Ordinance Declaring City Property as Surplus

Mayor Dever said we are having a hard time figuring out the procedures and steps on how to deal with surplus property. Recorder Bigler passed out a copy of the ordinance Attorney Mellor done in 2020. It spells out how to sell our real property. A couple of the issues we are having are with alleys and the ordinance does not cover them. Attorney Mellor said an amendment may be needed. She will need to look at the specific alleys in question. Mayor Dever will get her the information she needs. A discussion was held on what is fair market value and how to separate railroad property. Council Member Snell said the ordinance covers everything we need and if we feel we need some help then contact Attorney Mellor for advice otherwise we are just dragging our feet. Recorder Bigler showed the Council the property that Todd Ryan wants to purchase. It is an old coal road. She said this piece was not included in his original proposal. In his original proposal one of the pieces of property would be considered a buildable lot and needs to be sold at fair market value. We need to call the EPA about the covenants on the gulch. Mayor Dever would like to have Todd call and speak to the EPA. A public hearing was scheduled for 6 pm before the next regular meeting.

### **CITIZEN COMMENTS**

**(Citizens who had submitted their question or concerns in writing prior to the meeting may speak at this time, if present, but will be limited to two minutes.)**

Shelly Stanfield was not able to get on the agenda but needed to let the Council know that the Elks will be holding a Golf tournament and dinner on August 18th and will need to get a Special permit and local consent. Recorder Bigler mentioned if they are selling the drinks then they would need a business license. With the approval of Attorney Mellor, the local consent and special permit will be taken care of tonight. It will be added as an action item for the next Council Meeting. A business license will be needed. Council Member Snell is excited that the Elks will be doing the golf tournament this year for the celebration.

### **EXECUTIVE SESSION**

No items to discuss.

### **ADJOURNMENT**

Council Member Nedreberg made a motion to adjourn. Council Member Evans seconded. All in favor meeting adjourned.