

**EUREKA CITY  
COUNCIL MEETING  
NOVEMBER 16, 2020 7:00 P.M.**

**PLEDGE OF ALLEGIANCE**

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

**ROLL CALL**

Mayor Nick Castleton – Present  
Council Member Darrin Carlson – Present  
Council Member Larry Ezell – Present  
Council Member Travis Haynes – Present  
Council Member Leslie Rice – Present  
City Recorder Patricia Bigler – Present  
City Attorney Mellissa Mellor – Present via Zoom

**PUBLIC IN ATTENDANCE**

Robert Trepanier, Dan & Teri Underwood. George Dever  
**Via Zoom**  
Glen & Patricia Wahlberg, Rob & Denise Peterson

**INTRODUCTION OF CANDIDATES THAT HAVE FILED FOR THE UNEXPIRED TERM OF CITY COUNCIL MEMBER**

Robert Trapanier  
Glen Wahlberg  
Neils Wright

**APPOINTMENT & OATH OF OFFICE FOR THE UNEXPIRED TERM**

The Council's vote as read by Recorder Bigler is as follows:  
Robert Trepanier – 2, Glen Wahlberg – 0, Neils Wright – 1. One Council Member did not vote.  
Robert Trepanier was the winner and Recorder Bigler read him the Oath of Office.

**APPROVAL OF THE MINUTES**

Council Member Ezell asked for clarification on who Tim Buchanan is and what he was waiting for on the City. It has to do with the Chief giving us the streets up in Fitchville. We did have them surveyed by Sunrise Engineering. Attorney Mellor said she has forwarded the information to him. She has not heard back and neither has the City. Mayor Castleton said he would try to get in touch with him. Council Member Ezell then made a motion to approve the minutes from October 13<sup>th</sup>. Council Member Rice seconded. All in favor motion carried. Council Members Carlson, Ezell, Haynes, Rice, Trepanier - Aye

## **TREASURER'S REPORT**

Recorder Bigler read the Treasurer's Report to the Council. Council Member Carlson made a motion to approve the Treasurer's Report. Council Member Ezell seconded. No discussion all in favor motion carried. Council Members Carlson, Ezell, Haynes, Rice, Trepanier - Aye

### **EUREKA CITY TREASURER'S REPORT FOR OCTOBER 2020**

Checking Beginning Balance:	\$ 79,640.58
Deposit Amount:	\$143,188.18
Withdrawal Amount:	\$139,507.63
Checking Ending Balance:	\$ 83,321.13

## **CLAIMS AGAINST THE CITY**

Council Member Ezell asked about the Water Attorney's bill that we have already paid it. Recorder Bigler said the Mayor was supposed to call Chief and have them pay it. Mayor Castleton explained that he asked our water attorney to the meeting because he wanted to make sure we were represented. Council Member Ezell told the Mayor he cannot spend that kind of money without bringing it to the Council. The Mayor countered back and said he can spend up to \$1,000 if it is within the budget. He explained to the Council that he felt this was important. Council Member Carlson said that if they want to discuss this they should come before the Council. Council Member Rice made a motion to pay the bills. Council Member Carlson seconded. Motion approved. Council Members Carlson, Haynes, Rice, Trepanier – Aye. Council Member Ezell – Opposed.

## **REPORT OF OFFICERS AND COMMITTEES**

Nick Castleton – He did not have anything to report. He asked the Council if they wanted to go over committees right now and assign new ones. Council Member Ezell said that former Council Member Carter had given him all the stuff on Water & Sewer, and he would like to take over for him. He felt that was enough and wanted to give up his other committees. He had the cemetery and natural gas. Council Member Trepanier is interested in the downtown and commercial area. He agreed to take the natural gas, historic preservation, and cemetery.

Travis Haynes – Put in for grants with Lynn's help. He got a call about one of the grants was missing some information. The Traffic Engineer with UDOT said he would extend it until we get a description. He is looking into getting ped pads on every intersection coming down Main Street. He is having a hard time getting someone coming up to do bids. He said Chad is working with the same engineers, so he is trying to work with him.

Darrin Carlson – Working on the grant with Six County. He needs to schedule a public hearing and it needs to be scheduled 10 days before the deadline of the 15<sup>th</sup> of December. He will look at his paperwork to see what days would work.

Leslie Rice – She wanted to see if Darrin could help the Planning Commission chairperson in using the Planning Commission laptop to access the GIS. He did not want to pay for another license on that computer if it is only going to be used once to do the transportation map.

Larry Ezell – He wanted explained to him how the gravel and road base pile works. Can the City use it for our own improvements? Mayor Castleton said he could not find anything in the contract and should fine to use it for whatever we needed. Recorder Bigler said there were stipulations and suggested the Mayor call the EPA or Michael Storck about it. She said it was supposed to be located at the dump and once the piles were gone, we were supposed to replenish it. If can be used he would like the guys to fix some issue such as spreading it around the sewer plant and pump stations, some potholes. The Mayor said he would call Michael. Council Member Ezell also wanted to know if the generators are still being started every month. He would like to see a log and a report on this at every meeting. Since he is over water & sewer, he will talk to them about this.

Robert Trepanier – Nothing to report

B. Planning Commission – Nothing to report

Council Member Ezell asked about the pile of gravel would like to see our guys move some of that at shop around station Mayor Castleton said he could not find anything in the contract that would need to maintain it

Council Member Ezell also wanted to know are the generators still being started every month. Would like to see a log and a report at every meeting.

## **NEW BUSINESS**

A. Alan Brock, Inquiry concerning his property located on Main Street.

He has a lot on main street that is approximately 50 X 95 and was thinking about building a house on it. The lot is a little small and it is zoned for commercial use. The property looks like it only has 53 feet of frontage and we require 80 feet. Commercial property does not require frontage. A discussion took place on his options for the property. Recorder Bigler mentioned the frontage on these smaller lots has been brought before the Planning Commission several times, but nothing has ever been decided on. Mr. Brock said he would look at some options and get back with us.

B. Dan Underwood, Inquiry concerning communications breakdown between City Office and Building Inspector.

He was upset on how long it took to get his plans approved and because of this it cost him thousands of dollars. He had turned in his house plans on August 10<sup>th</sup> and then on August 24<sup>th</sup> he turned in plans for the garage. He was told the City could not get in touch with the building inspector. He contacted him by phone and email and the inspector answered him. He said it took over 2 months to get any information back on his has plans and now he must resubmit his bids. He said he talked to the inspector and he had finished the garage plans before he seen the house plan. The plans were left in the cemented area of the flagpole over the weekend. Recorder Bigler

explained what had happened on our end. The Council will work on fixing the issue we are having.

C. Request to use Eureka City's GIS Mapping from Dominion Energy for gas pipelines & J.U.B Eng. for stormwater grant.

Dominion Energy wants to put their gas lines on our GIS map. This would be a good thing for the City to have our utilities such as gas, water, & sewer on the same map. The Mayor is working on getting a flood control grant. A cost analysis is needed and by using our GIS map they can see where areas of concern would be. Council Member Carlson brought up an issue concerning how long it takes for Recorder Bigler to bring the GIS and other things up on her computer since the mother board was replaced. He said she was left to figure out how to get all her programs and other functions working on her own. He feels this is not right and a tech support is needed. He said we are failing the office by not getting this done. We need to have this issue on our December work agenda. Council Member Ezell made a motion to allow Dominion Energy and J.U.B Eng. access to our GIS. Council Member Haynes seconded. All in favor motion carried. Council Members Carlson, Ezell, Haynes, Rice, Trepanier - Aye

### **UNFINISHED BUSINESS**

A. Denise Peterson – Request to purchase adjacent Railroad Property.

Rob & Denise were having issue with their Zoom. Council Member Haynes called them and put it on speaker phone. They would like to purchase the railroad property that is adjacent to theirs. It would only be about half of the property. It will not landlock anyone. All she needs to do is get a survey of the piece she wants to purchase. Council Member Haynes will drop off a copy of the plat map marking the property to be purchased. The Council will need to have proof of a survey and a description of the property.

B. Robert Jenkins – Request to purchase adjacent Railroad Property.

This was discussed at the work meeting. He needs to provide a survey and a description of the property he can purchase the property.

C. Wesley George & Toni Dever – Request to purchase a piece of City Property to square up their lot.

The Council looked at the map of the property he would like to purchase. This is not railroad property, but City property. A public hearing is needed to sell this small section. City property is sold at \$.47 a square foot. The survey shows it is 712 square feet and he has submitted the description of survey to the City office. Attorney Mellor said we need sell City property at fair market value. She said we need to make specific findings for the record as to why this property should be sold for less than the \$.47 a square foot and it should be able to justify it. George said part of the reason he wants it to help create a fire break. He submitted a check for \$100. Attorney Mellor said her recommendation is not to go any lower than the \$.30.

D. Travis Green – Request to purchase alley adjacent to his home.

The older meeting notes were not clear as to what was done. Council Member Carlson will let them know another public hearing is needed. They will need to get the property survey and a description done if they decide to buy it.

## **INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES**

A. Consider and Enact Resolution No. 11-16-2020-01 Proposed CARES Act Business Stimulus Plan.

Council Member Haynes made a motion to enact Resolution No. 11-16-2020-01. Council Member Rice seconded. All in favor motion carried. Council Members Carlson, Ezell, Haynes, Rice, Trepanier - Aye

Attorney Mellor suggested buying iPads for the Council. We have already purchased the laptops for the Council. Council Member Ezell can we use this money to help the office fix and maintain the computers. The Council asked if we could hire a tech company and pay them 1 year upfront with the COVID money. Attorney Mellor said yes, and she would help with the paperwork.

B. Consider and Enact Resolution No. 11-16-2020-02 Surplus Property.

Council Member Ezell made a motion to enact Resolution No. 11-16-2020-02. Council Member Haynes seconded. Recorder Bigler said we had an interested party on the brown truck that we have listed as scrap. Attorney Mellor said we can accept their offer. The Mayor reminded the Council a vote still needed to be take. The Council was in favor motion carried. Council Members Carlson, Ezell, Haynes, Rice, Trepanier – Aye.

## **CITIZEN COMMENTS**

(Citizens who had submitted their questions or concerns in writing prior to the meeting may do so at this time but will be limited to two minutes each.)

There we no comments taken.

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

## **EXECUTIVE MEETING**

A. Possible Litigation.

## **ADJOURNMENT**

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