

**EUREKA CITY COUNCIL
MEETING MINUTES
APRIL 12, 2016 7:00 P.M.**

Pledge of Allegiance:

Nick led everyone in the Pledge of Allegiance.

Roll Call:

Donna Robinson, Brian Underwood, Ned Allinson, Nick Castleton, Adam Riley, Hortt Carter

Public in Attendance:

Tim Merrill/City Attorney, Fred Garbett, Dale Robinson, Heather Mickelson/Nebonet, JC Mickelson/Nebonet, Riley Hopes, Ray Schow, Rachel Carlson, Darrin Carlson, Larry Ezell, Tyson Hernandez, Ferrel Thomas, Lynn Elliott, Ryan & Destiny Thacker

Approval of Minutes:

Hortt made a motion to approve the minutes and Adam seconded. All in favor.

Treasurer's Report:

Donna commented that it looks like we are staying within our budget so everything looks good. Patricia let them know she needs to come in on a Saturday to close out to get ready for the new system. Donna asked if she could take a day off during the week then come in on Saturday and she was fine with that. Caselle said it would take about 6 weeks to complete the upgrade. Patricia and Rachel will need to go for training on the new system. Patricia, Rachel, Fred, and Lynn will need to go for training with Master Meter. Brian made a motion to approve the Treasurer's Report Donna seconded. All in favor.

Claims Against the City:

Donna asked if the City was getting reimbursed for all the supplies that we are having to use when the construction crew break our lines and things. The City is getting reimbursed for the supplies but not for the man hours. A discussion took place about how much of Fred and Lynn's time the water and sewer project is taking away from City duties. Donna said that a lot of the roads are in need of repair. Fred said that they will be fixed at the end of the project and he couldn't justify spending \$10,000 – \$15,000 in materials when that road is going to get tore up again. Hortt said that he and Brian will need to take to Steve about the roads. Donna said that the City is thinking about hiring some summer help and wanted to make sure this would be beneficial to the City. Hortt is against Fred and Lynn spending all their time working with the contractors and not the City. Fred said that from his point of view his priority and Lynn's priority is that they want the highest quality product that we can get from this project. We want this project to last 50 years or beyond if at all possible. Nick said we are on Claims Against the City and Donna made a motion to approve the claims and Hortt seconded paying the bills of \$60,651.07. All in favor.

Report of Officers:

Nick handed out a map showing where we would need new streetlights. He sent this information to Bernie at Rocky Mountain Power along with a list of all pole numbers. We have 62 lights in town not including Main Street. Unless anyone has any questions right now we will see what it will cost for future discussions. He also wants to upgrade all the other lights to LED's. At the time of the meeting, we only had 1 application for summer hire. He would like to do interviews on Monday or Tuesday. He would like to have Fred and Lynn involved in the interviews. Donna asked if we had a job description. Nick said not yet, but he will get with Fred and Lynn to discuss it. Donna didn't have anything to report. Brian said that the water project is way ahead on monies and looking to upgrade wells on the eastside that were not in the plans. We are looking at redoing 1 well right now and possibly 3 more. This will improve our system all the way around. We will have 2 different water sources and we don't want to lose any of our water and they need to be maintained. Lynn had an update on the booster station. We are putting all of our pipes in a vault which cut our money cost. Lynn said they are looking at laying more pipe because of the money they still have left. Brian wanted the public to know how the loan and grants work. The money from the loan is taken first and then the money from the grants. If the money from the grants are not used then we lose it. It would be stupid not to use the money in the grants. The grant money cannot be used to pay on the loan. He said that the money to fix the roads has already been set aside. We have to wait for the asphalt plant to open up before we can do any work on Main Street. He also wanted to thank Lynn and Fred for the getting the water back on last night. Brian did agree with Hortt that Sunrise needs to step up more. Ned didn't have anything but did say that the bleachers need to be moved. Fred would like to make a couple of purchases for the park. Nick said that as long as the purchases are within the parks budget he just needs to get with Ned to discuss it. Adam didn't have anything to report. Hort didn't have anything to report. The Planning Commission didn't have anything to report.

Introduction and Adoption of Resolutions and Ordinances:

Nick read Resolution No. R-04-12-2016 – A Resolution declaring certain property to be surplus and to be disposed of. Nick asked for a motion to pass this resolution. Hortt made a motion to accept Resolution No. R-04-12-2016 and Donna seconded. All in favor

Ned had to be excused for the rest of the meeting.

New Business:

The City cleanup dates are May 19th – June 2nd were posted to the website and flyers were made. Donna will post the flyers everywhere come May 1st. Donna said that some changes were made. The dumpsters will be set up in one area near City Hall. Fred will try to find someone who will accept tires. Darrin Carlson wanted to talk to the Council concerning his water line. He said 15 years ago when he built his home he paid for all copper pipe to run to his house from the meter. A former city worker, Gene Poulson, moved the water meter and cut out 4 feet of the copper pipe and replaced it with galvanized pipe. He fought with the City then to get it changed and then again when the EPA was here but nothing was done. He talked with Sunrise and with Lynn to get it changed when the new meter was installed. They said they would remove it. Darrin used a metal detector and feels that the piece of galvanized pipe was not removed. He is asking for help to get that pipe removed. Lynn said he talked with Steve and the person that laid the pipe and that they removed the pipe and ran the polly all the way to the copper line. He said that Darrin might be detecting some junk metal and can only tell him what the contractors told him. Lynn

said he will ask one more time. Darrin said he might dig it up to check. Nick said he had every right and if the galvanized pipe is there then City will deal with it. Ryan and Destiny Thacker along with Tyson Hernandez wanted to talk to the Council about leasing the motocross. They wanted to lease the motocross and fix it up to start having real motocross races and events. Tyson Hernandez says his company does a lot race promotions and promoting all of the series of Utah. He would work with Ryan and Destiny to eventually get races here. This would bring people to Eureka and hopefully revenue to the town as well. Nick asked if they wanted an outright lease. Tyson has agreed to teach the kids of Eureka once a month on how to ride. He is a pro rider. Nick asked if they have looked at the property and they have. He thinks that if the track is done properly then he can get races here. Donna asked if he had a track designer and he does. Brian asked if they have liability insurances. Donna said that they will need to go through the Planning and Zoning Commission. Donna made a motion to proceed with talks and negotiations for the lease of the motocross property. A discussion took place about what is needed to lease the property and that this is part of the big section of property that the City was thinking about surplusing. Donna asked that between now and the work meeting that everyone involved email their questions and concerns to her. She will try to put it into something so that at the work meeting they can have a conversation about it. This property is considered sensitive property and would need to be zoned. There was not a second on Donna's motion. It was decided that further discussion was needed. The Council said that the Thacker's might want to put together a plan of what they want and give it to the Council to look at. The Thacker's also wanted to discuss purchasing some of the railroad property that runs behind their house. Nick said that Randy Sparrow was not here in town and when he comes home they can all get together and discuss it. If the Thacker's and Randy can come to agreement, then we will move ahead with the sale. Donna reminded Nick that he needs to talk to Randy about the fence he is going to be putting near the gulch. She told Nick to take a copy of the covenants with him.

Unfinished Business:

The Council needed to vote on the sale of the surplus property to the Hansen's. Before this was done, the Council heard from Ray Schow. He wanted to talk about some property that Stephanie and Riley Hopes purchased at what used to be Sharp's Trailer Court. He wanted to know what kind of access they would have for sewer and water. Those services were abandoned and the EPA tore them out. Ray said that there is an easement up there already. Lynn said they can drop in a stub out but if there is a basement we might not make their grade. Hortt asked with that being an old trailer court what it was zoned as. Patricia said it was zoned as residential multiple units and would need to be rezoned or they would need to be issued a conditional use permit. They need to get with the other property owners and have it rezoned. We would have to a public hearing to rezone the property. The Hope's would like to build their home this summer. They need to get on the Planning and Zoning agenda as soon as possible. Donna said she has the changes for the contract on the Hansen's property. She put in "sold as is" and took out the section concerning of how much down or earnest money, she put in "convey of easement for the benefit of the city for access road and water line." This will need to be recorded in the deed. She fixed the line that said "it was subject to a survey showing adequate access road to continue Leadville clearance to the 30 feet from the Eureka Gulch as per the EPA covenants." The next section says "The buyer shall install or have installed said access road to property within blank months. The Council needs to decide how many months they want to put in. Hortt said this should be one of the conditions of the sale and Donna said it was already in there. Hortt made a

motion to approve the sale of the surplus property to the Hansen's for the specified amount of \$9000 per acre and Adam seconded. All in favor. This is just an offer and Nick will take it to the Hansen's. Nick asked those in attendance if they had anything. JC Mickelson with NeboNet.com, a wireless internet provider, asked to speak. They have received a lot of request over the last 6 months or so with interest from people who would like to have an option for another internet services other than CentraCom. He has done research and can bring wireless internet in. If the City is interested he would like to start negotiations to lease some space at the green water tank and the new water tank for some antennas. Donna asked if this was for internet and cell phone service. He said only for internet. The City does have a franchise agreement with CentraCom for the phone service. Nick and Patricia both looked at it and didn't see anything about internet service. Hortt suggested they give the franchise agreement to Tim to look at it to make sure everything is ok. He does compete with CentraCom in Nephi, Mona, and Santaquin. He does buy some of his services from CentraCom so he has a good relationship with them. Adam asked if his price was comparable to them and he said yes but he has faster speeds. He said they are pretty reliable he said they have about 3 system outages a year. The big thing it would give the residents a choice. Nick asked if the Council would like to move ahead with this and they would. The City would need at least 4 connections. Tim will be working with JC Mickelson on this matter. The Council would like to have this information for their May work meeting. Ferrell Thomas wanted to revise his business license application. He wants to change the name to Ferrell Thomas. Donna said that the business is still commercial. Tim said it doesn't matter what he calls the business it is still a commercial business and needs to have a State EIN number. He cannot have a license until he is in compliance with the building codes. Ferrell said he is not in compliance with the building codes. Tim said then we will enforce our ordinances and charge him with conducting business without a license, and stop all commercial activities at his location. The City shut the business down until he gets his paperwork in order and gets his EIN number. Larry Ezell was in the Post Office and seen the survey to designate the roads for ATV's. He wanted to know what road or roads were chosen. We let him know all roads are open to ATV's and an ordinance is being written. He wanted to know why we just didn't designate Highway 6. The City doesn't have any jurisdiction over Highway 6 because it is a State Highway. Donna asked Nick if he had got a hold of Colby's Craft. Nick said he did and Colby is working on getting his commercial business license application finished. He didn't talk to John Goodman about his sign because he is not operating a business. Hortt asked if the Miner's Diner had gotten their fire sprinkler system completed. They have not contacted the City to let us know if it has been completed. The building inspector had given them a 90 day temporary permit to get everything done. It is way past the 90 days. It was decided to have the building inspector close them down until they get it completed. Brian made a motion to adjourn and Donna seconded. All in favor