

**EUREKA CITY
COUNCIL MEETING
DECEMBER 9, 2019 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 Hortt Carter – Present
Council Member Gordon Grimstead – Present
Council Member Leslie Rice – Present
Council Member Larry Ezell – Present
Council Member Travis Haynes – Absent
City Recorder Patricia Bigler – Present
City Attorney Tim Merrill - Present

PUBLIC IN ATTENDANCE

Ferrel Thomas, Juab County Commissioner Richard Hansen, Juab County Commissioner Byron Woodland, Juab County Commissioner Clinton Painter, Juab County Sheriff Douglas Anderson, Juab County Deputy Brent Pulver

APPROVAL OF THE MINUTES

Council Member Carter made a motion to approve the minutes from November 12, 2019. Council Member Grimstead seconded. All in favor motion carried.

TREASURER’S REPORT

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

Checking Beginning Balance:	\$ 62,289.15
Deposit Amount:	\$ 66,147.12
Withdrawal Amount:	\$ 84,318.96
Checking Ending Balance:	\$ 44,117.31

CD 103 12 Month Certificate of Deposit will mature on 01/10/2020. The certificate will automatically renew for another 12 months with a new maturity date of 01/10/2021. The current interest is 2.470% and the current amount is \$11,583.08

CD 104 12 Month Certificate of Deposit will mature on 01/10/2020. The new certificate will automatically renew for another 12 months with a new maturity date of 01/10/2021. The current interest is 2.470% and the current amount is \$3,191.16

Council Member Rice made a motion to approve the Treasurer's Report. Council Member Carter seconded. All in favor motion carried.

CLAIMS AGAINST THE CITY

Claims against the City in the amount of \$72,709.91 were presented to the Council. Council Member Rice had a question on the PEHP claim. Council Member Carter asked if the Insurance will cover most of the UDK bill. Recorder Bigler said we had already been paid by the Insurance and most of it went towards the asbestos bill. We will have to contact the insurance to see if they will cover the overage. If we want any more done, then we will need to file another claim. Council Member Carter made motion to pay the bills. Council Member Ezell seconded. All in favor motion carried.

REPORT OF OFFICERS AND COMMITTEES

Nick Castleton – Natural gas finished up on Dec 2nd and could take up to 180 days before we find out anything.

Hortt Carter – Didn't have anything to report.

Travis Haynes - Absent

Gordon Grimstead – Wrestling is over, and they will be having a pizza party tonight. Mayor Castleton asked how many kids we had signed up. He will have to check with Jordon for sure, but he thought it was around 30 kids. Jr. Jazz still lacks 1 girl and 1 boy for a 7th & 8th grade team. He will be talking with the Payson Recreation Director tomorrow.

Leslie Rice – Attended the Mega Site meeting that started in Santaquin and ended here in Eureka with the plans the mine has. Received a lot of information some of which may have in impact on Eureka.

Larry Ezell – Didn't have anything to report.

Planning Commission – Didn't have anything to report.

NEW BUSINESS

A. Juab County Commissioner, Clinton Painter – Discuss opening on County Planning Commission

They would like to have a couple of names for the County Planning Commission. The names need to be submitted by this Thursday. The Commission meets on Wednesday and the new person could be ratified by the Commission then. The Commissioners would like to have at least two people put in one to serve and the other as an alternate. It was asked if a current City Council Member could apply. Council Member Carter asked if they rotate terms. Mr. Painter believes there is a term. Mayor Castleton said we could advertise for the position on our website and an alert could be sent out asking interested citizens to apply. The Council thanked the Commissioners and the invite to the County Planning Commission.

B. Juab County Sheriff's Department – Discuss funding for a school resource officer and deputy

Mayor Castleton asked Sheriff Anderson if he would mind waiting the call from Zions Bank had come through. The Sheriff said he could wait. Sheriff Anderson wanted to revisit the school resource officer again with the Council. He has gotten support from the County Commissioners. The District has been reviewing one challenge which is the geography and service response time. May be able to get Santaquin/Utah County to help in the response time. He would like to see this position as full-time meaning they would work during the school season and the off season as well. He would like this to be a 3-way investment with the County, City, and District all contributing. Juab County Commissioner Woodland said the Commission would be willing to come up with a higher portion. The Council said our budget is set for this year. Maybe we can revisit this again in June when we do our budget.

The Council and Attorney decided to discuss the master plans and impact fees before moving on with the next item on the agenda. Council Member Carter wanted to know why it has been taking so long to get them done. It appears that Zions has dropped the ball and didn't get going on the impact fees like they were supposed to. They have apologized and will be getting them done as soon as possible. Recorder Bigler said her and Treasurer Carlson have been working on getting them the information on the loans and on the water/sewer project. We have been waiting on Jesse to get the information on the project. She was not sure why they needed this information since they have been working with Jesse directly. Attorney Merrill explained to the Council about the new law put in place by the legislature concerning developers. The developers lobbied legislature so that they no longer have to front the money for infrastructure. Cities now must create a Public Infrastructure District (PID) and bond for the money. The purpose of the PID shifts the costs of the new infrastructure from the developer onto the future residents of those lots. The City doesn't have to do a PID, but they take the chance of losing the development.

UNFINISHED BUSINESS

A. Award of Bid for surplus property

Council Member Ezell recused himself from this portion of the meeting due to conflict of interest. Attorney Merrill asked if Charles had presented the Council or Mayor with a real estate purchase contract. He had not. He needs to have one and it needs to read "As is with no warranty". Council Member Carter made a motion to move forward and have Attorney Merrill draw up the contract and award the property to Charles per signed contract. Council Member Rice seconded. All in favor motion carried.

INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES

A. Resolution No. 12-9-2019, A Resolution Updating the Town Fee Schedule

The change on the water and sewer is the maintenance fee. We are changing it to a service fee. There will only be 1 fee amount instead of 3 different amounts. Attorney Merrill doesn't have any legal issues with changing from a maintenance fee to a service fee. He recommends the Council vote to adopt the new fee schedule except for the new service fee section. We need to hold a public hearing for that section and then the Council can vote to approve the change. The hearing can be held right before the next Council meeting. Council Member Carter made a motion to accept the new fee schedule except for the water/sewer service fee section, which will

have a public hearing and adopt it in January. Council Member Grimstead seconded. All in favor motion carried. Attorney Merrill feels the public hearing caption should say something along the lines as we are amending the Maintenance fee not setting up a new fee. The service fee will be a flat rate each month of \$64.00 for those citizens who are currently on the maintenance fee. This will be for those citizens who are not using any water.

B. Discussion and Adoption of Updated Wastewater Ordinance

Attorney Merrill read some of the bullet points of the ordinance. The ordinance will require everyone occupying a resident to be connected to the sewer system. This creates a uniform way to collect on delinquent accounts. All expenses and cost of installation, connections, and maintenance of lines shall be borne by the owners. The City is responsible for the main lines and the owners for the laterals. Council Member Cater made a motion accept the Wastewater Ordinance. Council Member Rice seconded. All in favor motion carried.

C. Introduction and Adoption of Eureka City Impact Fees for Culinary Water, Wastewater, Transportation and Parks and Recreation. - Conference Call with Zions Bank
Susie with Zions Bank went over several items. She asked about our current park facilities. Commercial property would not be charged an impact fee for Parks since they don't impact them like residential property would. Mayor Castleton asked does any of this go as a buy in or is this all for the future. Susie explained how Buy In works. She said we cannot count items that were built using grant money. Attorney Merrill said the City is not going to do the Buy In, we are going to charge new fees only. Attorney Merrill wondered where the City stands on the rest of the impact fees for roads, water, and sewer. She needs to check on them. Attorney Merrill ask if we are close enough to adopt in January. She felt on Parks we are. Need to have it open for 10 days before public hearing. Mayor Castleton thanked Susie and resumed the rest of the meeting.

Recorder Bigler brought up two items one was Nielsen Lawn Care and if the City would like to use him again. The City has their own sprayers it is just a matter of getting the guys to use them. The second item was a bill for the cost to build soccer goals. It was for parts for the goals the Scouts assembled.

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.)

Ferrel Thomas said for 2 months he has asked for help to get the owner of the property behind him to clean it up. A certified letter was sent, but we have not received any notification of him receiving the letter. Ferrel wanted to be on the agenda concerning the Railroad Property adjacent to his property. Recorder Bigler said it was discussed at the Work meeting. Ferrel had a survey he showed the Council. Council Member Carter made a motion to sell the property if it is not encroaching on the road. Council Member Ezell seconded. All in favor motion carried. Mayor Castleton will look at the property tomorrow and make sure it is not encroaching on the road.

Council Member Carter made a motion to move into Executive meeting. Council Member Ezell seconded. All in favor meeting moved into Executive session.

EXECUTIVE MEETING

A. Review and Discuss Employee Policies & Procedures

ADJOURNMENT

After returning from Executive Meeting Council Member Ezell asked about the FEMA letter. In the letter it says we are partnering with 2 mining companies. The mining companies own the property we are going to use for the diversion. Council Members Carter and Ezell wanted to make clear to the Mayor if it is not paid 100% by them the City will not do it. Council Member Grimstead wanted to follow up on what the Council wanted to do about renewing the contract with Nielsen's Lawn Care. Council Member Carter made a motion not to renew contract. Council Member Ezell seconded. All in favor motion carried.

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