

**EUREKA CITY COUNCIL
MEETING
JULY 12, 2016**

Pledge of Allegiance:

Mayor Nick Castleton led everyone in the Pledge of Allegiance

Roll Call:

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

Approval of Minutes:

Hortt made a motion to approve the Minutes from June 14, 2016. Donna seconded. All in favor motion carried.

Treasurer Report:

Donna made a motion to approve the Treasurer Report. Brian seconded. All in favor motion carried.

Claims against the City:

Donna asked why there are 2 Rocky Mountain Power bills. Patricia said one is for the new booster station, tank, etc. and the other is for buildings. She let her know that off to the side on the report you can see what the bill is for. Donna made a motion to approve and pay the claims for July 1, 2016 – July 31, 2106 in the amount of \$23,455.53. Hortt seconded. All in favor motion carried.

Report of Officers:

Nick said he was given Letter of Intent for a Liquor Store by D and S Liquor Sales (David and Stephanie Levitt). Hortt made a motion that we do not have an issue with the Letter of Intent. Brian seconded. All in favor motion carried.

Nick and Lynn went to a meeting in Nephi last week concerning the new State Fire Law. The State has implemented a new system for firefighting. The State wants Counties and Cities to do mitigation to help prevent fire dangers. This will cost about \$1500 a year to do. If the City doesn't do the mitigation then the City would be responsible for the cost of the fire. Lynn said as long we pay the \$1500 a year then will be fine.

Donna said that she had read over the Garbage ordinance and wanted to know if we charge for the brush pile. We do not charge for the brush pile or to take used oil. She didn't have anything else but did ask to see if Patricia or Rachel could get all the information out to the Council prior to the meeting to read through, such as the minutes, and treasurer reports. She was notified that the minutes and agendas are posted on the website. We can send an email with the other information. She would like to have the information if possible by Monday afternoon. Patricia said we can work on getting that information to them.

Brian didn't have anything to report.

Hortt said he seen that there is work going on at the Old City Hall. They have taken out the old stairs and have most of the new stairs framed up. They hope to pour the new stairs on Thursday it all depends on the Building Inspector. He said he still needs a copy of the keys to the buildings so he can do his assessments. He would like to get with Lynn and Fred and do a ride around with them. They discussed when the crews would be back to paving the roads. Donna wanted to know who was inspecting the streets and it was Adam. She said the fire hydrant by her house has been sinking. Lynn said they are aware of this issue and will be getting it fixed. Hortt said when it gets closer to August he would like to apply again for the grant to fix City Hall and the Memorial Building

Adam announced that this would be his last meeting he is resigning. He said he had a multitude of factors but the biggest issue is he doesn't have the time. He feels it is a disservice to the people who elected him. He wished everyone good luck.

Planning Commission:

Donna said in our ordinance for licensing provisions it states that all licenses need to be approved by the Council. So we have to change the ordinance to allow the Planning Commission to have approval. Donna said she will make the change to the ordinance. Hortt said most cities are doing this as long as we have a good Building Inspector that we trust then we shouldn't have to waste our time and the public times. He feels it would be nice to have a report given to the Council of what licenses are being approved so they can be kept up to date with what is being done.

Tim Merrill said that with Adams' announcement are we going to initiate the process to appoint a successor. The provisions on the process are 20 A-1 510. Nick asked how long we have before we post it. Tim said there is not a time line. Patricia said we usually take applications. We invite them to the next meeting,

have them stand up and say why they applied. She then has a ballot for the Council to use to mark their vote.

Introduction and Adoption of Resolutions and Ordinances:

Ordinance No. 07-12-2016, An Ordinance Adopting the Utah Off-Highway Vehicle Act Title 41 Chapter 22, UCA 1953 as amended and Designating Certain Roads and Streets as Preferred Routes as Needed and Establishing Regulations Related thereto. The Council read over the ordinance. Adam made a motion to adopt Ordinance No. 07-12-2016 and Hortt seconded. All in favor motion carried. Tim said he thought that a map of the roads to go along with the ordinance would be a good idea. The Council discussed this and thought it would be a good idea.

New Business:

Robin Grondin, Application for a Kennel License. The Council asked if she was going to be doing a business or is it just because she has 4 dogs. She said she was not going to breed the dogs or have a business it was just so she could have 4 dogs. Adam wanted to make her aware that if the City receives any complaints from her neighbors the license can be revoked. Donna made a motion to approve the kennel license for Robin Grondin and Adam seconded. All in favor motion carried.

William Gordon, Application for Business License. Donna asked Tim if had written up the lease agreement for the Old Fire Station. Unfortunately Tim had forgotten and will get that done as soon as possible. Donna asked William to get us copies of his original state documents to go into his file. Nick needed to sign the paperwork and did so at the meeting.

Eureka Holdings, Conditional Use Permit. Donna said that their engineer report said that we could permit them conditional use permit for temporary public access while renovations of the building continue from 6/1 thru 11/28 of this year. It is not approved for a building permit it is approved for temporary people to come into the building and look at and use it. Donna said if they have done any building then she will need to contact the Building Inspector. They do not have a building permit. Hortt wants to know why they want a conditional use permit. Donna said it is for the ice cream parlor and over flow for the Miner's Diner they want to put in the White Owl and they want people to be able to come into the Gatley building during the celebration. The Council feels they have done everything they can to accommodate them and they continue to do things that are not in accordance with our regulations. Hortt asked if they have the fire protection system done and Lynn said yes. The Council discussed this at length and Hortt voted no. The Council decided not to proceed with the Conditional Use Permit.

Unfinished Business:

Lease To Permit Radio Equipment on North and South Water Tanks by Monarelay LLC. Tim said that last month the Council approved the lease with NeboNet. Tim got back with JC Mickelson and let him know the City approved the lease. JC decided it didn't work for him. He asked if the Council could make some changes. He would like to change the 1 year term that would renew automatically each year to an initial 5 year term that would renew in 2 year terms thereafter. The next change is if we allow other people in to do similar things then the FCC can regulate license frequencies. Tim made a change to 1st come 1st serve and we will try to help the 3rd party that may come in to not step on any toes. The last change had to do with power. We were going to have JC get his own account and pay for his power. He has talked to the Mayor and said that they use very little power and it would cost him more to do what we asked than he would ever use. Donna said if he can show us how much power he uses we can up his rent to meet the cost of the power he uses with a provision that lets us change it if he uses more or less power. Lynn said that we can't put anything on top of the wells it can mess with the Sanitary Survey. It looks like we will have to go back to JC and let him know he cannot put them on the tanks. He will need to attach his antenna to something else.

Discussion on Increasing Water Rates for Outside City Limits: i.e. Stock Watering, Railroad, etc. (Does Not Include Mammoth Water Users). The Council had discussed this issue in the last work meeting so it needs to be voted on. Brian made a motion to approve the new rates for outside City Limits water users and Donna seconded. All in favor motion carried

Adjournment:

Hortt made a motion to adjourn and Donna seconded. All in favor motion carried