MINUTES OF A EUREKA CITY

COUNCIL MEETING HELD

ON JUNE 9, 2015

The meeting was called to order at 7:00 pm by Mayor Nick Castleton. Council Members attending: Brian Underwood, Ned Allinson, Nick Castleton, Hortt Carter, Judy Jones. Donna Robinson was absent.

**Pledge of Allegiance**

Mayor led the Pledge of Allegiance.

**DISCUSSION ITEMS**

CONSENT AGENDA

**Bills**

Patricia stated she hasn’t received all of them. Hortt made a motion to pay the bills, Judy seconded. Vote was unanimous.

**Minutes**

Patricia stated Anita did the best she could on the minutes since the tape recorder stopped in the middle of meeting. Minutes still need to be finished. Nick stated “Energy” needs to be changed to Energi. Brian Laird needs to be fixed to Brian Underwood. Joe McClellan had inquired about purchasing railroad property, not that it had already been purchased.

Brian made a motion to approve minutes, pending corrections, Hortt seconded. Vote was unanimous.

Mayor Nick stated that the County Commission contacted him regarding the gas tax law that passed last year. It is an option to Cities and Counties. The County has to adopt it first, and then the City can send a letter stating the support for optional sales and gas tax. Nick stated they cut gas taxes, and changed how the sales tax works. It would be for B & C road money.

Judy made a motion to send a letter supporting HB362, Hortt seconded. Vote was unanimous.

Brian Underwood stated the project has started. Pipes are starting be to put in the ground. He has issues that need to be discussed in Executive Session.

Ned Allinson stated the security cameras are installed. He isn’t sure if the issues were resolved. Patricia stated they are fixed, but the people that were camped up there this past weekend for the poker run must have plugged in to the box and the power was shut off to the building and maybe blew the breaker. She stated there is a lock on it now.

Judy Jones stated there was an issue with the door handle on the men’s restroom at the City Park. Patricia stated Lynn and Fred said it might require a lock and a hasp. Nick asked if Lynn and Fred have set up forms for the bleachers. Ned stated he asked them about it and they said they will get it done. Brian said that he might have a metal door, he said he would look at it.

Hortt Carter asked Nick if he has heard anything from Rocky Mountain Power regarding the street lights. Nick replied no, he has called twice and left a message and no response. He has also emailed them.

Judy Jones stated she hasn’t been able to get a hold of David Hansen concerning the cemetery. Nick stated he spoke with David and he told him to get a hold of Judy. Teddy stated he can haul the rotomill next week.

Jesse Ralphs with Sunrise Engineering stated the Drinking Water Board authorized $694,000. It’s a loan with principal forgiveness, in other words it’s a grant. The City has to pass a resolution to accept that grant money. The intent of the resolution is to cover the original items that were omitted from the Water Project. Once the money is received, the items can be put back in the project. As an update, he stated quite a bit of work has been done already. Jesse stated another crew is expected to come in to work on Sewer by July. He said Fred brought up at the last construction meeting that a few residents have inquired about the piles of dirt along the sides of the road after doing their trenching. He stated Johanson’s Construction has brought in Anderson’s Engineering. They are a hazardous material engineering group, and were brought in at the expense of Johanson’s. Anderson is testing any contaminated soil as they go along. They have found most of it clean. The stuff that is found over the limit they have been taking care of that the way it is supposed to be.

**Resolution No. R-6-9-15**

A RESOLUTION AUTHORIZING EXECUTION OF CONSTRUCTION PRINCIPAL FORGIVENESS AGREEMENT RELATING TO FINANCIAL ASSISTANCE TO BE OBTAINED FROM THE UTAH DRINKING WATER BOARD; AND RELATED MATTERS.

Hortt made moved to approve Resolution R-6-9-15, Judy seconded.

The vote was as follows:

Council Member Brian Underwood Aye

Council Member Ned Allinson Aye

Council Member Hortt Carter Aye

Council Member Judy Jones Aye

Vote was unanimous.

**Budget**

Patricia stated the budget needs to be completed by the 22nd of this month. Hortt suggested holding another meeting to get more information. Patricia stated it should have been done at the last budget meeting, but Council was absent. Nick stated there needs to be a 14 day notice for a budget meeting. Hortt stated he needs to know exactly what the revenue is. Patricia stated she gave the Council papers stating the revenue and other information as well. Patricia stated she will print out the report and hand it out again.

**Payment options for General Service Contract with Rocky Mountain Power**

Jesse Ralphs explained that there are 5 new services that Rocky Mountain Power will be able to connect to the new facilities. The first one is to the new tank. The difference is between $6900 and $7100. Jesse stated they put in a request for permits. With the $6900 there will be no refund. Hortt made a motion to pay the $6,900.69, Brian seconded. Vote was unanimous. Jesse stated they have 90 days to pay it, and can include with the next pay request. Hortt asked if they did a figure for the change of a hook up fee. Jesse stated no. Brian stated Patricia has copies of the prices.

Hortt asked if Sunrise had ever looked into what it was going to cost if someone wanted to upgrade from like a ½” to ¾” or 1” line. Jesse stated that they had not done anything yet, but he believes Jeff had given Brian a list of costs for that. Brian said he had the list and had given Patricia one as well.

Jesse stated that takes us into the next item on the agenda, Private Property Easements.

Jesse stated there are a few that has to be relocated and have been the topic of discussion for the last month in their weekly meetings on how to handle that. They need to see if the City Council has a policy they want to set across the board or go on a case by case basis, and if so, if there needs to be a discussion with the city’s legal counsel to see what liabilities there are for going on private property need to be discussed. Brian said that Lynn sent him a list but he doesn’t understand it. He said at our next meeting we need to ear tag them. Hortt stated it needs to be put on the agenda for next meeting. The Contractor needs to know if they need to get the property owner to sign something. They don’t cover the city’s liability. His insurance and bonds does not cover him on private property.

Nick stated he would try and contact the attorney, but he has not had any luck. He then asked if any of the rest of the Council had any luck contacting him. The Council stated that we need some answers right away, if we can’t get him to answer us then we need to look into getting someone else to represent us. Nick said he would try one more time and ask if he is still interested if not we need to find someone else because we need representation.

Mike Jorgensen stated he had also been trying to contact him and he has not had any luck either. He had left messages but no answer.

Jesse also mentioned one of the alternatives that was discussed on those situations where it was designed to change what line they tie into on the water, the intent was to abandon that line but leave it active, give them a year to hook up to new line. Council Member Brian Underwood mentioned some type of agreement giving permission, would need to come from City Attorney to cover the liability for going on private property.

UNFINISHED BUSINESS

Amendment to extend the construction services for Sunrise Engineering Contract in the amount of $150,000 for an additional 5 months of inspection services was discussed. This was part of the additional funding we received. It covers construction services from time it starts, construction will be observed by Sunrise Engineering inspector. If budget runs out, and there is no contingency, we would just pull inspections off.

Stormy asked what the drop dead date for the project was. Jess stated that for the water, it is a 12 month project and should end in April 2016. The sewer project is scheduled for 15 months and the end date for that in July 2016. Hortt was worried about the project not being done prior to them not being able to get asphalt to finish the roads. Jesse said that could be a possibility

Council Member Brian Underwood made a motion to approve the amendment for Sunrise Engineering. Council Member Hortt Carter seconded the motion. Motion carried.

Tricia mentioned that the Jazz Player Appearance on Saturday, June 13, 2015 at 4:30p.m. Jeremy Evans will be on hand for a Jr. Jazz Clinic. Everyone is welcome.

Mayor Castleton mentioned that there will be a rock hound thing on June 27th and they will be going through the museum. He said there would be around 200 people. He just asks everyone to spread the word around. He also mentioned that Par would like to get a temporary business license to have a breakfast for them just for that morning. He also mentioned that B’s BBQ would be open around noon, he said he wouldn’t be around in the morning.

Darrin Carlson was present, he mentioned that he had been down to the cemetery over Memorial Day, and the city had broken the coping a while ago and it has not been fixed yet. He mentioned that if the city will haul old cement off and pay for the Quick Crete to fix it he would do the work. The Council said that if we broke it, we should fix it. The Council agreed, Nick said we would not need a motion.

Craig Lott was present and had a couple of items. Two items were on the attorney for the contract for lease on Shea building. They asked Patricia if they already had a lease agreement on hand, we could look at that one.

Mike got in trouble for dumping garbage out of The Oxford building into dumpster. He paid $150.00 and was wondering if he needed to pay more. The Council reviewed the bills from Country Garbage and informed Mr. Jorgensen how much it cost for one of those dumpsters. It costs $150.00 for the dumpster itself plus the weight. Mr. Jorgensen agreed to pay another $100.00.

The second item Mr. Lott had to discuss was that he needed to talk with the City Attorney about the Bank. America First has a first right of refusal. He would like to try and move forward. These are just matters that they are trying to resolve. They would like to put a bank back in there. We had their 4-Way inspection with Randy the other day. He reviewed it and said everything looked good there is a couple of things they need to work on. They would like to apply for a business license to sell antiques. Then the other is about the Shea Building would like to move that forward that is one of the buildings that they wanted when they first came to town. The Council discussed selling the building. Nick said we would have to put out an RFP. Hortt asked why we would have to do that after we have tried to sell it three different times and it hasn’t gone through.

Mr. Jorgensen started in saying that they wanted to put in a Hotel and a Restaurant, and that they had even tried contacting the guy the city had sold it to and purchase it from him, but the city sent the money back to him because they said it was an illegal sale. Now an appraisal was mentioned and it come in at around $20,000 which is almost double what they sold it for.

Hortt asked how he had heard about the appraisal because the Council was not letting that out yet. Mr. Jorgensen asked why, wasn’t it public knowledge. Hortt stated that no it was just something the Council had agreed to not let out until they decided what to do with the building. Mr. Jorgensen asked if he could put in a GRAMA request to get a copy.

Hortt stated that if this is what we were doing, his vote is sell the building for $65,000. Mr. Jorgensen said that he thought the City was trying to extort money from them after they have came in and purchased all those buildings and the city said they would sell that building to them.

Hortt stated that the city has not promised to sell that building to them. Mr. Jorgensen stated that the Mayor is the one that told him we would sell it to them.

Council Member Hortt Carter stated that this was an Agenda Item and we needed to move on. Council Member Hortt Carter made a motion to adjourn and go into Executive Session, Council Member Brian Underwood seconded the motion. Motion carried.

Meeting adjourned to Executive.

Meeting resumed and Brian made a motion that the regular meeting be adjourned. Stormy seconded the motion. Motion carried.

Nick Castleton, Patricia Bigler,

Mayor Recorder