

**EUREKA CITY
COUNCIL MEETING
MAY 14, 2018 7:00 P.M.**

Pledge of Allegiance:

Mayor Nick Castleton led everyone in the Pledge of Allegiance

Public in Attendance:

Megan Weber – Zions Public Finance, Inc.

Cynthia Kirgan

Dayna Kirgan

Chris Rush

Staff in Attendance:

City Recorder- Patricia Bigler

City Attorney - Tim Merrill

Roll Call:

Leslie Rice – Present Came in late

Brandy Kirgan – Present

Nick Castleton – Present

Tamra Jameson – Present

Kimberlee Clem – Present

Hortt Carter – Absent

Approval of the Minutes:

Mayor Castleton found a typo that needs to be corrected. Council Member Kirgan made a motion to approve the Minutes from April 9, 2018. Council Member Clem seconded. All in favor motion carried.

Treasurer's Report:

**EUREKA CITY
TREASURER'S REPORT
FOR APRIL 2018**

Checking Beginning Balance:	\$102,295.32
Deposit Amount:	\$168,398.92
Withdrawal Amount:	\$187,745.73
Checking Ending Balance:	\$ 82,948.51

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

Claims Against the City:

Claims against the City in the amount of \$292,750.25. Recorder Bigler mentioned she hoped everything had been put in the right department. She talked with Pelorus today and they walked her through some of the changes. She printed these after she made the changes. Council Member Kirgan made a motion to pay the claims. Council Member Rice seconded. All in favor motion carried.

Report of Officers and Committees:

Mayor Castleton – Did not have anything to report

Council Member Rice – Did not have anything to report on Garbage. Asked Ferrel Thomas if there was anything to bring up from the Planning Commissions last meeting. Ferrel mentioned they would be discussing frontage requirements.

Council Member Jameson – Following up on whether Susan had come up on the appraisal. She sent her assistant up and he took pictures and started the research process.

Council Member Kirgan – Need umpires for Little League. Council Member Clem mentioned to her that there is a need for more members to join the Tintic Silber Jubilee Committee.

Council Member Clem – Talked to Brandon Stocksdales and he said we have a gold mine here. He said that he will be making a plan for bike trails.

Council Member Carter – Absent

Planning Commission;

Introduction of proposed re-wording of Annexed Territory

The Planning Commission made some proposed wording changes to Annex Territory. Attorney Merrill explained he likes that the Planning Commission is rethinking sensitive lands and we are moving in the right direction. The part he is concerned about is the proposed language that says "shall be zoned as requested by property owner or as Eureka City Council deems fit. This can cause a conflict if the property owner and the Council disagree on how the property should be zoned. This is a legislative function, so the Council would have the final say. He said the applicant would come before the Council with how they would like the property zoned. There would be no kind of entitlement or presumptive that they would get it zoned their way. The Council would look at their request, weigh all the policy considerations on what's best for the City and then decide. That is the process outlined in the State Law. Currently the default zone is set at sensitive lands. If the City doesn't want annexed land to come in as sensitive lands the default can be changed to something such as single-family residential or something that is kind of the basic zone. Anyone who would want to deviate from that would need to file an application for re-zoning. He said the City needs to put the burden on commercial developers to come to the City to make any zoning changes. The Mayor asked if it would be ok to change the wording of the default zone from sensitive lands to single-family residential. Attorney Merrill said if the

Council is leaning toward the single-family zone you could just change the wording in the ordinance to “annexed lands to be zoned single-family all lands annexed to Eureka City shall be zoned as single-family period”. Council Member Kirgan made a motion to change the annexed zoning from sensitive land to single-family residential period. Council Member Clem seconded. All in favor motion carried.

INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES.

A. Discussion on recent Amendment to Zoning Ordinance.

Item was tabled until after the Planning Commission meeting this month.

B. Resolution No. R-05-14-2018 Public Entity Resolution – Office of the State Treasurer. Mayor Castleton read the Public Entity Resolution from Utah State Treasurer in its entirety. (See attached Resolution 05-14-18). Council Member Rice made a motion to adopt resolution No. R-05-14-2018. Council Member Kirgan seconded. All in favor motion carried.

NEW BUSINESS:

A. Chris Rush and Dayna Kirgan – Request to purchase Railroad Property adjacent to their property on Haulage Road.

Chris Rush and Dayna Kirgan were present to request to purchase Railroad property adjacent to their property on Haulage. Dayna presented a map of their property. They had the property surveyed but haven't received the official map yet showing the legal description. Council Member Kirgan made a motion to sell Chris Rush and Dayna Kirgan the Railroad property at \$.30 a square foot. Council Member Clem seconded. All in favor motion carried.

B. Susan Becker, Vice President | Zions Public Finance, Presentation of information regarding Impact Fees.

Susan was not available to come up she sent Megan Weber. Megan with Zions Bank presented the Council with a packet on impact fees. Megan gave her presentation and gave an explanation on each section. Impact fees are a one-time fee charged at the time of new development to help offset the capital cost of the public infrastructure associated with that new development. The impact fee would be a separate fee from the connection fee that we already charge. If population is under 5000 do not need a formal IFFP. Best case scenario is to update your impact fees every 3-5 years. Attorney Merrill feels that impact fees provide valuable public service because it prevents current residents from being burden by paying for future growth that is required because of new development. It is a way of leveling the playing field between existing residents and those who will be moving into the City in the future. This type of plan requires expert help to save the City from any possible court issues. There would be a cost per analysis on water, sewer, roads, parks. Megan said she would have Susan send over a proposal. Megan made sure that Recorder Bigler had Susan's contact information. The Council thanked Megan for coming.

Ferrel Thomas asked if these impact fees could be used for museums. Unfortunately, no the museum would not be eligible for money from impact fees.

Leslie asked if we needed bids from other places besides Zions Bank. Attorney Merrill stated that bids were not required.

C. Adoption of Updated Personnel, Travel and Purchasing Policies.

Attorney Merrill verified with Recorder Bigler that the Personnel Regs in use are from 1996. He proposed to repeal and replace them with the new version he has drawn up. The benefits are not changing. The new policy will include the changes in the work week from paying on the 1st and 15th of each month to every 2 weeks with the pay period starting on Fridays. It will have the updated Federal Laws. The Council can make changes to the policy even after it has been adopted. He feels it is a good starting place. Council Member Kirgan had a question on residency requirements. She felt maybe a response time was needed in case of water or sewer line breakages. Mayor Castleton said that question was already in the policy. The Mayor doesn't want to limit employment choices to just people who live here. He asked if the Council was ready to adopt this policy or if they needed more time to read it. Council Member Clem made a motion to adopt Updated Personnel Polices and Procedures. Council Member Kirgan seconded. All in favor motion carried.

D. Review and Update of Town Fee Schedule.

Council Member Kirgan wanted to add a couple of items to the fee schedule.

Snack Shack - \$100 amount includes a \$50 refundable cleaning deposit.

Grill Fee - \$25 propane not included.

Lot Split Fee - \$50

Council Member Kirgan made a motion to adopt the updated Town Fee Schedule. Council Member Clem seconded. All in favor motion carried.

UNFINISHED BUSINESS:

A. Approval of Tentative Budget for Fiscal Year Ending June 30, 2019.

Mayor Castleton asked if all the numbers were in and they are. A Public Hearing will be held on June 11th and 6:30 p.m. Recorder Bigler read of the following total amounts for each department.

Revenue:

Taxes – \$185,700

Licenses & Permits - \$22,650

Intergovernmental Revenue - \$463,000 includes \$333,000 for City Hall Renovation

Trail Grant - \$35,000

B & C Roads - \$60,000

Charges for Services - \$29,175

Fines - \$500 originally \$200 Recorder Bigler changed it to \$500

Interest - \$100

Misc. Revenue - \$13,355

Total Revenue - \$714,480

Expenditures:

General Government

Administrative - \$190,800

Planning & Zoning – \$1,650

Buildings & Grounds - \$2,600

City Hall Church St. - \$345,110

City Shop - \$4,700

Memorial Building - \$8,960
Old City Hall Main St. - \$7,160
Permit Coordinator \$5,000
Total General Government - \$565,980

Public Safety
Police - \$6,000
Animal Control - \$200
Crossing Guard - \$5,000
Total Public Safety - \$11,200

Highways & Public Improvements
Highways - \$108,450

Parks, Recreation & Public Property - \$27,850 was showing as a minus and it should not have been
Cemetery - \$1,000
Total Expenditures - \$714,480

Water
Operating Income - \$471,091
Operating Expense – \$471,091

Sewer
Operating Income – \$508,714
Non-Operating Expense - \$508,714

Garbage
Operating Income – \$61,100
Non-Operating Expense - \$61,100

Council Member Clem made a motion to accept the tentative budget as list above. Council Member Jameson seconded. All in favor motion carried

CITIZEN COMMENTS:

Ferrel Thomas thanked the City for all they do. He said his neighbors old house fell in and wanted to know if the City had anything that said it would need to be cleaned up in a timely manner. Mayor Castleton said that is a job for the Code Enforcement Officer. He will give the Enforcement Officer the information so he can take care of it.

Council Member Kirgan asked the Mayor what he had found out on the Caboose property. He spoke to Juab County and we can let the taxes go for 5 years. The City could then make a bid on the property, however; this option opens the property to everyone not just the City. The other option is to keep paying the taxes. Attorney Merrill said that Condemnation proceedings or imminent domain would be hard to do because who would the City pay. The Mayor feels the amount spent each year on taxes is very little, so the City may just as well keep paying them.

Council Member Kirgan asked the Mayor about the GRAMA request concerning the ambulance schedule. Mayor Castleton has not been able to get any information concerning this issue.

Attorney Merrill asked about the property by the park. He wanted to know if the people have moved. Council Member Kirgan said the people living there said they had until August to leave. Recorder Bigler said she had talked to the County Health Inspector and he said he was going to check into it. Council Member Kirgan also said the Health Inspector said we need to check our current ordinances on water & sewer connections. Attorney Merrill asked if the Council and Mayor wanted him to file a formal court case against them. Mayor Castleton said yes.

Attorney Merrill brought the ATM Lease with him. He said the term of lease shall be extended until terminated by either party. A ninety-day notice must be given before the lease is terminated. The Mayor has contacted America First and said the ATM needs to be moved. He let them know they could temporarily move it to the Old City Hall until the City Hall renovation was done and then a stand alone could be set up at City Hall. The lease states the City is responsible for selecting a site for the ATM that is mutually acceptable. The Mayor will try to contact them again.

Council Member Kirgan asked about the Claims Against the City report and why it is always a month behind. She would like to see them before they are paid. Recorder Bigler said we can't do the current month because it is not over with. We could probably do the claims that come in before the meeting. Council Member Kirgan said Lynn and Fred suggested to her that we do the work meeting on Friday during working hours, so they could attend. The Council didn't like the idea. Recorder Bigler said in the past when Fred Garbett Sr. was working for the City a detailed log was kept and he would attend the Council meeting and give his report to the Council. The Council would like Lynn and Fred to come to the meeting and give a report of what they have been doing. The Mayor didn't like the daily log form he feels a weekly form would be better. Recorder Bigler mentioned they used to use little pocket note books so they could write down what they do that day and then compile a weekly report to present to the Council.

Attorney Merrill mentioned all employees need to have copy of the new Personal Handbook and have them sign the last page. The City will need to keep a copy of the signed page.

Council Member Kirgan asked if there was any way the Council Members were going to see an increase in their wages. Mayor Castleton said not under the current budget.

EXECUTIVE MEETING:

There were no items for an Executive Meeting

ADJOURNMENT:

Council Member Kirgan made a motion to adjourn. Council Member Clem seconded. All in favor motion carried. Meeting was adjourned at 8:55 p.m.



Office of the
State Treasurer

Public Entity Resolution

1. Certification of Authorized Individuals

I, J. Nicholson Castleton (Name) hereby certify that the following are authorized: to add or delete users to access and/or transact with PTIF accounts; to add, delete, or make changes to bank accounts tied to PTIF accounts; to open or close PTIF accounts; and to execute any necessary forms in connection with such changes on behalf of Eureka City (Name of Legal Entity). Please list at least two individuals.

Name	Title	Email	Signature(s)
J. Nicholson Castleton	Mayor	mayorcastleton@yahoo	<i>J. Nicholson Castleton</i>
Patricia Bigler	City Recorder	eureka15@cut.net	<i>Patricia Bigler</i>
Rachel Carlson	City Treasurer	eureka15@cut.net	<i>Rachel Carlson</i>

The authority of the named individuals to act on behalf of Eureka City (Name of Legal Entity) shall remain in full force and effect until written revocation from Eureka City (Name of Legal Entity) is delivered to the Office of the State Treasurer.

2. Signature of Authorization

I, the undersigned, Mayor (Title) of the above named entity, do hereby certify that the forgoing is a true copy of a resolution adopted by the governing body for banking and investments of said entity on the 14th day of May, 2018, at which a quorum was present and voted; that said resolution is now in full force and effect; and that the signatures as shown above are genuine.

Signature	Date	Printed Name	Title
<i>J. Nicholson Castleton</i>	May 14, 2018	J. Nicholson Castleton	Mayor

STATE OF UTAH)
) §
COUNTY OF Juab)

Subscribed and sworn to me on this 14th day of May, 2018, by J. Nicholson Castleton (Name), as Mayor (Title) of Eureka City (Name of Entity), proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

(seal)



Signature *Rachel A. Carlson*