

**EUREKA CITY
COUNCIL MEETING
SEPTEMBER 8, 2019 7:00 P.M.**

PLEDGE OF ALLEGIANCE

Mayor Nick 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 Kimberlee Clem – Present
City Recorder Patricia Bigler – Present
City Attorney Tim Merrill – Present

PUBLIC IN ATTENDANCE

Thomas Roth, Brandy Kirgan, Lynn Elliott, Andrew Froula, Helen Wall, Janice Boswell, Rich Renzello, Kent R. Brewer, Judy Jones, Larry Ezell, Ted Haynes, Travis, Haynes, Douglas Meadow

APPROVAL OF THE MINUTES

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

TREASURER’S REPORT

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

Checking Beginning Balance:	\$ 69,869.93
Deposit Amount:	\$ 95,513.45
Withdrawal Amount:	\$ 77,628.00
Checking Ending Balance:	\$ 87,755.38

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

CLAIMS AGAINST THE CITY

Claims in the amount of \$67,069 were presented to the City Council. Council Member Grimstead asked about Horsepower Fleet Services. It is the lease for the 2 new trucks. Council Member Carter made a motion to pay the bills. Council Member Grimstead seconded. All in favor motion carried.

REPORT OF OFFICERS AND COMMITTEES

Nick Castleton – Didn't have anything to report

Hortt Carter – Didn't have anything to report

Leslie Rice – been gone for over a month and not up to speed. She asked Douglas Meadow if they had anything to do with Economic Development that the City needed to know about. He said he had talked to the Mayor about doing on old Tintic Mining Village attraction. They would deed the property where the old Chief mine building sits to the City and do the village there. At some point they will have to pump the hot water out of the Burgin mine. They would like to create a mineral spring. Mr. Meadow asked if we have heard anything more about the cell tower. Mayor Castleton took the gentleman from T-Mobile up to look at the spot for the cell tower. They are working with CentraCom to get it set up.

Gordon Grimstead – Getting Jr. Jazz up and running early this year. Rachel is working on getting the form ready to go out. He is going to be getting a little kid wrestling program up and running. It will be finished by December 20th. The meets will all take place in Payson. Where are we on the trailhead as far as dirt. Wasatch Environmental will be working on the dirt issue. We will wait to see what they find out and then decide on what to do next. Gordon said we discussed moving the trailhead further back from the highway. That section will need to be tested too.

Kimberlee Clem – Roads appear to be completed. Council Member Carter said they still need to have the Fog Coat done and they will be here on Wednesday. Council Member Grimstead asked if we were addressing the road issue at the top of Church St. Council Member Carter said they will be putting rif raf on the road before the bad weather gets here. Mayor Castleton said the flood control grant should also address the road issues.

B. Planning Commission

1. Brandon Stocksdale, Community Planner/National Park Service – Review of Eureka Trails Concept Plan for inclusion into the Eureka General Plan as an amendment to the Trails & Recreation Element

He has been working with the City to help develop a local trail plan for Eureka. His office provides community services to help local communities do their projects. He partnered with Michael Clay on the General Plan and took feedback on the kinds of trails, access, and amenities the residents would like to see in Eureka. He worked with different groups to get their input while putting together this trails & recreation concept plan. Judy Jones asked if the City would have to maintain these trails. There are some options the City can look in to. Kent Brewer asked if he has road around lately and seen all the no trespassing signs. He recognizes there are challenges, but it is something we can work through. Kent asked if the Park Service was putting any money into the project. Brandon says his office doesn't do that, but he works with other people who do. He has given the City a digital copy of the plan. We will try to place it on the

website. Council Member Grimstead made a motion to add the Eureka Trails Concept Plan into the General Plan. Council Member Rice seconded. All in favor motion carried.

2. Chief Consolidated Mining Co. - Application to Rezone two properties within the Eureka City Boundaries from Sensitive Lands to Residential 1 (R1)

Area 1 – North Zone (approximately 200 acres)

Area 2 – South Zone (approximately 28 acres)

Doug Meadows said the property on the South side of Highway 6 will be for single family homes. North side is going to be more challenging and will contain larger single-family homes. He feels it will be awhile before they build up there because the infrastructure needs are much greater. Would like to get this land rezoned to help the town. It would bring in more taxes and get more kids into the schools. Kent Brewer wanted to know where people were going to work. Getting these mines up going and employ as many from Eureka as possible and having a place for new people to move. Larry Ezell feels that without natural gas we are not going to get any subdivision because it is expensive to live in Eureka. Mayor Castleton said we are working on getting natural gas. There is a high probability of Eureka getting natural gas in the next 2 years. Several Council Members voiced that this was the first they have heard about this. Mayor Castleton said he was told not to say anything. The first meeting to move forward on this is September 14th. Doug Meadows mentioned the State just passed a new law to help get natural gas to rural areas. This law allows Dominion Energy to charge the infrastructure cost not to the new customers getting it but to its current customers. Mayor Castleton said the plan is by July 2021 we will have gas in Eureka. Council Member Carter told Mayor Castleton the Council should have been involved in these planning meetings. He was very upset that the Council is just hearing about this. He feels the Mayor has been keeping secrets. He needs to keep things on the up and up. Next time he needs to inform companies he will need to bring his Council with him to their meetings. There will be a meeting on Sept 14th. The Planning Commission voted to approve and send to the Council both pieces of property for rezoning. Council Member Grimstead made a motion to rezone both pieces of property. Council Member Carter amended the motion to approve only the 28 acres. Council Member Grimstead agreed to second the amended motion to approve only the 28 acres. Council Member Rice would like to discuss the reason for the amended motion. Council Member Carter feels we should wait to see how the 28-acre subdivision works out and then if they still want to rezone the 200 acres, we could discuss it at that time. Council Member Grimstead voiced his fear that they will put in little cabins for seasonal use. Mayor Castleton said all we are doing at this moment is rezoning not approving any subdivisions. Doug Meadows said they would like to take care of all this right now and would be happy to put a moratorium on development for X amount of years if that would make the Council happy. If you are worried it would be fenced off and no access would be available, he has no plans on doing that and would be willing to put that in writing. He doesn't want to have to do this process all over again when the time comes to develop the property. Attorney Merrill asked Doug if he could go into more detail on the infrastructure needed to develop this property. In the Master Plan meeting we saw there is not going to be any water service without a new water tank being put in. Thomas Roth said they understand the majority of the 200 acres will require a new tank. After the discussion Council Member Rice made a motion to amend the previous motion and go with the original motion to approve the full 228 acres. Council Member Grimstead seconded. Council Member Grimstead asked Doug and Thomas with the money they have spent are they ready to do the development. They have been getting everything ready.

Council Member Rice commented that if it doesn't make sense to develop the Northern Part then they will wait until it does. They want to be good neighbors. Attorney Merrill asked to have the motion clarified. Mayor Castleton said the motion was to rezone the 200 acres plus the 28 acres from Sensitive Lands to R1. Mayor Castleton asked if all were in favor the vote was as follows.

Council Member Leslie Rice – Aye

Council Member Gordon Grimstead – Aye

Council Member Hortt Carter – Mayor Castleton did not ask for a nay vote, so he did not get to vote

Motion carried to rezone the 200 acres plus the 28 acres from Sensitive Lands to R1.

NEW BUSINESS

A. Xpress Bill Pay Proposal

Xpress Bill Pay would be another option for residents to pay their bills. The option would allow residents to pay their bills online. Council Member Carter made a motion to move forward with Xpress Bill Pay. Council Member Grimstead seconded. All in favor motion carried.

B. Request to purchase Railroad Property – Richard and Sue Renzello

Richard submitted a proposal to purchase 2 pieces of Railroad property adjacent to his. The Council informed him it needs to be surveyed and the price is figured on the square footage. He did have a map to show the Council. The Council, Attorney Merrill, and Richard went over the map of the property. Attorney Merrill said this is a substantial purchase because it is 41,404 sq. ft at \$.47 sq. ft is just under \$20,000. Richard thought the price was \$.30 sq. ft. This piece is not an orphaned piece or small strip this is an acre of land. The City by law needs to get fair market value for the property. Attorney Merrill asked Richard if he was still interested in purchasing the property if it is \$19,459.00. If so, the Council just needs to vote on it. Council Member Carter made a motion to sell Richard the railroad property of 41,404 sq. ft. at \$.47 sq. ft. at a selling price of \$19,459.00 the offer is good for six months. Council Member Rice seconded. All in favor motion carried.

C. Application for Boards & Commissions

We had 1 application for the Planning Commission. Council Member Carter made a motion to accept Ted Haynes as a new member on the Planning Commission. Council Member Grimstead seconded. All in favor motion carried.

UNFINISHED BUSINESS

A. Review of City Property (including land, vehicles, and furniture items) to declare as surplus. Council Member Carter read the list of items to be surplus. This includes the property that Charles Davis is interested in buying. Council Member Carter made a motion to declare these items including the property as surplus. Council Member Rice seconded. Attorney Merrill asked to have the property information added to the minutes. This information is from the Public Hearing Notice dated August 30, 2019. **Declaring Part of Lot 2, Lot 3 & part of Lot 10, Blk. 1, Plat D, owned by Eureka City, as surplus. Eureka City received an offer to purchase said property from Charles Davis – Charlie D's Heavy Equipment Repair, LLC.** Council Member Grimstead asked if the school district had been made aware of this. Council Member Carter explained we are only surplussing

the property and if the school district would like to apply, they may do so. The Council consulted the map of the area and various discussions to place. Council Member Grimstead asked why we are getting rid of the dump truck with the salter. Council Member Carter said it was the biggest waste of money when we purchased it. It doesn't get used and it is too big. We need to sell it and get something that will fit on our streets. Council Member Carter made a motion to surplus the items. Council Member Grimstead seconded. All in favor motion carried.

INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES

A. Discussion and Adoption of Updated Water and Wastewater Ordinances

Attorney Merrill stated the Wastewater Ordinance was not finished. He has used his allotted time working on getting the Master Plan finished. The Water Ordinance has been revised and the final draft is ready. He feels good about the current form of it. It addresses water conveyance; outlines roles and responsibilities of the water superintendent, and manages how maintenance of our lines are conducted, as well as how the billing and delinquent accounts are handled. Mayor Castleton asked if someone sells their property and they have a back bill can we go to the new property owners and have them pay it. Attorney Merrill said under State Law it can be attached to the property. He also asked with the provision in the ordinance stating everyone must be connected to the water and sewer can we go after people who do not have one or have had their water turned off. Attorney Merrill said we will have to adopted it in our fee schedule rates and fees. We must make it transparent to everyone what our fees are and make sure they are on the fee schedule. Council Member Grimstead made a motion adopt the Water Ordinance. Council Member Carter seconded. All in favor motion carried

B. Introduction and Adoption of Eureka City Master Plans for Culinary Water, Wastewater, Transportation and Parks and Recreation

Council Member Carter had already explained what the Master Plans are at the Public Hearing. Attorney Merrill is very impressed. He feels these Master Plans will protect the City and layout the design for infrastructure moving forward. These Plans are necessary for us to enact the impact fees. One thing that came out of the meeting with Sunrise was they took the 1% growth rate and changed it to 2% growth rate. With this change the finals will not be done until Friday. He feels this is the greatest accomplishment the Council has done this year.

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.)

EXECUTIVE MEETING

A. Discuss offer from Charles Davis to purchase property

B. Building Lease – Tintic Historical Society

Council Member Carter made a motion to adjourn from regular meeting and go into Executive Session. Council Member Grimstead seconded. All in favor moved to Executive Session 8:45 p.m.

Council moved back into regular meeting.

Council Member Carter made a motion to accept the building lease to the Tintic Historical Society with the corrected spelling and the addition of any structural modifications to the building will need to be approved by the City Council. Council Member Grimstead seconded. All in favor motion carried

Council Member Carter made a motion to sell the property to Charles Davis at \$.47 per sq. ft. at fair market value. Council Member Rice seconded. Council Member Grimstead wants to make sure the school district knows about it. Attorney Merrill said to make the motion saying we will go to Mr. Davis saying he can submit another offer the first one is too low. Council Member Carter amended his motion to include we will not take anything less than \$.47 per sq. ft. Council Member Rice seconded. All in favor motion carried

ADJOURNMENT

Council Member Carter made a motion to adjourn. Council Member Grimstead seconded. All in favor meeting adjourned. 8:58 p.m. Recorder Bigler asked if we needed to post Tamara's position. She said that Kimberlee just pulled her name off the list of candidates and with her walking out of tonight's meeting did, she resign. We will need to contact her.