

**EUREKA CITY  
SPECIAL COUNCIL MEETING  
JUNE 25, 2020 7:30 P.M.**

**Due to the COVID-19 situation, attendance in person may be limited, as determined by applicable restrictions in place on the meeting date. Residents may participate in the meeting via Zoom. Please call 435-433-6915 or email: eureka15@cut.net for the link at least 3 hours prior to the meeting. Written comments submitted via email at least 3 hours prior to the meeting, which will be read into public record, may be submitted via email to eureka15@cut.net.**

The agenda shall be as follows:

**PLEDGE OF ALLEGIANCE**

Mayor Castleton opened the meeting and led everyone in the Pledge of Allegiance.

**Roll Call**

Mayor Nick Castleton – Present  
Council Member Darrin Carlson – Absent  
Council Member Hortt Carter – Present  
Council Member Larry Ezell – Present  
Council Member Travis Haynes – Present  
Council Member Leslie Rice – Present

**Staff**

City Recorder Patricia Bigler

**Public in Attendance**

Nathaniel Charlesworth, Brandon Gout, Kassie Kirgan, Laura Kirgan

**Zoom Attendance**

Susan Becker & Megan Weber from Zions Bank, Melissa Mellor – City Attorney, Kim Pannell, Michael & Geri Sweat, Andi Jo Midgley, Teri Underwood, Adele Pagnani joined late

**RESOLUTIONS & ORDINANCES**

Resolution No. R-06-25-20-1, Resolution to Amend the Budget for the Fiscal Year Ending June 30, 2020.

Mayor Castleton read over the amended budget (copy available at City Office). Council Member Rice made a motion to amend the budget. Council Member Carter seconded. Roll Call vote was taken. Motion carried. Council Member Hortt Carter – Aye, Council Member Larry Ezell – Aye, Council Member Travis Haynes – Aye, Council Member Leslie Rice – Aye, Council Member Darrin Carlson - Absent

Resolution No. R-06-25-20-2, Resolution to Adopt a Budget for the Fiscal Year Ending June 30, 2021.

Mayor Castleton read line by line of the new budget (copy available at City Office). Council Member Haynes made a motion to approve the budget for Fiscal Year Ending June 30, 2021. Council Member Rice seconded. Roll Call vote was taken. Motion carried. Council Member Hortt Carter – Aye, Council Member Larry Ezell – Aye, Council Member Travis Haynes – Aye, Council Member Leslie Rice – Aye, Council Member Darrin Carlson – Absent

**Consider and Enact an Impact Fee Ordinance** (copy available at City Office)

The Impact Fees are as follows:

Water - \$349.03

Sewer - \$1,697.96

Parks & Recreation - \$1,303.25 only assessed on residential development

Laura Kirgan asked why the water fee was so low. Council Member Carter explained we just upgraded our water system and it can handle new growth. She also wanted to know if Parks and Recreation included streets. Attorney Mellor said streets would be a separate issue. Megan said the only road that would be counted as a system improvement would be Highway 6 and it is a State Road. All the other roads in town would be considered project. The developer is responsible for putting in the roads for the development and would need a bond to cover any damage done to existing roads. Council Member Carter is working on a separate water fee which will be about \$600-\$700. Council Member Carter made a motion to adopt Ordinance No. 06-25-2020-1. Council Member Ezell seconded. Roll Call vote was taken. Motion carried. Council Member Hortt Carter – Aye, Council Member Larry Ezell – Aye, Council Member Travis Haynes – Aye, Council Member Leslie Rice – Aye, Council Member Darrin Carlson – Absent  
We have 90 days before it will take effect.

**Consider and Enact an Ordinance Declaring Surplus Property**

Ordinance No. 06-25-2020-2 Enacting Procedures for Declaration and Disposal of Surplus Personal and Real Property

Attorney Mellor wanted the Council to be aware this ordinance also includes Real Property and the requirements for it. She said the Council would need to decide the value of a piece of real property and it would require a public hearing. The small unusable property would not require the same procedures as a significant piece. Those pieces would still come to the City without all the noticing procedures. A survey will still be needed on all property. We have been selling the property by square footage. Teri Underwood asked a question. She said when they bought their home, the City was offering to sell the railroad property that was adjacent to theirs. They paid extra on their water bill for this property. Recorder Bigler said anybody who paid towards that should have got their money back. We do have a book showing how much each person paid and if they got their money back. If they still want the property a survey would be needed. Council Member Ezell asked if we sell the property and need an easement can one be put on it. Attorney Mellor suggested we put that in the ordinance. Council Member Carter made a motion to table until next meeting. Council Member Ezell amended the motion to add the easement issue and then seconded the motion. All in favor motion carried. Council Member Hortt Carter – Aye, Council Member Larry Ezell – Aye, Council Member Travis Haynes – Aye, Council Member Leslie Rice – Aye, Council Member Darrin Carlson – Absent

A small discussion took place as to what items the Council wants to surplus and if we have pictures of the items. Council Member Carter asked Attorney Mellor if we could sell on EBAY. She said yes and this ordinance has a procedure on how you offer it. She said a value should be placed on items. This issue needs to be placed as an action item for the next City Council Meeting. Laura would like to see the items put in the newsletter. Mayor Castleton brought up we had received a letter with an offer for the property the City owns above Arlington. If the City wanted to sell, then the property would need to be surplus and the public notified. Recorder Bigler mentioned the grazing lease for Nathan Charlesworth. Attorney Mellor only looked at the agenda and did not find anything about the lease. Recorder Bigler will send a copy of a previous lease to the Attorney. This item needs to be put on the agenda for the next Council Meeting. Council Member Haynes asked Laura about the email she sent concerning the road and the School property. Laura said she went to the District meeting and it was told it would be 20 to 22 feet. When she looked at road it does not look that wide. Recorder Bigler explained the School District had come to the City about trading property on the East and would work with the City concerning Campus Drive. Council Member Carter will go up and discuss this with the new Superintendent

### **Consider and Enact Fireworks Restrictions**

Resolution No. 06-25-2020-3 of the Eureka City Council Adopting Fireworks Restrictions. Mayor Castleton read the proposed resolution in its entirety. (copy available at City Office) Attorney Mellor was not clear on what the City wanted so she used what other cities were doing and came up with this resolution. She would like to have a map showing the designated area available for public viewing. She said some cities will look at the situation each year and make a resolution appropriate for that year. Council Member Carter made a motion to approve. Council Member Rice seconded. Roll Call vote was taken. Motion Carried. Council Member Hortt Carter – Aye, Council Member Larry Ezell – Aye, Council Member Travis Haynes – Aye, Council Member Leslie Rice – Aye, Council Member Darrin Carlson – Absent

### **ADJOURNMENT**

Council Member Carter made a motion to move into an Executive Session. Council Member Rice seconded. All in favor motion carried. Council Member Hortt Carter – Aye, Council Member Larry Ezell – Aye, Council Member Travis Haynes – Aye, Council Member Leslie Rice – Aye, Council Member Darrin Carlson – Absent

Council Member Carter made a motion to adjourn. Council Member Rice seconded. All in favor meeting adjourned. Council Member Hortt Carter – Aye, Council Member Larry Ezell – Aye, Council Member Travis Haynes – Aye, Council Member Leslie Rice – Aye, Council Member Darrin Carlson – Absent