

**EUREKA CITY COUNCIL
WORK MEETING
MAY 2, 2022 7:00 P.M.**

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Mayor Chris Dever – Present
Council Member Greg Evans – Present
Council Member Travis Haynes – Present
Council Member Tom Nedreberg – Absent
Council Member Jeremy Snell – Present
Council Member Robert Trepanier – Present
City Recorder Patricia Bigler – Present
City Attorney Melissa Mellor – Present via Zoom

OTHERS IN ATTENDANCE

Via Zoom Mike Sweat

Before the Council moved to the discussion items, Mayor Dever wanted to let everyone know a fund had been set up to help the Wright's who lost their home to a fire over the weekend. He also wanted to publicly thank the Juab County fire and EMS for their response.

DISCUSSION ITEMS

Review and Discussion of RFP for Retaining a City Engineer
Mayor Dever said the engineer would go over any developments or residential homes building permits along with the building inspector. They would be our liaison and make sure the development or home builders were meeting all the codes and requirements. He thinks anything to do with soils should also be included in their duties. They would work closely with Lynn to make sure everything was EPA compliant. Council Member Evans has been doing some research to write an RFP to retain a City Engineer. He found two good sample RFPs for engineering services, and both are from California. He talked with his brother and did some brainstorming with him as to what the Council should determine as our highest scope of work wanted. He suggested stormwater since we do not have any infrastructure for it. He read over some of the requirements we should look for in a City engineer. He feels we need professional input especially since we have a lot of environmental concerns. Attorney Mellor agreed. Council Member Snell said we can't be unique there has to be other cities/towns our size dealing with the same issues maybe we should talk to them and see who they are using. Recorder Bigler mentioned an email the City received from Travis Kyhl with Six County AOG concerning a shared part-time city administrator. She read the email to the Council. Council Member Evans thought that a city administrator is a good idea. He will reach out to Travis Kyhl and get more information. He will work with his brother to write up something and will send it to Attorney Mellor to look at. He did mention that after talking with his brother and with other engineering companies they are usually not paid to be on retainer. They only charge when they are working.

Council Member Snell does have concern of having the engineer on retainer, that could really have an impact on our budget. Mayor Dever wanted to know when the moratorium is up. The moratorium expires on July 14th. Attorney Mellor suggested possibly having a Special Council Meeting if we need it. Council Member Snell wanted to know exactly what needs to be done before July 14th. Mayor Dever said we need to retain an Engineer, get our water shares in place, make sure the Planning Commission is doing their job when it comes to what they want to do at the top of town, such as single family, high density, area for parks, etc., make sure our ordinances are in place. Council Member Haynes said we really need to get the Planning Commission going on what needs to be done. Mayor Dever said he will be attending more of their meetings to help them get their job done. Council Member Snell asked about the development plans that were discussed at the planning meeting. Mayor Dever explained what they talked about and the work that needs to be done before anything like that development goes in. Recorder Bigler informed the Council it was not a formal proposal a member of the Planning Commission brought in the plans, and it was discussed without it being on the agenda. Attorney Mellor said she would advise against doing this. Recorder Bigler said she told Brandon it could not be discussed unless it was on the agenda. She said this is what happened the last time they brought up this proposed development. They have never made a formal proposal to the City or filled out any paperwork required. She said there is already a website showing this development. Mayor Dever said he had a long discussion with the Planning Commission about this. Attorney Mellor said she would like to be consulted when development plans come in. She will be able to help the City identify potential issues or problems. This will also help her when she is drafting ordinances. Mayor Dever said he was concerned about storm drainage in that area. Attorney Mellor said the City could reserve the right to have someone come in and consult and look at areas concerned whether it be the EPA or Division of Environmental Quality. She said a strong City engineer would be very helpful in these types of situations. Recorder Bigler mentioned before Nick left office, he was working with JUB Engineering on a grant in that area concerning storm drainage. Attorney Mellor said the City should pursue the grants and she can help with that. We need growth to be in a positive direction and we need to take care of our citizens.

Review and Discussion of Business Licensing Fees

Mayor Dever said it was brought to his attention about some concerns with the licenses and permits for a couple of businesses here in town. He said we have a for profit coffee shop that was required to get a permit from the health department and the other business didn't because they take donations instead of charging for their coffee. He asked Recorder Bigler to explain in more detail. She said when the Motorcycle Museum initially came to get their business license, they were just going sell local art. When they remodeled their building, they decided to build a coffee kitchen so they could offer coffee along with Danishes that she prepares at home. They do not charge for these items and have a donation jar available at the counter. When we asked for the health inspection report we were told they didn't need one. We then received an email from the health department stating they didn't need a permit from them because they were not charging for the coffee and Danishes. When the other business, Sipping Magic, opened a coffee shop in Taylor's General Store she was required to get a permit from the Health Department. The permit was needed because she heats up the breakfast sandwiches at her establishment. When we called the health department to ask how the permits work, we were told the Motorcycle Museum should have needed a permit from either them or the Department of Agriculture and they would check into the matter. The other issue we are having is when the Motorcycle Museum applied for their

license, they told us they were a non-profit, however; they are now selling t-shirts and memorabilia. We have asked for paperwork showing they are a non-profit but have not received anything. We do not know if any of this is included on their State business license or if this something we should check with State on? Attorney Mellor asked if we have a sale tax number for them. Recorder Bigler said we do have one on file. She has not noticed any sales tax coming from their business, however; they were closed all winter. She will check the sales tax report more closely now that they are open. Attorney Mellor said if they are non-profit, and if it can be proven they are making profit, the City can revoke their business license. We would need to provide documentation showing it. Mayor Dever said we will do some homework and look at the documentation. He wants to make sure the City is treating all its businesses fairly.

Review and Discussion of Fees for Water Fill Station

Mayor Dever said he has talked to the mine, and they have a contract with someone in Elberta to get water from them in the summertime, but in the winter, they get it from the City. He is concerned about how much water they are using. If we start having issues with our water service because of the drought we could default on our agreement with Mammoth. He feels we are not charging enough for the water we are selling and wants to start charging more. Council Member Evans thinks we should have a tiered system for charging water. Mayor Dever asked Attorney Mellor if we can do a tiered system for the Mammoth Water Users. Attorney Mellor said if they agree to it. She stressed a renegotiation of the agreement needs to happen. Recorder Bigler said with the statement from the Governor concerning the drought we would be able to drop all the other users except the Mammoth Water Users. Mayor Dever wants this on the agenda for next week.

Discussion of Tentative Budget for FY Ending June 30, 2023

Recorder Bigler gave the Mayor and Council the operational budget and budget worksheet. She explained some of what was on it and pointed out some of what we have taken in and some of the overages. She said they need to adopt a tentative budget at the Council Meeting and adopt the budget at the June Council Meeting. She would like each Council Member to go over their departments and get her any estimated costs of projects they would like to do before Monday's Council Meeting. Attorney Mellor said she is not going to increase her rate but the amount of work she will be doing is going to go up and they should plan accordingly. Mayor Dever said he has been talking with Country Garbage and their rates are going to increase. There was a discussion on the budget. Attorney Mellor suggested having a retreat to do the budget. Key staff members will need to be present along with Attorney Mellor who will attend via Zoom. The Mayor and Council thought that was a good idea and will set a date for it at the Council Meeting. Recorder Bigler mentioned the dog clinic will be held on Saturday, May 21st so that would not be a good day to have the retreat. She also mentioned the County just brought up a flyer for an economic development grant and it is available to businesses and the City. Attorney Mellor thinks this would be good for the City to apply for and to post it in the Nephi Times. Mayor Dever asked if anyone had anything else to discuss. There was no further discussion he called for a motion to adjourn.

ADJOURNMENT

Council Member Evans made a motion to adjourn. Council Member Haynes seconded. All in favor meeting adjourned.