

**EUREKA CITY  
COUNCIL MEETING  
April 11, 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 – Present  
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**

Taran & Hailey Taylor, Clinton Pew, Via Zoom JaNeel Nielsen

**APPROVAL OF THE MINUTES**

Council Member Haynes made a motion to approve the minutes from March 14, 2022. Council Member Nedreberg seconded. No discussion all in favor motion carried.

**TREASURER’S REPORT**

**EUREKA CITY  
TREASURER’S REPORT  
FOR MARCH 2022**

Checking Beginning Balance:	\$194,412.72
Deposit Amount:	\$ 89,942.04
Withdrawal Amount:	\$ 69,180.43
Checking Ending Balance:	\$215,174.33

Council Member Nedreberg made a motion to approve the Treasurer’s Report. Council Member Trepanier seconded. No discussion all in favor motion carried.

**CLAIMS AGAINST THE CITY**

Council Member Snell asked if the bill for Unified Fleet Services was for the truck lease. Recorder Bigler confirmed it was the lease for the truck. Council Member Haynes wanted to know why the Fuel Network Bill showed diesel fuel usage. We shouldn’t have any trucks that take diesel fuel. We need to investigate why we are using diesel fuel. Council Member Snell asked about the claim for The Law Office of Kirk Cullimore Recorder Bigler stated it is a personal garnishment for an employee. There was a short discussion on garnishments and how

they are handled. Council Member Trepanier made a motion to pay the claims. Council Member Evans seconded. No further discussion all in favor motion carried.

## **REPORT OF OFFICERS AND COMMITTEES**

Chris Dever – We need to have an executive session tonight. He wanted to know if the building permits signs were order. Recorder Bigler will get them ordered this week. He spoke with the County Sheriff about getting more patrolling during the weekends and especially over Easter weekend, however; the Sheriff did not give him an answer as to what they might do or if they will do any patrolling. He also called the Highway Patrol office over Juab County, and they will not do anything. He said we need to figure out how to get coverage for the City, because the response he has been getting is they either want more money, shorthanded, or flat out don't care. Attorney Mellor said there is a definite push for contributions from the City. She said previously the City had an interlocal agreement that provided some law enforcement for the City and the City stopped paying for the service. She did say the Sheriff's Department does have a duty to provide some service to the City. Council Member Haynes said when Sheriff Doug Anderson came and talked to the Council about the school resource officer, they wanted the City to pay a portion of the cost, but still did not want to provide any more service. Attorney Mellor said the City needs to get a contract with the Juab County Justice Court to get a portion of the money from tickets that are written. Recorder Bigler wanted to clarify the City had an agreement with the County for law enforcement. The County stopped or got rid of the agreement without telling the City and that is why we stopped paying them. There was a discussion on agreements with the County. Attorney Mellor explained how the agreements work. Mayor Dever will get with Attorney Mellor and discuss the issue further. Mayor Dever asked if a registered letter was sent to the business owner about his falling down building. Recorder Bigler said the letter had been sent but it was not sent registered. He wants another sent registered. He is very concerned that the building is going to continue fall. Attorney Mellor suggested sending an official notice. For the Davis property he will be working on the notices to neighbors.

Robert Trepanier – Working on different grants for projects under the historical preservation. He would like to put in for a grant for the old city hall to put in a door and get a security system. Mayor Dever will give him the contact for Six County who works with grants.

Travis Haynes – Got a hold of a company about a bobtail dump truck with plow and sander. It is in North Salt Lake. Him and Mayor Dever will go look at it tomorrow and hopefully purchase it. Council Member Nedreberg will be in Salt Lake tomorrow and asked them to text him the address he would like to try and be there.

Thomas Nedreberg – Nothing to report

Greg Evans – The only item he would like to discuss is item # 11 on the agenda. He has started researching what other cities are charging for hauling water. Mayor Dever explained the City wants to raise the rates of water being charged at the fill station. Attorney Mellor said she needs more information on the subject before she can help.

Jeremy Snell – The recreation committee met last Thursday. He said there was a good turn out and some good ideas were discussed. He wanted to know if or when the dog clinic will be held.

Recorder Bigler has called the vet and is waiting for him to call her back. She will call him again tomorrow. He would like the animal ordinance in the newsletter again this year in conjunction with the dog clinic. Council Member Snell feels the Council needs to be cognitive in what is going on in our community. He wanted to know what the ordinance has to say about horses. Council Member Haynes thought that certain lots were grandfathered in for horses. Recorder Bigler mentioned the zoning ordinance states what animals are allowed and we do not have a grandfather clause. Her understanding of the ordinance is that you can have horses enough for your family. There is a separate ordinance for dogs and cats. Council Member Haynes asked if there was going to be a Spring Clean Up. Recorder Bigler said yes, and the flyer was in the last newsletter and will be in it again. It will be held the last two weeks in May.

#### Planning Commission – Meeting responsibility

Mayor Dever will either be personally at the meeting or via Zoom. He will deliver the duties and responsibility books to the members.

### **DISCUSSION ITEMS/ACTION ITEMS**

#### 1. Discussion on Retaining a City Engineer

Mayor Dever received a call from a firm, and they discussed some of the ideas we are looking for in retaining an engineer. He would like to send out a request for information to some engineer firms and then have the Council review them. The firm he talked to are also heavily involved in impact fees for municipalities. He feels this would be helpful in trying to redo our impact fees. A discussion took place on placing an engineer on retainer. A fee structure would need to be included in the proposals we get from the engineering firms. Council Member Evans agreed and said we need to make sure we include what we want them to do. Council Member Nedreberg made a motion to start the RFP proposal. Council Member Evans seconded. No further discussion all in favor motion carried.

#### 2. Review and Discussion of Impact fees

Mayor Dever felt we needed to table this item until we get an engineering firm on retainer. The Council agreed we need to get the engineer in place.

#### 3. Review and Discussion of Water Ordinance and possible Amendment concerning water shares

Recorder Bigler read the section in the ordinance concerning water shares. We need to make sure this is only for developers. Attorney Mellor wasn't sure and needs to look at it. A discussion took place as to what it needs to say. Council Member Snell thinks maybe all we need to do is strike out building permits. After further discussion that wouldn't work. Recorder Bigler said they also used the amount of shares needed when they did the impact fee study.

#### 4. Discussion concerning purchasing a bobtail dump truck/plow

Council Member Nedreberg made a motion to go look at the truck with the option to purchase. Council Member Trepanier seconded. No further discussion all in favor motion carried.

#### 5. Appointment of members to Recreation Committee

Council Member Snell read the names of those applying for the two open positions on the Council. They are Cindy Child, Shelly Stansfield, Jessica Nielson, Marissa Nielson, and JaNeel

Nielsen. The current members are Laura Kirgan, Brittany Bigler, and Patricia Bigler. It was decided to have five functioning committee members and he would act as the chairperson. Mayor Dever passed out the ballots. He read the names of the new committee members. They are JaNeel Nielsen and Cindy Child. Council Member Snell thanked everyone that put in.

6. Appointment of members to the Planning Commission and Board of Adjustment  
Recorder Bigler informed the Council there is one position available on the Planning Commission and two positions for the Board of Adjustments for a three-member committee. Recorder Bigler read the names of those applying for the Planning Commission. They are Chad Collier and Keith Harr. She reminded them the current members of the Planning Commission would like to have someone other than the committee members to be their secretary. Council Member Haynes feels there needs to be five set members and one alternate, so everyone knows their responsibilities. Mayor Dever passed the ballots. He said the votes came in and Keith Harr was the winner this would put him as the member and Chad Collier as the secretary/alternate. Council Member Snell suggested giving the Planning Commission our recommendation but let them decide if they want to restructure within their own committee. Council Member Evans agreed.

7. Review and Discussion of Inspection Fees for Business Licensing  
Mayor Dever said we do not have a fee schedule set up to pay the building inspector for the business license inspections, so the City ends up paying for it. He proposes \$140 as a reasonable fee to recoup the cost. There was a discussion on if there was a set fee for administrative cost. Council Member Nedreberg read some of the State law to the Council. Attorney Mellor said reasonable cost is acceptable. Council Member Haynes suggested a \$200 fee. Attorney Mellor said this needs to be passed through a resolution. Council Member Haynes made a motion to set a \$200 fee through resolution for building inspections on new business license applications. Council Member Snell asked if we need to readdress the business license fee at another meeting. Mayor Dever said yes and to add it to the next Council Meeting agenda. Council Member Nedreberg seconded. No further discussion all in favor motion carried.

8. Review and Discussion of Fees for Water Fill Station  
Attorney Mellor wanted clarification on who the Council was talking about if it wasn't the Mammoth Water Users. The Council explained these are cash customers and are separate from Mammoth. The amount of water being used by some of the users is extremely high. Attorney Mellor would like to see the form the City has them sign. Along with the cash users there may be some water shares that are being sold or shared with other people. Mayor Dever will discuss this further with Attorney Mellor.

9. Review and Acceptance of Fraud Risk Assessment for FY Ending June 30, 2021  
Council Member Snell made a motion to approve the Fraud Risk Assessment for FY Ending June 30, 2021. Council Member Evans seconded. No discussion all in favor motion carried.

10. Review and Discussion concerning Travel Policy  
It was discussed in the work meeting to adopt the GSA formula for mileage and per diem instead of using receipts. Council Member Nedreberg made a motion to use the GSA guidelines

found on the GSA website for mileage and per diem and to have the City Attorney draft the policy. Council Member Trepanier seconded. No further discussion all in favor motion carried.

11. Review and Discussion concerning Bid to complete Sewer Plant Repairs  
Council Member Evans said he didn't have the paperwork with him, but the bid was below the \$21,000. He recommends moving forward and having the work done. Council Member Haynes made a motion to move forward and get the work done. Council Member Nedreberg seconded. No further discussion all in favor motion carried.

### **CITIZEN COMMENTS**

**(Citizens who had submitted their question or concerns in writing prior to the meeting may speak at this time, if present, but will be limited to two minutes.)**

1. Taran Taylor, Inquiry concerning any building lots/property Eureka City may own that they would consider selling

Taran said he had been looking at the property north of the park off Butler Rd. He had a plat map and showed the Council where the property is. He was interested in one above the park or one above the house on sharp acres. Mayor Dever explained the City has a moratorium in place and he would not be able to build on these lots. Also, the City is not sure what it wants to do with the lots. Council Member Snell was frustrated with the situation and said it defiantly warrants a discussion on what the City wants to do with these properties. Mayor Dever asked to have properties put on the agenda for the next work meeting. Mayor Dever asked Taran to come to the City again after the moratorium is lifted. He commended Taran and his wife for coming to the Council to discuss the properties. There are some vacant lots in town, and we just passed the cottage home ordinance that might help him get a buildable lot. Council Member Snell would like to investigate if the City can push landowners to sell maybe by offering an incentive. Attorney Mellor said we must abide what is in place. It is a matter of how to develop it responsibly.

Clint Pew introduced himself and said he is running for County Commissioner. He had a chance to listen to most of the meeting and he feels the City's frustration with the County Sheriff is warranted. He also agreed with the City Attorney when she said Juab County has a duty to supply support to Eureka. He feels it is time that Juab County not only looks after Nephi, Mona, and Levan but Eureka and the rest of the small communities in the County. If he gets elected this is something he will work on. He explained some of his visions for the County. He passed out brochures to the Mayor and Council. Mayor Dever thanked Mr. Pew for coming.

Mayor Dever asked if anyone on Zoom had any citizen comments. There were no further comments. He asked for a motion to move into executive session.

Council Member Nedreberg made a motion to move into the executive session. Council Member Haynes seconded. No discussion all in favor moved into executive session.

Mayor Dever and Council Member Nedreberg said we are now back in regular session.

Council Member Nedreberg made a motion to reject both real estate offers discussed in the executive session. Council Member seconded Evans. No discussion all in favor motion carried.

**ADJOURNMENT**

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

**EXECUTIVE SESSION**

Review and Discussion of Real Estate Offers

Personnel