

**EUREKA CITY
COUNCIL MEETING
JANUARY 10, 2022 7:00 P.M.**

PLEDGE OF ALLEGIANCE

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

INTRODUCTION OF CANDIDATES FOR UNEXPIRED TERMS OF CITY COUNCIL MEMBER

Mayor Dever asked the candidates to come forward and introduce themselves.

Tom Nedreberg introduced himself and said he has been on the City Council before. During his time on the Council, he was involved in the cleanup with the EPA and with the start of the water/sewer project. He has been a citizen of Eureka for 38 years. He wants to be involved with how the City grows and feels the City should not be dictated to by developers. He has worked with the State Legislature and feels his experience would be beneficial to the City.

Neils Wright introduced himself and has been a citizen of Eureka for almost 25 years. He is presently on the Planning Commission. He has been in construction and the retail business and feels he could benefit the City in those areas. He would also like to be involved in the future growth of Eureka.

Jeremy Snell introduced himself and has been a citizen of Eureka for his entire life. He has worked in a political setting for the school district for 21 years. Some of his motivation for joining the Council has to do with growth and what comes with it. He would like to see growth inside city limits, not outside, and not forced upon us. As a citizen, he got frustrated with the code enforcement process and would like to help make it better. He is an advocate for recreation. He feels the recreational programs are limited, and he would like to see them grow. He feels Eureka is a great place to raise a family.

VOTE ON CANDIDATES FOR UNEXPIRED TERMS OF CITY COUNCIL MEMBER

Mayor Dever thanked all the candidates and asked for the vote to be taken. Recorder Bigler read the tally of votes. Thomas Nedreberg received three votes. Jeremy Snell received three votes, and Neils Wright received none. Mayor Dever thanked Neils for participating.

OATH OF OFFICE

Recorder Bigler read the oath office to the new candidates and swore them in. Mayor Dever invited the new Council Members to join them.

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
Public Works Director Lynn Elliott – Present via Zoom

OTHERS IN ATTENDANCE

Neils Wright, Thomas Nedreberg, Jeremy Snell, Via Zoom – Andrew Froula, Stan Nerdin, Robert Pagnani

APPROVAL OF THE MINUTES

Council Member Trepanier made a motion to approve the minutes from December 13, 2021. Council Member Haynes seconded. No discussion all in favor motion carried.

TREASURER’S REPORT

**EUREKA CITY
TREASURER’S REPORT
FOR DECEMBER 2021**

Checking Beginning Balance:	\$147,791.47
Deposit Amount:	\$144,126.74
Withdrawal Amount:	\$ 48,486.15
Checking Ending Balance:	\$243,432.06

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

CLAIMS AGAINST THE CITY

Recorder Bigler told the Council not all the bills have come in. Rocky Mountain Power and Country Garbage are among the ones not in yet. Council Member Trepanier made a motion to approve and pay the claims. Council Member Haynes seconded. No further discussion all in favor motion carried.

REPORT OF OFFICERS AND COMMITTEES

a. Christopher Dever - Council Appointments. There was a discussion on the assignments and Mayor Dever added in some new assignments along with the old ones. He would like to add economic development/grants to the assignments. This person would be a lobbyist for the City. They would be required to pursue and write grants. It would be a very hands-on assignment. Council Member Nedreberg said his schedule is open and between him and his wife they have three master’s degrees and would like to take on this assignment. Mayor Dever would also like to give him business liaison. Council Member Nedreberg accepted. Mayor Dever asked Council Member Evan to take over the water, wastewater, and EPA liaison. He removed natural gas as an assignment and add internal audits to Council Member Trepanier. He moved parks & recreation

and adult recreation from Council Member Haynes to Council Member Snell. Council Member Haynes said the Tintic Silver Jubilee is included in parks & rec and thinks the Council should be involved in planning as well as volunteering to help. He would be glad to help Council Member Snell with the celebration. Mayor Dever added a new assignment motor pool to Council Member Haynes duties.

b. Robert Trepanier – Nothing to report

c. Travis Haynes – Nothing to report

d. Greg Evans – Nothing to report

Planning Commission – Recorder Bigler informed the Council one of the two vacant seats on the Planning Commission was filled. The application for Travis Fields was approved at the Council Meeting in December. This leaves one seat still vacant. The current members are Travis Fields, Ted Haynes, Neils Wright, and Brandon Gout. The Board of Adjustments also has vacant seats that need to be filled. Those vacancies have been advertised for some time. Currently Jeri Ezell is the only member of the Board of Adjustments.

DISCUSSION ITEMS

1. Review, Discussion concerning Performance Guarantee Bond Ordinance

Mayor Dever explained to the new Council Members what this ordinance is for. Attorney Mellor is hoping to have it ready in March. She is waiting for more feedback from the Council. She said this is a major ordinance and really needs the help. She wants to discuss it at the next work meeting. She stressed it is not the City's responsibility to provide any of the infrastructure, it is the developer, and this ordinance helps with that process. She recommends the Council read the Impact Fees Study to help them understand what is expected when a development is proposed. Council Member Evans felt it would be helpful if she could give them examples of some of the problems she has seen other cities have. She said developers tend to fight these types of ordinances because they want their money back right away. The City needs to make sure improvements are done and done correctly. If the improvements are not done or they are not done correctly the City would use the funds from the bond to fix the issue. The City should not allow the improvements to go on indefinitely because the work may never get done. Mayor Dever asked her to make a punch list of the problems she has encountered and email it to Recorder Bigler. This way the Council can review the list and be ready to discuss it at the work meeting. Council Member Snell asked who the City Engineer is and who would enforce the ordinance. Recorder Bigler said the City does not have an engineer. We have hired it out to other companies such as Sunrise Engineering. Mayor Dever has been looking into getting an engineer on retainer. Attorney Mellor offered to help with the RFP. Council Member Evans offered to help since he has worked for a couple of different engineering companies. Mayor Dever has spoken with the City Building Inspector, Chris Swenson, to see if he would be our plan checker.

2. Review, Discussion concerning Cottage Home Development Ordinance

Attorney Mellor needs to get the changes made and the new Council Members need to look at it. Since Eureka does not have a designated historic district, we need to define what qualifies as a cottage home under this ordinance. Neils Wright, Planning Commission, feels most of this

ordinance will cover what is considered the older parts of town. Attorney Mellor said her preference would be to have the City designate areas or lots. Council Member Evans suggested going over the old maps that show the different lots and subdivisions. Council Member Snell asked if it is the Planning Commission or Council responsibility to get this done. The Planning Commission has discussed this ordinance as far as they can go, and it needs to move to the Council. Mayor Dever would like to discuss this at the work meeting and figure out the neighborhoods and the minimum lot sizes. Robert Pagnani asked a question of who enforces the ordinances. It would be the City's Code Enforcement Officer and the Juab Sheriff's Office. Mayor Dever explained the procedure is first the City gets a report of a problem or the Code Enforcement Officer finds an issue, then the City Building Inspector gets involved, it goes to the Sheriff's office then the Attorney. Attorney Mellor would be happy to facilitate and to pursue this through the County Attorney's Office.

3. Review, Discussion concerning Short-Term Rental Ordinance

Council Member Trepanier has researched different localities here in Utah that are having problems with their short-term rentals. He said some of the issues he found is that these short-term rentals are raising the selling price of smaller homes to outrageous prices. Some cities are seeing their long-term rentals going away in favor of Airbnb's and other types of short-term rentals. There are a lot of unintended consequences with these types of rentals. Attorney Mellor did mention that with the cottage home ordinance there is a greater potential for the smaller homes to become short-term rentals. Mayor Dever wants to discuss this more at the work meeting and to include something in the cottage home ordinance. The Council discussed some issues with the short-term rentals and the cottage homes. Recorder Bigler told the Council one of the reasons the short-term rentals were being addressed was from questions the City was getting concerning business licenses and taxes. The Legislature is going to consider some new laws later this year and Council Member Trepanier recommends we wait to see what some of the new laws are going to be.

4. Review, Discussion concerning the use of ARPA Funding

We received \$42,000 of ARPA funding. We were looking at using it to fix the sewer plant screen, the Vulcan well, and a booster pump. Council Member Evans went over what he had discussed with Public Works Director Lynn Elliott. Council Member Nedreberg said it sounds like we need to prioritize the items that need to be fixed.

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 each.)

Sean said he and his wife just purchased a small lot with a home currently on it that cannot be saved. He wants to know how long it might take to get the ordinance done and in place. Mayor Dever answered it could take a few months. Attorney Mellor asked if he could let the City know where it is located this would help with the cottage home ordinance. It is located at 120 W Iron & O'Connor.

Mayor Dever wanted to address the moratorium, but it was not on the agenda. Attorney Mellor said a Special Council Meeting could be held. It was decided to hold the meeting on Friday, January 14th at 7:00 p.m.

Attorney Mellor will be attending the February work meeting to deliver the required annual Open Meetings & Ethics training. She would like to have the Planning Commission there as well. Council Member Evans cannot make it to the work meeting, so it was decided to move the training to the regular Council Meeting.

Mayor Dever informed the Council he had given Lynn and Drew the go ahead to purchase parts to fix the older truck we have. The truck is needed to plow the streets. He also had some stickers made up for parking violations for vehicles parked on City streets. These vehicles are causing problems when plowing. He will make the necessary arrangements with a towing company to tow the vehicles at the owner's expense. Attorney Mellor stated this issue would need to be referred to the County Attorney for official prosecution. Mayor Dever wanted to know if we could tow them and then go to the County Attorney. If the ordinance allows for towing, you are allowed to tow and refer to the County Attorney. If the ordinance does not say you are allowed to tow, then she recommends we hold off. It does state in the ordinance the vehicles can be towed at the owner's expense. Public Works Director Elliott asked if there is anything in our ordinance about citizens plowing and leaving snow in the streets and if not, how can we put one in place. This issue is causing a big problem when plowing. Mayor Dever said we need to readdress this in the next work meeting. He asked Recorder Bigler to put it on the work meeting agenda. Mayor Dever thanked everyone for their professionalism at tonight's meeting.

ADJOURNMENT

Council Member Haynes made a motion to adjourn. Council Member Nedreberg seconded. Meeting adjourned. 8:50 p.m.