

**EUREKA CITY
COUNCIL MEETING
JULY 9, 2018 7:00 P.M.**

PLEDGE OF ALLEGIANCE:

Mayor Castleton led everyone in the Pledge of Allegiance.

Public in Attendance:

Brigitte Kirgan	Andrew Froula
Heike Anderson	Ferrel Thomas
Mary Crank	Robert Young
JaNeel Nielson	Daniel Thiele
Walker Bigler	Laura Kirgan

Staff in Attendance:

City Recorder – Patricia Bigler
City Attorney – Tim Merrill

ROLL CALL:

Leslie Rice – Present
Brandy Kirgan – Present
Nick Castleton – Present
Kimberlee Clem – Present
Tamra Jameson – Absent
Hortt Carter – Present

APPROVAL OF THE MINUTES:

Council Member Carter made a motion to approve the minutes from June 11, 2018. Council Member Kirgan seconded. All in favor motion carried.

TREASURER’S REPORT:

**EUREKA CITY
TREASURER’S REPORT
FOR JUNE 2018**

Checking Beginning Balance:	\$ 68,374.06
Deposit Amount:	\$113,327.17
Withdrawal Amount:	\$ 64,561.78
Checking Ending Balance:	\$117,139.45
Certificate Account 101 Maturity Notice	\$ 13,342.75
Will Mature on 08/10/2018 will automatically roll over for another 12 months with a new Maturity Date of 08/10/2019.	

Council Member Carter made a motion to approve the Treasurer's Report. Council Member Rice seconded. All in favor motion carried. Recorder Bigler notified the Council that the Audit was completed, and she emailed a copy to all of them.

CLAIMS AGAINST THE CITY:

Claims for the month of June 2018 and to date those claims for July 2018 were presented to the Council. Council Member Rice asked about the garbage cleanup she thought they were on last months bills. Mayor Castleton explained because it is budget time it was requested that both months bills be presented to the Council. This will be the last meeting this will be done. Council Member Carter made a motion to pay the bills. Council Member Kirgan seconded. All in favor motion carried. Council Member Carter made a motion to approve July to date claims. Council Member Rice seconded. All in favor motion carried.

REPORT OF OFFICERS AND COMMITTEES:

Nick Castleton - Nothing to report

Tamra Jameson – Absent

Leslie Rice/ Planning Commission – She was not present at the last Planning Commission meeting, so she asked Ferrel Thomas if he had anything to report for the Planning Commission. Ferrel stated that they approved the subdivision and conditional use permit to occupy the Gatley Building.

Hortt Carter – everything should be done on the water/sewer project by November. There are still some punch list items that need to be addressed. He also asked about the City Hall building. He knows he is not over them but wanted to know the progress. Mayor Castleton said the bids will be opened on Thursday, July 12th at 2:00 p.m. He wanted to know if the walk through had been done and if the issues that the Council discussed had been addressed. Mayor Castleton said an addendum had been done and it should have been sent to everyone. Is there anything else we need to move out of the building since we have summer hires to help? Mayor Castleton said the basement had been emptied. The railing had been removed and given to the Historical Society. Council Member Carter said he will get with Lynn for further information. Council Member Kirgan asked if we were supposed to put the stuff out to bid. Mayor Castleton said the City can donate them.

Brandy Kirgan – reported they had some new people come to the Tintic Silver Jubilee meetings. She would like to see some "No Parking on Grass" signs at the Park. There have been some issues with people parking their vehicles on the grass.

Kimberlee Clem – Roads – she asked why the City was making 3 way stops on some the City streets. Mayor Castleton said this issue was discussed at a Council Meeting when Brian Underwood was still on the Council. Council Member Clem felt since she was over roads that she should have been informed. She said Jordan Nielsen has bought Neighborhood Watch Signs and she would like to pay for them out of her budget. She felt that the City should help this program. The Council thought it would be a good idea. Council Member Clem made a motion to pay \$178.00 for the Neighborhood Watch Signs. Council Member Carter seconded. All in favor motion carried. Council Member Carter asked if the City was still going to chip seal some of the roads. The Mayor said we were planning on doing 1/3 of the roads this year. Council Member Carter asked if we had received a bid from JCI. Mayor Castleton said we have not put this out for bid. Recorder Bigler doesn't have any information for the bid. Council Member Carter asked Council Member Clem if it would be alright if he talked to Lynn about this since he was meeting with him already. She said that would be fine.

INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES.

A. Discuss Updating Cemetery Ordinance.

Attorney Merrill asked the Council to table until next month

NEW BUSINESS.

A. Mary Crank, Application for Conditional Use Permit to allow Residence in Commercial Zone and to occupy Camp Trailer during Construction/Remodel of building.

Mary would like to live in the Gatley Building and have her business there too. Mayor Castleton asked if she had plans showing where in the building she was going to live. The copy he was shown only shows the floor plan of her business not where the living quarters are going to be.

Mary said she wants to try and keep the building as original as she can. She was planning on living in the back part of the building. She is not going to do any structural changes, just repairs. The Building Inspector has looked at the building and has giving her some recommendations and he also told her she will need to get a building permit.

Attorney Merrill said the Council could grant a Conditional Use Permit and make it contingent on having the building brought up to code. Council Member Carter made a motion to approve the Conditional Use Permit contingent on if she completes all necessary steps and all applicable codes and a public hearing is held. Council Member Rice seconded. All in favor motion carried. The Public Hearing is on the Planning Commission schedule.

Mayor Castleton mentioned that the City has hired Andrew Froula to be the Permit Coordinator.

UNFINISHED BUSINESS.

A. Richard Renzello, Request to Rezone Sharp Acres Subdivision to Residential (R-1).

Council Member Carter made a motion to approve the subdivision amendment with a professional survey map to combine the lots and to leave the zoning as is. Council Member Kirgan seconded. Attorney Merrill said that in the motion it needs to say that he needs to submit the professional survey map to the City prior to recording in at the County. Council Member Carter made an amendment to his motion to include the statement from Attorney Merrill, Council Member Kirgan seconded. All in favor motion carried.

B. Robert and Heather Young, Request for Lot Split.

Robert said they were told to go to the Planning Commission and to read the subdivision rules. The Planning Commission told them to get a survey done. He said they had the survey done but were not told what steps to follow. They proceeded on their own and sold the lot they split off. He has an action form from the Planning Commission to apply for a building permit to build a new home because they recently sold their home. He said he needs to meet with the Board of Adjustments because he needs a variance. Attorney Merrill said he has read through the notes. He said the Planning Commission had good intentions and the Board of Adjustments does grant variances but cannot in his case. The Board of Adjustments cannot grant a variance when you're applying for a subdivision. Robert said they we not doing a subdivision. Council Member Kirgan asked how many lots they split their property into. Robert said 4. Council Member Kirgan said that is considered a subdivision. Recorder Bigler said that Heather came in and said that they wanted to split their lot into 2 pieces. She gave Heather a copy of the Lot Split Ordinance and

said she needed to go before the Planning Commission. It was a simple thing to do and the ordinance tells you what needs to be done. Recorder Bigler said when Heather went to the Planning Commission she was told she didn't have to do any of that, she just needed to get the property surveyed. The Young's had their property surveyed and instead of splitting the property into 2 pieces they split it into 4 pieces which according to our ordinance constitutes a subdivision instead a of simple lot split. Attorney Merrill said the Council will ultimately approve, or modify, or deny a subdivision plan. Mayor Castleton said he went down to the County and they have already registered the Young's survey. Attorney Merrill said they County may not record anything until they have an approved Final Plat. This is State Law and City Code. The only issue with the Plat is it doesn't meet the specification in our ordinance for frontage on public or private roads. Attorney Merrill said there are a couple of ways the frontage issue can be addressed. One way is if the Council changes the ordinance requirement. Council Member Carter and Robert looked over his map and the placement of the house. The Council had a discussion on the frontage and road showing on the map. Attorney Merrill said to avoid confusion in the future have the surveyor or engineer prepare a Final Plat. It needs to be designated Final Plat and have all the signatures from the City and everyone that is required. Attorney Merrill pointed out the steps in the ordinance to Robert. Robert needs to go to his surveyor and asked them for a Final Plat. This is for all the property. Attorney Merrill read the requirements for the Final Plat. Robert clarified with the Council and Attorney Merrill before they can apply for a building permit he needs to get the Final Plat. Attorney Merrill said the property is short 20 feet on the frontage according to the ordinance. The Council can approve the Plat as is on the frontage. Attorney Merrill said the Council can make a motion to approve the Final Plat subject to conforming to all City ordinances and codes, have it signed by the City Engineer and Mayor. We don't have a City Engineer, so Mayor Castleton asked if Council Member Rice would sign the Final Plat with him. Council Member Kirgan made a motioned to approve the Final Plat on the condition that it conforms to all City ordinances and codes, signed by the Mayor and Council Member Rice. Council Member Rice seconded. Mayor Castleton said there was a motion and a second for approval upon condition we get the Final Plat and then he was interrupted by Robert who said his son Mason is doing an Eagle Project to put in 4 benches at the City Park. He had the proposed locations for the new benches. Council Member Kirgan said she would need to have them. Council Member Kirgan asked if Attorney Merrill could repeat what exactly needs to be done for the Final Plat. Heather Young asked if the Plat needed to be Mylar. Attorney Merrill read what she needed. The Council did not do the final vote for the Final Plat and conditions for the Young's property.

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.)

Andrew Froula wanted to know if the new Ambulance shed had a building permit. Recorder Bigler said she has received the checklist and a drawing. She said they have contacted the Building Inspector and have been talking to him. Mayor Castleton said he would check on it. Andrew asked since they broke ground, doesn't that require EPA Permit Coordinator. Mayor Castleton said yes, and he will need to sign off on it. Recorder Bigler let Andrew know she had his duties for the Permit Coordinator job.

Council Member Kirgan said she and some citizens would like to hear the recording from the last meeting. Council Member Carter made a motion to go into Executive Session. A citizen in attendance wanted to hear the minutes. Council Member Carter gave the citizen his copy of last months meeting.

EXECUTIVE MEETING:

No items to be discussed

ADJOURNMENT:

Council Member Carter made a motion to adjourn. Council Member Kirgan seconded. All in favor motion carried.