

**EUREKA CITY COUNCIL
WORK MEETING
FEBRUARY 7, 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 Evan – Absent
Council Member Travis Haynes – Absent
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

Via Zoom – Bonnie Brantley, Shelley Stansfield, Robert Pagnani, Chris Trowbridge, Dena Green, Gary Poh, Larry Sparrow

DISCUSSION ITEMS

a. Discussion concerning Zoning Issues.

Mayor Dever said he was aware that we have some roads and other places we need to look at and the master plan does have some zoning in it. He wanted to know if anyone has asked about amending the zoning ordinance. Recorder Bigler replied she had not heard of anything, but Attorney Mellor had asked for it to be placed on agenda. Attorney Mellor stated this is about a total revamp of the zoning ordinance. She would like the Council and Mayor to read over the ordinance and give her feedback as to what direction they would like the City to go. She feels she has been put in a position of being asked to suggest what should be in the ordinances. She does not live here and does not feel comfortable telling us what to do. She is happy to advise, but the decision needs to come from the Council and Mayor. There was a discussion on when to have the Open Meeting and Ethics training for Council, Mayor, Planning Commission, and Board of Adjustments. Recorder Bigler asked if the Silver Jubilee Committee should attend. Attorney Mellor said yes definitely. Shelley Stansfield asked if business owners should attend. Attorney Mellor answered with it is an open meeting and anyone can come. It was decided to have the training on March 14th. Mayor Dever mentioned he had Recorder Bigler order some powers and duties handbooks and thinks it would be a good idea for the Council to take a couple of weeks to digest the information.

b. Discussion concerning the Cottage Home Ordinance.

Council Member Evans is working on some maps they can overlay of the area. Mayor Dever remarked the Council had already discussed lot and road sizes at a previous meeting. We need to make the most use of those lots. Council Member Nedreberg had a question on some of those smaller lots being used as Airbnb's and part-time residents. He feels some people may prefer to live in a smaller home how can we control it. Mayor Dever feels the control would come with our zoning and Cottage Home ordinances. Attorney Mellor said her major concern with the ordinance is the City really needs to tighten it down on the developers. She stressed the City needs to be careful not to restrict the homeowners, but not allow developers to exploit it. She thinks it is critical to define what lots qualify under this ordinance to help avoid the risk of having the lots become derelict. Council Member Nedreberg mentioned having the maps to look at would be helpful in determining this. Mayor Dever would like to nail down and identify which streets would apply at the next Council Meeting.

c. Discussion on Short-Term Rental Ordinance.

Council Member Trepanier is not aware of anything happening in the Legislature. Attorney Mellor also has not heard anything yet and she gets Legislature updates. Council Member Trepanier stated that under current State law cities cannot stop short-term rentals. His major concern is potentially any residential home can become a short-term rental. Attorney Mellor commented if it is a commercial enterprise then a business license is needed, and this generates revenue for the city. Mayor Dever said this would also fall under zoning and could be regulated. Attorney Mellor advises caution and suggests the City wait and see what the State Legislature does. A discussion took place on business licenses and taxes charged. Mayor Dever will call the State Tax Commission for more information. Bob Pagnani asked a question – what is considered a short-term rental? Council Member Snell said the proposed ordinance defines it as 29 days or less.

d. Discussion concerning School Crossing Zone.

Mayor Dever said he was told the school would like the crossing guard to not only cross the kids but to monitor where the vehicles pull out onto Main St. Recorder Bigler said Brian Underwood had talked to Public Works Director Elliott about Campus Dr. He said the school wanted the crossing guard to cross them on the sidewalk across Campus Dr and then cross them across Main St. He told Brian we may want to contact UDOT about moving the cross walk. Council Member Snell said during the planning of the parking lot they had met with Council Member Hortt Carter and this same issue was discussed. They also talked to UDOT about moving the cross walk, but UDOT didn't want it moved. He was under the impression the crossing guard was to park in the parking lot and monitor both areas. Recorder Bigler said when she was filling in for the crossing guard, she would sit in the parking lot but the kids were not coming down the sidewalk, so it didn't make sense to sit in the parking lot. Mayor Dever asked Council Member Snell if he could talk to the school district about having someone help with crossing at least in the parking lot. It was decided to table the discussion until we can talk with the Superintendent.

e. Follow-up Discussion concerning the purchase of the Alley adjacent to Travis Green on North Leadville.

Recorder Bigler brought everyone up to date on this item. Myron had come to the City years ago about purchasing the alley. It was determined the alley fell under the probate judge, so it was dropped. Since then, Attorney Mellor has been able to fix the issue with the probate judge. They brought it before the Council again last year after getting the property surveyed. Council Member Darrin Carlson felt it would be better to hold a public hearing and to surplus the property. The public hearing was held and there were no objections, however; the Council failed to vote on it. Recorder Bigler made a packet of all the items for the Council to look at and said everything has been taken care of they just need to vote on it. Attorney Mellor said to make this an action item for next Council Meeting.

Mayor Dever wanted to discuss the Jimmy Davis/Lyndsay Andrus property at the top of Church St. Mr. Davis wants to realign his property and to do so he would need to purchase a portion of railroad property from the City. He asked if they had gotten a survey of the property in question, and they had. Recorder Bigler comment that the last she had heard they wanted to purchase part of Chief property and some of the railroad property. A lot split of both properties would be needed before this could be done so she sent them to the Planning Commission. She has not heard anything else on the matter. Mayor Dever will talk with Lyndsay to see where they are at with this process. Attorney Mellor has some concerns about splitting these derelict properties. She would encourage the Council not to piece meal these kinds of property and require property owners to purchase the whole piece. Council Member Snell stated when he came to Council to purchase the railroad property adjacent to his he had to purchase the entire piece. Mayor Dever will contact them and let them know they have to purchase the entire piece and a lot split is required on the Chief property. Recorder Bigler informed the Council all the zoning and subdivision ordinances are available online.

Mayor Dever informed the Council he would be sending them a copy of the personal development plan for the employee's review he is going to be conducting. He has talked to the County Sheriff about law enforcement and coverage for the City during the weekends. He also had a discussion with them about help with Code Enforcement. Mayor Dever said there has been some good conversations about the Silver Jubilee Celebration and wants to discuss it more at the next Council Meeting. Council Member Snell said he was approached by Brandon Gout about holding mud bog races at the celebration and just wanted to make the Council aware of it.

Council Member Nedreberg is looking at establishing a Google account for email and shareable documents that would be managed by the City. The cost would be \$6.00 per each user. Attorney Mellor reminded the Council these accounts would be subject to GRAMA requests. Attorney Mellor asked Recorder Bigler to inform the Planning Commission and Board of Adjustments of the mandatory training.

ADJOURNMENT

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