

**EUREKA CITY COUNCIL
WORK MEETING
OCTOBER 7, 2024 7:00 P.M.**

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Mayor Toni Dever - Present
Council Member Greg Evans – Present
Council Member Travis Haynes – Present
Council Member Tom Nedreberg – Present
Council Member Jeremy Snell – Present
Council Member Scott C. Pugh - Present
City Recorder Patricia Bigler – Present
City Attorney Melissa Mellor – Present via Zoom

OTHERS IN ATTENDANCE

Cole Palfreyman, Susan Pugh, Ted & LouAnna Haynes, Wesley Dever, Shay Morrison, Steve Child, Lindsey Andrus

DISCUSSION ITEMS

Shay Morrison Community Advisor Discussion of the following:

EUREKA – PLANNING COMMISSION ORDINANCE – DRAFT

Shay recommended having it legally reviewed and passed so we can work on the rest of the list. The Planning Commission should be reviewing all land use ordinances, drafts, holding public hearings and taking comments. Then providing recommendations to the City Council. The rest of the ordinances listed tonight are considered land use and should follow the procedures Shay just mentioned. Attorney Mellor agreed with Shay about getting the Planning Commission in place first. It was discussed to have three-member commission. A five-member commission is recommended but three will work. He would like to see this ordinance on the Council Meeting Agenda next week. The Council could adopt the ordinance and put a Planning Commission in place. They could hold a meeting and review the rest of the ordinances along with the Attorney. A public hearing could be held and at the next Council Meeting they could be adopted. Mayor Dever had a question about the length of time a person can serve. The ordinance states a term of five years, and she was thinking three years would be better. A three-year term is possible. Council Member Haynes wondered if the five-year term would be the better option.

EUREKA – SUBDIVISION ORDINANCE – DRAFT

This ordinance is being proposed because Senate Bill 174 was passed in the 2023 Legislative Session that requires municipalities to take their subdivision approval process from a legislative process to an administrative process. This takes the City Council out of the process and puts it at the Planning Commission level and involves an Administrative Land Use Authority. There is a preliminary approval and a final approval for subdivisions. The City Council cannot be involved in the preliminary approval. The Planning Commission and the City Council cannot be involved

in the final approval. The administrative land use authority handles it. The land use authority can be the City Attorney, City Engineer, or a third party. Attorney Mellor said she would strongly suggest an engineer. Municipalities should charge a fee to developers who want to do a subdivision. Mayor Dever asked if the EPA soil requirements and water share requirements go in the ordinance. Shay said they can, but he recommends they be put in the general land use code under development standards for subdivisions. He said that water shares are done on annexations on larger lots outside city limits for subdivisions. If the subdivision is within city limits it is typically the municipalities responsible for having the water available. It is in part the municipalities responsibility to plan for the future and provide those services. If there are lots in town available to build on and the city doesn't have enough water for them then it would be beneficial for the community to go out and purchase more water.

EUREKA –ADMINISTRATIVE CODE ENFORCEMENT PROGRAM-DRAFT

Shay said this ordinance and the Nuisance Ordinance are based off the Cedar Hill Ordinance's that Attorney Mellor provided. He recommends the Planning Commission, and the Attorney are reviewing and approving both ordinances. Attorney Mellor said it is critical that the Administrative Code Enforcement Ordinance work in tandem with these other ordinances. Council Member Evans said we need to make sure we can enforce our ordinances. These ordinances are not final. They are drafts and can be added to.

EUREKA – NUISANCE ORDINANCE – DRAFT

Discussed above.

EUREKA – PARKING REGULATIONS – DRAFT

This is a combination of a couple of ordinances we already had. He made some changes to the language to make them more workable and easier to understand. It will amend the previous ones, combine them into one, and cleans up the language.

EUREKA – SHORT-TERM RENTAL ORDINANCE – DRAFT

This ordinance is based off of Richfield's. He also worked with Nephi on it. It is a very simple ordinance. It does not have a ton of heavy regulations. He thinks it is a good place to start. We can add more to it later. Attorney Mellor and Council Member Evans thought we had already passed a Short-Term Rental Ordinance. We did pass the Transit Room Tax. It is related to this ordinance. Recorder Bigler said Attorney Mellor gave us a short-term rental, but she doesn't think we passed it. She will look into it.

EUREKA – MOBILE HOME & RV PARKS ORDINANCE – DRAFT

The mobile home ordinance is based off of Mona's and Nephi's. He was wondering if the Council had ever considered using Civic Link or Municode to codify our ordinances online. He said it is very hard to find what we have. He will provide some more information if the Council wants it. Council Member Nedreberg will take the lead on the codification. The adoption of the Planning and Zoning ordinance needs to be put as an action item on the Council Meeting agenda. Council Member Nedreberg would like the contract for the codification be on the agenda too.

Code Enforcement Officer

Council Member Snell had an update on the gentleman he had spoken to before. He tried to get a hold of him, and he has not responded back. We have posted this position twice with no luck and wanted to know if we wanted to post it again. Mayor Dever said she had talked to the Sheriff and Council Member Snell had talked to Drake. Mayor Dever said to table this item for now.

CIP Project List

Shay shared a form to populate the list. Council Member Evans will work with Shay to get it done.

Equipment Purchases – Mini-X, Broom, and Vehicle.

Council Member Evans has reached out to Trevor but has not heard back from him. Council Member Haynes has been looking at different brooms for sale. Mayor Dever asked if these items would be covered under his street department. Council Member Haynes said he believes he can purchase these items with B & C money. Mayor Dever was concerned we may have other items more important than a mini-X or broom. Council Member Evans explained that B & C road funds can only be used for streets. He thinks the broom would be a good item to get. Council Member Haynes said we have discussed getting a vehicle. We need to decide what we want it for. It could be used for the code enforcement person and city staff. Mayor Dever asked Council Member Haynes to look at options and we will discuss it at next week's meeting.

Review of Subdivision Application – Cole Palfreyman.

Cole said the subdivision is just making the existing lots deeper. He would be selling some of the property to Draper's and to the neighbors to the far south of him. He will be keeping the property behind him and to the Draper property and selling the two ½ acre lots that are left. Mayor Dever felt his paperwork was incomplete and the soil needed to be tested. He mentioned he was not developing the property. If the two ½ acres are purchased, then it would be up to the new owners to get the soil tested if they were going to build. Mayor Dever still felt the paperwork was incomplete. Cole said he talked with the city before and went over the list of what was needed for submittals. He asked them to show him what he needed to submit to sell a building lot. Council Member Haynes asked if he was putting in any roads. Cole said no. He is only changing property lines with the neighbors. He is not developing.

Ted & LouAnna Haynes – Questions on Subdividing their Mobile Home Park.

Louanna said they want to turn their mobile home park into a subdivision. She explained the history of the lot. They purchased the WWC Millsite in 1978 and later turned it into a trailer park. The city had required them to have individual sewer, water, and power at each location. They also had to designate each property as individual lots. They recently had Ludlow Engineering survey the lots and have talked to the occupants. They will also include the lot below their home. They want to be grandfathered in Council Member Haynes mentioned the city's water and sewer is located under the street that runs through the trailer park and LouAnna said they plan to grant the city the road when everything is completed. She showed the Council a map of the area, however; the map had some errors, and a new map is being drawn up. Council Member Evans said since they already went through all the work many years ago, we should take that into consideration and look at grandfathering in for this particular section. Council Member Snell said since they already have individual water and sewer hookups there will be no

new demands on our systems. The Council needs to do their part and make sure they have done it right. He feels both the Haynes's and Mr. Palfreyman have both done their best to follow the checklist. If an item doesn't pertain to your situation or you are unsure what it means mark it with n/a or a question mark (?) and submit the paperwork. Then it will be up to the Council to decide if the information is needed. He is in support of both subdivisions as long as the checklist is followed. This is what we have in place, and we cannot be moving the target on them regardless of what new ordinance might be coming. Council Member Evans said if there is an item that needs to be added to the city it should be defined as to what it is. Council Member Haynes said he abstained from saying anything that concerned the Haynes's subdivision because they are family. He did have an issue with the soil sampling. He felt since Mr. Palfreyman is not developing the property or putting in any access roads there is no need for it. We need to look at the subdivision ordinance concerning soil sampling. Council Member Evans commented that both subdivisions are more property issues and fall under the subdivision ordinance because the property needs to be divided. He also stated the soil sampling falls under the building permit and is only mentioned in the subdivision section.

Reinstating Commercial Water Rates.

Mayor Dever mentioned Dennis Gunn and JaNell Braithwats will be working on the surveys needed. Council Member Nedreberg said when the water rates were redone, they did not want to penalize the businesses.

Discussion concerning ownership of streets.

Chief Street

Bray Street

Fitchville Area

Council Member Haynes said we need to get this done. It would help the city get more money from the B & C Road Fund. Attorney Mellor said a few years ago she was in communication with the Attorney for Chief Consolidated Tim Buchanan and Jesse Ralphs with Sunrise Engineering and something needed to be done. Sunrise Engineering was supposed to have taken care of it. Recorder Bigler said she thought they had gotten it done and turned it over to Chief. She will get a hold of Sunrise Engineering.

ADJOURNMENT

Council Member Evans made a motion to adjourn. Council Member Haynes seconded. All in favor meeting adjourned 8:49 pm.