

**EUREKA CITY  
COUNCIL MEETING  
AUGUST 10, 2020 7:00 P.M.**

**PLEDGE OF ALLEGIANCE**

Mayor Castleton opened the meeting and led everyone in the Pledge of Allegiance

**ROLL CALL**

Mayor Nick Castleton – Present  
Council Member Darrin Carlson – Present  
Council Member Hortt Carter – Present  
Council Member Larry Ezell – Present  
Council Member Travis Haynes – Present  
Council Member Leslie Rice – Present via Zoom  
City Attorney Melissa Mellor – Via Zoom  
Public Works Director Lynn Elliott – Via Zoom  
City Recorder Patricia Bigler

**PUBLIC IN ATTENDANCE**

Suzanne Carter, Glen Wahlberg, Tim McMahon

Those attending via Zoom  
Kim Pannell, Teri Underwood, Adele Pagnani

**APPROVAL OF THE MINUTES**

Council Member Carter made a motion to approve the minutes from July 13<sup>th</sup>. Council Member Carlson seconded. All in favor motion carried. Council Members Carlson, Carter, Ezell, Haynes, and Rice – Aye

**TREASURER’S REPORT**

**EUREKA CITY  
TREASURER’S REPORT  
FOR JULY 2020**

Checking Beginning Balance:	\$ 46,100.79
Deposit Amount:	\$ 83,566.48
Withdrawal Amount:	\$ 69,257.55
Checking Ending Balance:	\$ 60,409.72

Council Member Carlson made a motion to approve the Treasurer’s Report. Council Member Haynes seconded. All in favor motion carried. Council Members Carlson, Carter, Ezell, Haynes, and Rice – Aye

Council Member Ezell asked if gravel income was included on the Treasurer's Report. All income is included after it is deposited. The Kirgan's had just paid theirs.

### **CLAIMS AGAINST THE CITY**

Mayor Castleton explained to Council that Serena Neese, from Mammoth, had come in and offered to buy new flags for the light poles. He ordered the flags and Serena paid for them. Council Member Ezell asked why we do not have all LED streetlights? Recorder Bigler said we have been trying to get all LED lights. He will check to see if they will let us make payments on new LED lights. Council Member Carter made a motion to pay the bills. Council Member Haynes seconded. Council Member Ezell asked if both brush cutters were up and running after seeing the bill for Charlie D's. Yes, both cutters are up and running. Council Member Carter said he was going to have the guys go down and cut the sagebrush at the Cemetery. All in favor motion carried. Council Members Carlson, Carter, Ezell, Haynes, and Rice – Aye

### **REPORT OF OFFICERS AND COMMITTEES**

Nick Castleton – Did not have anything to report

Hortt Carter – He said a customer had come to him about getting her water back on. The account has been on the one-time only payment plan before. He proposed paying half of the amount owed then pay the remaining balance over 3-month installment payments and keep it current during that time we would turn the water back on. Council wants to make sure this will not be abused. It would be treated on a case by case basis. Council has no problem with it. He gave Recorder Bigler a copy of the map for the school parking lot. He informed the Council as of October 1, 2020 he will be resigning. Mayor Castleton asked if the inspector found out anything about the school sewer or drainage if it goes to our ditch. Recorder Bigler said she found out the school is exempt from all building permits from the City. We can request a copy of the inspections. Council Member Carter said he will talk to them and find out about the sewer and drainage. Council Member Ezell was worried about the setbacks. They are in a commercial zone and can butt up right next to the sidewalk if they want to. The Council looked at the map and where the bus shed is located and how the buses come in and out. Mayor Castleton talked to Jon Goodman about his cars parked along the school fence. He told him there was no parking there because the school will be using it as a pickup and drop off point.

Travis Haynes – Silver Jubilee is coming along. Always need volunteers. Mayor Castleton asked him about the paving by Terry Kirgan's. Terry is having his driveway paved. He has talked to Lynn about buying and putting in culverts starting up by Steve Childs on Beck St. all the way down to main street. There is a drop box at the bottom by the church. He hopes to get the drainage fixed along with the potholes on that section of Beck St. Lynn mentioned he got a freebie coming from JCI to fix a section of Church St. starting at Larry Sparrow to about Arnold Carlson's. It should be the full width of the road.

Darrin Carlson – Met with Jessie, Sunrise Engineering, about Memorial Building contract. He has the money in his budget to pay Sunrise. An electrical study needs to be done. Council Member Ezell said let us go with 200 amp on each floor. Leavitt with Six County will help us write the grant. Council Member Ezell asked what we are going to do with building if we do not get the grant. We will worry about that in October or November.

Leslie Rice – Did not have anything to report.

Larry Ezell – Wanted to say again Thank you to the two girls, we hired over the summer, for their hard work. Mayor Castleton asked the Council if it would be okay for him to give each one of the girls a thank you card along with a \$100 bill. The Council thought it was a good idea.

#### B. Planning Commission

##### 1. Recommendation to City Council on installing fences over 6 ft. in height

The Richardson's never came to the meeting, so the commission has no information on exactly how high it will be or if it is chain link or solid. Council Member Carlson said the new ordinance is messed up. He has a copy of the ordinance that him and then Attorney Merrill worked on while he was on the Planning Commission. It was not the ordinance the Council voted on. Council Member Carter told Leslie to get the Planning & Zoning to work on writing a new fence ordinance. Council Member Carlson informed him that it is the Council's job to write the ordinances, then it goes to the Planning Commission for any recommendations, and then back to the Council to vote on.

#### **NEW BUSINESS.**

A. Suzanne Carter – request to purchase small piece of Railroad Property adjacent to theirs  
Council Member Carter excused himself from this portion of the meeting. Suzanne asked the Council if she could purchase the Railroad Property adjacent to hers. Hortt said he had a quick claim deed already done. Council Member Carlson asked if he had a survey. Hortt said yes it was done by Ludlow Engineering. Council Member Haynes made a motion to sell the property for \$279.30. Council Member Rice seconded. Council Member Ezell amended the motion to add Kim Pannell's & Ron Bray's property. These two properties need to have all the paperwork completed and turned in. Kim spoke up said her paperwork has been turned in all except for the quick claim deed. She did not know who filled it out her or the City. She will need to fill it out and turn it in to the City. All in favor motion carried. Council Members Carlson, Ezell, Haynes, and Rice – Aye

#### **UNFINISHED BUSINESS.**

A. Presentation of Final Draft of Grazing Lease for Nathan Charlesworth  
Attorney Mellor said the term is one-year term that automatically renews for 10 years. Either party can terminate at least 60 days before the renewal. If the City terminates before 4 years, we will have to reimburse him for the fence. If he terminates before the 4 years, then he would not be reimbursed. Council Member Hortt made a motion to lease the property at \$250 per year. Council Member Ezell approve. All in favor motion carried. Council Members Carlson, Carter, Ezell, Haynes, and Rice – Aye

#### **INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES.**

A. Consider and Enact Final Draft of Ordinance Declaring Surplus Property (Ordinance No. 08-10-2020)

Significate real property must be noticed in newspaper and have fair market value of at least \$5,000 or more. Council Member Carter made a motion to adopt Ordinance No 08/10/2020.

Council Member Carlson seconded. All in favor motion carried. Council Members Carlson, Carter, Ezell, Haynes, and Rice – Aye

### **CITIZEN COMMENTS.**

(Citizens who had submitted their question or concerns in writing prior to the meeting may do so at this time but will be limited to two minutes each.)

Tim McMahon came to talk to the Council about his water issue. He is going to have Chris Dever come look at his line and fix the leak. While he is having that done, he was told it might be a good idea to have the meter replaced. The City did a data log for 24 hrs., 12 hrs., 6 hrs., and 1 hr. Lynn said the meter at McMahon's is only 4 months old. He has the same meter at his own home. He said on the data log you can see the spikes in water usage. When they are not home it is reading zero but when they come home it starts spiking. If there was an issue with the meter it would show all the time. Whatever the issue is it is on McMahon's side of the meter.

Glen Wahlberg, Mammoth Water Users, main lease agreement says the City will lease the water. Council Member Carter said according to the main lease it says it renews every year, so he does not understand why it must be signed every year. This is one of the things he is having Attorney Mellor look at. Glen was asking why the check had not been cashed. We are holding on to it until all this is settled.

Kim Pannell asked when she brings the deed can she just bring it to the City office. Yes, she can.

Lynn wants to know when we can get going on replacing the booster pump at the booster station. We need to get the current price. Lynn said he should be able to get it at the price we did before at \$12,000 – \$13,000. Council Member Carter wants an estimate something in writing from the contractor who will be performing the work. He would like to stipulate that it cannot exceed a certain amount. Lynn said he is still working on spending leftover money from the sewer project. He had to fix the screen at the sewer plant. He said his liner at the sewer pond has 6 holes in it. Council Member Carter wants Jessie and Steve to take responsibility and fix the holes at no cost to the City. Lynn said it is the City's issue because it was one of our former employees who did it. He is draining it and can repair it. The cost will be minimal. Council Member Carter wants a certified company to do the repairs so the pond can be certified again. The warranty has already been voided. To get it the warranty again it would need to be drained and redone just like it was in the beginning. He will get with him on Wednesday. Lynn asked Council Member Haynes if he can get some blue die. Swing up and ask Chad for some.

### **EXECUTIVE MEETING**

No items to be discussed

### **ADJOURNMENT**

Council Member Carter made a motion to adjourn. Council Member Ezell seconded. All in favor meeting adjourned. Council Members Carlson, Carter, Ezell, Haynes, and Rice – Aye. 8:28 pm