

**EUREKA CITY
COUNCIL MEETING
SEPTEMBER 14, 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 came in late at 7:06
City Recorder Patricia Bigler
City Attorney Melissa Mellor via Zoom
Public Works Director Lynn Elliott via Zoom

Public in Attendance via Zoom

Shelly Stansfield, Gary Poh, Adam Riley

Public in Attendance

Jeremy Snell, Greg Thornock

APPROVAL OF THE MINUTES

Council Member Carter made a motion to approve the minutes from August 10th. Council Member Ezell seconded. All in favor motion carried. Council Members Carlson, Carter, Ezell, Haynes, Rice – Aye.

TREASURER'S REPORT

**EUREKA CITY
TREASURER'S REPORT
FOR AUGUST 2020**

Checking Beginning Balance:	\$ 60,409.72
Deposit Amount:	\$ 79,035.18
Withdrawal Amount:	\$ 71,497.03
Checking Ending Balance:	\$ 67,947.87

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

CLAIMS AGAINST THE CITY

Claims in the amount of \$56,373.66 were presented to the Council. Council Member Ezell made a motion to pay the bills. No discussion took place. Council Member Haynes seconded. All in favor motion carried. Council Members Carlson, Carter, Ezell, Haynes, Rice – Aye.

REPORTS OF OFFICERS AND COMMITTEES

Nick Castleton – Nothing to report

Hortt Carter – Nothing to report

Travis Haynes – Has not had a chance to go measure culverts for the road by Kirgan's. Worked on some roads at the cemetery and talked to County and they will help. He said Chad said there is a possibility of getting more grindings for the roads at the cemetery for next year. Work with Lynn see if we can get some of the roads prepped before we get ready to do them. He and Ted went and graded the night before.

Darrin Carlson – Nothing to report

Leslie Rice – Nothing to report. Council Member Carter asked about dumpsters at the dump after seeing all comments on Facebook. Mayor Castleton said he called and talked to Country Garbage about getting 2 – 30-yard dumpsters. Recorder Bigler said we may have to change the contract if we keep the 30-yard dumpsters.

Larry Ezell – Thanked Travis, Ted, Lynn, & Drew for the cemetery it looks nice. He said Ted did the work out of kindness of his heart. He would like to give Ted the blue dump truck. Council Member Carter made a motion to give the blue dump truck to Ted Haynes. Council Member Ezell seconded. All in favor motion carried. Council Members Carlson, Carter, Ezell, Haynes, Rice – Aye. Council Member Carter asked what is wrong with the orange truck. Lynn explained what the issue is. We need to get a price on how much it would cost to fix it.

B. Planning Commission – Nothing to report

NEW BUSINESS

A. Review of Contract for IT Services with Les Olson Company

The Council reviewed the contract. Recorder Bigler mentioned we had received a quote last year from Computech. The Council asked her to call and see how much it would be to add the laptops. Council Member Rice mentioned Brinkworth who lives out by the county line. Council Member made a motion for the Mayor and Recorder Bigler to negotiate a deal for IT service. All in favor motion carried. Council Members Carlson, Carter, Ezell, Haynes, Rice -Aye.

UNFINISHED BUSINESS

A. Review and Discussion of the Eureka City Fee Schedule

Mayor Castleton said our fee schedule needs to be updated due to the fact our impact fees will be going into effect on September 23rd. Recorder Bigler said Lynn was able to get the water meter

prices and she worked up the amount for the water and sewer. This fee is for setting the water meter along with Lynn and Patricia's time. Attorney Mellor said to get her the information and she will draft a Resolution to change the fees. A fee needs to be addressed for Data Logs. A base fee of \$25 along with a \$.25 per page copy.

B. Finalize list of Surplus Property to meet disposal and advertising requirements

The Mayor asked Lynn what else we have for surplus equipment. We need a list of all surplus equipment. The grader needs to be looked at. Lynn will get it up to the shop yard tomorrow. He will get an assessment of how much it will take to fix it and let Council Member Carter know.

C. Discussion on Code Enforcement for Business Licensing and Permits

Mayor Castleton, Recorder Bigler, Drew, Attorney Mellor and the County Attorney had a meeting to discuss code enforcement. Drew needs to be keeping a logbook of all the notices he writes. Attorney Mellor said business that are operating without a business license are breaking a State law. The County Attorney will meet and talk to the Sheriff about this issue. Attorney Mellor explained in detail how code enforcement is supposed to work. A discussion took place on the old inter local agreement with had with the Sheriff's department.

INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES

A. Consider and adopt Resolution No. 09-14-2020-1 A Resolution to Amend the Eureka City Fee Schedule

Attorney Mellor did not get it done.

B. Consider and adopt Amendment to Ordinance No. 09-09-2019, An Ordinance Adopting Rules and Regulations for the Eureka City Waterworks Department and Procedures Associated Therewith

Attorney Mellor did not get the amendments done, but she has talked to Council Member Carter to find out what needs to be amended.

Council Member Carter read the parts that need to be changed in both the water and sewer ordinance. A discussion took place on utilities that run into the streets and what type of bonds we want for this work. Attorney Mellor can do a performance guarantee bond. Council Member Haynes felt we were going to get too expensive for anyone to build. Lynn said he still has the specs from JCI he will get with Council Member Carter and go over it.

C. Consider and adopt Amendment to Ordinance No. 12-09-2019, An Ordinance Adopting Rules and Regulations for the Eureka City Sewer and Wastewater Department and Procedures Associated Therewith

Mayor Castleton asked the Attorney if she had looked at franchise agreement with Dominion Energy. Former City Attorney Merrill had been working with Dominion of this agreement. Attorney Mellor said the agreement she has does have some items crossed out. Council Member Ezell had an issue with the 20yr contract. The City is granting a non-exclusive franchise agreement with them. Dominion will be collecting the franchise tax and then giving it back to the City. Attorney Mellor was concerned with the section on digging up the streets. The section concerning a guarantee bond or other bonds was expressly waived. Mayor Castleton said they told him they are their own bonding company. It states they are required to fix private properties.

Council Member Carter made a motion to have Attorney Mellor finish reading over the agreement and if everything is good then have Mayor Castleton sign it. Council Member Ezell seconded. All in favor motion carried. Council Members Carlson, Carter, Ezell, Haynes, Rice – Aye.

CITIZENS COMMENTS

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

Jeremy Snell wants to build a garage by his home and needs to purchase railroad property to do it. He has contacted Ludlow Engineering and they are about 10 weeks out. He had a packet with maps of the property and the current survey of his property. Council Member Carter made a motion with a condition on the survey being the total 9500 sq ft @ \$.30 a sq ft. Council Member Rice seconded. Attorney Mellor said he will need a survey before he can start to build. All in favor motion carried. Council Members Carlson, Carter, Ezell Haynes, Rice – Aye.

Council Member Ezell asked what about the water going south to the County building. Council Member Carter said if Mrs. Larson wants to run a new potable line, she can purchase a 2” connection at the meter.

Shelly Stansfield was wondering if her business license had been signed and how much it would be to purchase 2 garbage totes. Recorder Bigler said her license is ready to be picked up. Garbage totes are \$16.50 for 1 and \$24.00 for 2 each month and this can be added to her bill. She decided to wait until next year since her season is about up.

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.