***EUREKA CITY COUNCIL MEETING***

***MINUTES***

***AUGUST 11, 2015, 7:00 P.M.***

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

**ROLL CALL:**

Donna Robinson, Brian Underwood, Ned Allinson, Nick Castleton, Hortt Carter and Judy Jones.

**APPROVAL OF THE MINUTES:**

The Minutes of the July 14, 2015 meeting were reviewed. Council Member Donna Robinson had two items, on page 1, the last paragraph, it talked about cancelling the Home Depot account or ordering it online, it talks about the discussion but it didn’t state what the outcome was. Upon discussion, it was the consensus that we didn’t have to vote on it, we would just use the local businesses to purchase these types of items or use the credit card to make the purchases because the account had already been closed. Mayor Castleton said we would just do business as usual for now, and make a decision later if we decided we need to open another account.

Then on the second page, it states that Brian made a motion to approve access to work on private property; she wanted to know what that was about? Council Member Underwood stated that it was for access to work on Private Property for the water and sewer project which was discussed and approved. She then stated it was just the paperwork that got approved. The Mayor and Council said that yes that is what was approved.

Council Member Donna Robinson made a motion to approve the Minutes. Council Member Ned Allinson seconded the motion. Upon roll call, vote was unanimous.

**TREASURER’S REPORT:**

City Council reviewed Treasurer’s Report.

Donna asked what the admin. /legal was for? Patricia explained what it was for.

Patricia mentioned that if they noticed, the budget had been put into our system. There are a few changes we need to make on the accounts, one was the insurances, there are two listed, but the Health Insurance was under that other insurance instead of the health insurance. Caselle came up and spent all day doing bank recs and putting our budget in. He said that they would like to get us switched over to their Clarity program because it would make it much easier for us.

Council Member Robinson stated under animal control, there should have been a charge for the dog we took to Delta, do we know where that go put. Mayor Castleton stated that it should have been in last months. Patricia stated that it still should have showed up in the year to date. She would check into that as well.

Donna also noticed that Soccer had nothing in it, but knew that it had started. Patricia mentioned that she had just put that in, everything to date had been put under Parks and Recreation for Soccer and she didn’t want to have it in two separate accounts so it would be all together. Next year, it will be under soccer. She asked if we could have Anita separate them. Mayor Castleton stated that Anita no longer worked for the City. Patricia said that she would break it down. Donna stated that she would like it for when they come and ask about the nets she can let them know.

Council Member Brian Underwood made a motion to approve the Treasurer’s Report. Council Member Donna Robinson seconded the motion. Upon roll call, vote was unanimous.

**CLAIMS AGAINST THE CITY:**

The claims were presented to the Council. They discussed a few of the items, one being the window on Lynn’s truck that was replaced, the soccer uniform, etc. Council Member Robinson inquired if anything had been said about the dump. Patricia stated that we had been charged $75.00 for them to come up and check the dumpster because Donna had told them it had to be checked once a week, so she had been calling every week to let Country Garbage know whether it needed to be dumped or not so they wouldn’t charge us. Donna said she would call them again. Council Member Donna Robinson made a motion that warrants be drawn and bills paid. Council Member Hortt Carter seconded the motion. Upon roll call, vote was unanimous.

**REPORT OF COMMITTEES:**

***DONNA ROBINSON***:

* Did not have anything to discuss.

***BRIAN UNDERWOOD:***

* Water project going good. Sewer is getting a late start but trying to push things ahead
* TV update, went to go up on hill with Murray, but water people had road dug up. Brian will have to give him a call back to try at a later date. The County is on board and seems to think we can get money. Something we need to keep pursuing.
* Nuisance Ordinance – Where are we on that? Are we going to continue?
* Major issue with dogs, have talked with the Sheriff’s Office and Deputies. The Sheriff said that they are trying to get something going in on a joint agreement with Nephi and will keep Brian informed on that. Patricia reported that there have been several dog bites in which the ambulance and Sheriff’s Deputies have responded to.

Mayor Castleton stated that we need the people to start putting in complaints. Donna stated that maybe we should find out what a contract could consist of. Brian stated that the Sheriff’s Office is willing to help on complaints. Mayor asked if they wanted to try setting out traps. Brian stated that if we do that, we need someplace to take them. Hortt asked if it was the City’s responsibility to pay for all the loose dogs running around, spending public money.

Patricia mentioned that our old policy was that if we have received three complaints on same animal, we then contact the Sheriff’s Office. Brian said that all of the other communities in the county are in the same boat and the Sheriff said he will not exclude Eureka.

* Last item was we have a lot of people living in camp trailers all around town. A new one has moved in in his neighborhood and has been there for about three weeks. In order for them to be able to live in a camp trailer, a conditional use permit must be issued; it is part of our nuisance ordinance.

Donna asked what we can do about it. Hortt said we should contact the building department. Mayor Castleton said he would get with him and get info. He would try to go make contact with them.

***NED ALLINSON****:*

* We had a chance for more cement, put in pads on lower ball field. May have to look at a installing a quick release for the bleachers in the future so they can be moved or portable bleachers.

***HORTT CARTER****:*

* Did not have anything to report.

***JUDY JONES:***

* Stated that she hadn’t heard anything on the cemetery. The Mayor stated that the County had been down working on the roads, he had heard the guys call Patricia on the radio that they were down there working so he rode down to see how things were going.
* She also inquired about the Silver Festival and how the road construction on Main Street would affect that. Mayor Castleton stated that they were still planning on having the parade come down Main Street. Patricia mentioned that all of the vendors had been moved to the park, but we still had the walking tour, the auction at the museum and the museum would be open and the businesses down town. The 5K and 10 K would be starting at the Park, the Poker Run starts behind the park, the inflatables and the Ice Cream Social would all be at the park.

***NICK CASTLETON:***

* Emery Polenoma with Six County Association of Governments stopped in and talked with Patricia the other day concerning putting together a wish list for any projects for FEMA. He mentioned doing a fire break, or continuing the fire break we had started several years ago, another item that was discussed was storm drainage. These are just projects that were put on a list for if any funding becomes available we would have a better chance of getting it if it was on this list.
* Met with Bernie Meacham with Rocky Mountain Power. He came up and him and Stormy went and walked up Main and discovered three lights that are not needed and replace where they were needed. If we could upgrade all of the lights on Main Street, we could move the one at Viola’s, one by Donald Christensen and Arthur Cornish. A short discussion was held on the three that needed to be moved. Total cost would be to up to $1300 to move those three lights. The rest of them are upgrades which Rocky Mountain Power will foot the bill for.

Council Member Donna Robinson asked Hortt if he had met with them. He said no, he was not able to be there, but it was a good deal. The lights will be changed to LED so he said he feels good about it believes it will be good for everybody.

Donna wanted to know if we had checked to see if they could do the whole town.

Council Member Hortt Carter made a motion to go ahead with the street light plan and pay with the Doug Wright money. Council member Judy Jones seconded the motion. Upon roll call, vote was unanimous.

***PLANNING COMMISSION:***

* Josh Young – Chimera Martial Arts applied for a business license to operate a martial arts instruction business at the Tintic School District Offices. The Planning Commission approved the application. Council Member Robinson asked if they had a schedule yet.

Council Member Donna Robinson made a motion to approve the business license application for Chimera Martial Arts – Josh Young. Council Member Hortt Carter seconded the motion. Upon roll call, voted was unanimous.

* Parley Palmer – Miner’s Diner applied for a business license to operate a Café. As of the last planning meeting, Mr. Palmer did not have all of the required signatures on his application due to some of the inspections which did not occur until today. The Planning Commission had set up a special meeting to go over the findings of the inspections at the meeting tonight. They stepped out to hold their special meeting concerning their findings for the Miner’s Diner.

Mayor Castleton stated that we would move on to the next agenda item while the Planning Commission was out. He stated that we received two applications to be on the Planning Commission, one from Leslie Rice and one from Kimberly Clements. Council Member Donna Robinson made a motion to approve Leslie Rice to set on the Planning Commission as a regular member and Kimberly Clements as an alternate. Council Member Judy Jones seconded the motion. Upon roll call, vote was unanimous.

Kodey Hughes, Tintic School District Superintendent and Mr. Luke Thomas were present to discuss a change with the District policy. Last year’s legislative session has a new civic center use policy for districts and Risk Management has contacted them to make sure they are aligning all of their policies right and as they were changing their policy, they noticed that a lot of Districts were having joint ventures with their cities that they were a little more intimate than they were. They would like to extend them looking at a little bit different venture between the city and the school district. They would also like to talk with the County for out on the desert.

What it would be is much like we do for Jr. Jazz, we need to explore whether the city wants to expand that. He has a few people with him tonight that have been investigating with other cities and other school districts. Mr. Luke Thomas and some of the other individual that are part of what they have planned for. For instance, Josh is coming into the High School or the District Building to start karate. He has two options to do that under the new statute, one is he comes in with his own personal purchased insurance, which he can do, as a person coming in and providing something, but what they found is like Santaquin or Davis City or even as big as Salt Lake County, how Josh does it right now is he is currently working with American Fork. The City puts the karate under their recreational program. He said he didn’t know if the city had a recreational program. The Council mentioned that we offer Jr. Jazz, Soccer and Baseball. He said the question would be what we would want to offer the children or even the adults now. Spanish Fork and Payson do a really robust adult program. So, if we have other programs or individuals that would like to be included, and they are listed under the City Recreational Programs (volleyball, basketball, yoga classes, etc.); they could use those facilities under the city, and the district would be able to provide under the new code all the building access to the city under the recreational program. Those programs, if listed under the recreational programs of a city, now under the new statute, the school would be able to host them with very little interference. The School District would have the time frame available for the city to come in and use it. Would be listed under the city it would be covered under an umbrella. The school district’s insurance umbrella only covers during the educational year or when school is in. The other benefit is the summer programs using the schools facilities including fields they have to be under a city recreational. Donna asked if the insurance has gone up and Kody said that the cities they talked to didn’t have any raises in their insurance.

Mayor Castleton asked about forming a committee. They can do that, but Kody suggested instead of having a committee we should have policy and procedures because policies are not bias and people can be.

Mr. Thomas has looked into other programs and basically other cities parks and recreation programs have the district providing facilities and charging a rental fee or the fee can be waived. The instructors or coaches normally have to take out their own insurance but it is not cost effective so the counties or cities are covering that insurance. As he understands it, the coaches/instructors are basically an employee of the city or county during that time.

Hortt made the comment that under the city’s Insurance umbrella it would cover the liability and the city would not have to buy it to use the school, it would not be a business it is a community program

Kody made the point that we are currently doing it with our soccer and Jr. Jazz programs it is the exact same program only the instructors are doing it on a volunteer basis. If they want to be a for profit it will be the exact same thing only the fees will be different. This will offer more opportunities for programs without the hassle of getting a business license.

Would it be helpful for Stormy to sit in on the policy meetings as you are getting them set up, but Kody said that their policies are strictly for buildings nothing to do with the individual coming in. They asked when the school gets their policies done could they send a copy to Stormy. Then he could come up with some ideas. Mr. Thomas said he does have some applications and policies from two counties that he could get a copy to Stormy.

If we can get our numbers up we may be able to get our own leagues started. The school can get information on how to start up leagues.

When the school gets their policies finished Hortt would be in favor of allowing him to go through the recreation department and Donna said she would be in favor or waiving the fee on the business license. If he keeps the business license then he would be able to keep the money for himself.

Donna said we need to look into insurance and how our policies work if he is a business.

Mr. Thomas said that Davis and Salt Lake parks and recs the money goes through City then the City pays a rental fee to the district if needed and then the city would keep a percentage that would go to the parks and recreations and the rest would go to the instructors. Who decides the fees it usually is the coach/instructors. A max can be set up as to what can be charged. One thing that Mr. Thomas would like to see if more opportunities for the young kids here in Eureka and that the money would stay here. Kody did say that policy rules and that they have a need for a deposit and have a four month time for that program. After the four months they would need to apply again.

Thanked them for coming.

Nick said let us just get the business license right now. Josh Young said that the way it works for them right now through American Fork is that all of tuition goes to the city and anything extra goes straight to them he figures they would probably need to have a business license anyway.

The Planning Commission were back in, Council Member Hortt Carter made a motion to approve Parley Palmer’s business license for the Miner’s Diner temporarily with stipulation that fire sprinkler system be hooked up within 90 days. Council Member Brian Underwood seconded the motion. Upon roll call, vote was unanimous.

The 4” lines for the fire sprinkler lines were discussed and a connection fee. Council Member Brian Underwood was already getting prices, need procedure and cost.

Parley Palmer said he needs a dedicated line for their fire with a 4” line and it usually is not metered.

Tim Merrill was present, he had sent in a resume with qualifications for City Attorney. He stated that he is always available. Rate of $175 will to go down to $150.00. American Fork Prosecutor, feel like he has time for us. Donna asked about criminal prosecution if need be. He does. Has a connection to Casey Wright who works for Nephi as the city attorney.

Jordan Bennett works with David Church. Has been an attorney for 5 years, came from a town of 300 people. Work with Mapleton, Alpine. Charge $125 per hour. He doesn’t do criminal prosecution.

The Mayor and Council thanked Mr. Bennett and expressed their appreciation for him coming up.

Council Member Hortt Carter made a motion to enter into a contract with Timothy Merrill for legal services for Eureka City for $150 an hour. Council Member Donna Robinson seconded the motion. Upon roll call, vote was unanimous.

Council Member Hortt Carter made a motion to change the time of their work and regular meetings to 5:00 p.m. as of October 1st. Council Member Donna Robinson seconded the motion. Upon roll call, vote was unanimous.

MISCELLANEOUS:

Council Member Donna Robinson brought up water bills. Now that they have started the water project she not sure what to do with the issues of reading the meters. Keep everything the same.

Mayor Castleton stated that he went up to the Old City Hall yesterday. He removed the 2x4 that was blocking people from going up the stairs because people have been sitting on it. He will set out orange barrels and run caution tape to let people know not to cross or go up the stairs.

Council Member Hortt Carter made a motion to adjourn into Executive Meeting. Council Member Donna Robinson seconded the motion. Upon roll call, vote was unanimous.

Regular meeting was adjourned at 9:05 pm

Mayor Castleton re-opened Regular Council Meeting

Council Member Hortt Carter made a motion to list the Shea Building with a realtor. Council Member Donna Robinson seconded the motion. Donna wanted to make a motion that until we can get a revised rental agreement they already have their stuff in there and the locks have been changed and we have no access to the building and no contract for that building. She wants to make sure a contract is signed and get our money.

Hort said to give a copy of Agreement on old fire station to the attorney to look at. If the lease agreement is good then Randy needs to start paying or he needs to get out of the building.

We need to get a lease agreement for the Shea building so the lawyer can look at. He will have one by Thursday. We need to get the back rent for two months. We didn’t ask for deposit.

Being no further business, Council Member Brian Underwood made a motion to adjourn the meeting. Council Member Donna Robinson seconded the motion. Upon roll call, vote was unanimous.

Nick Castleton, Patricia Bigler,

Mayor City Recorder