MINUTES OF A EUREKA CITY COUNCIL

MEETING HELD MARCH 10, 2015

Meeting was called to order by Mayor Castleton at 7:00 PM. Council members attending: Donna Robinson, Brian Underwood, Ned Allinson, Nick Castleton, Hortt Carter.

Others in attendance: Leo & Chris Ott, Byron Woodland, Larry Odom, Brandon & Krystal Gout, Dale Robinson, Billy Baum, Taylor Draper, Laura Kirgan, Jesica Severa, Heather Young, Par Palmer, Mike Jorgensen, Glen Greenhalgh

**Pledge of Allegiance**

Mayor Castleton led the Pledge of Allegiance.

Council received an application for Planning Commission from Lynn Elliott. Donna made a motion to accept Lynn’s application for Planning Commission, Brian seconded. Vote was unanimous.

***Consent Agenda***

February’s Council Minutes were emailed to the Council prior to meeting. Council member Donna Robinson stated she would like more detail on the discussion with Sunrise Engineering in last month’s meeting. Her next issue is she doesn’t remember stating she set up a meeting for the Shea Building. There also needs to be more detail about what the check is for in last month’s meeting. Council will approve upon correction of February meeting minutes.

***Treasurer’s Report***

Patricia stated the auditor came to the City office last Friday to finish up the Audit for 2014. They had some issues on Sunrise Engineering’s invoice. Sunrise decided to put together a spreadsheet and will send it up to the auditor. Councilman Hortt Carter asked about the $216,000 check. Patricia explained it is the Corp of Engineer money that was in the City’s Savings account. That check was given to the Utah State Treasurer when Mayor Nick Castleton, Patricia, and Anita met with the funding agencies in Richfield. The project funds will come from the PTIF account. Council member Donna asked if they had any issues on the Water Fee Schedule. Mayor Nick Castleton assured her there were no issues. They are pleased to be this far along. Councilman Hortt Carter made a motion to pay the bills, Council member Donna seconded. Vote was unanimous.

Patricia stated she cannot print the Treasurer’s Report as of yet. Councilman Hortt Carter suggested presenting a handwritten report, so the Council can know the balance in the bank, how much has been paid, and the remainder. Council member Donna Robinson asked if there was any kind of report set up in Excel that can be presented. Patricia replied no, but can set something up. Patricia stated the bank account balance was $592,422.72, and the check for $216,000 From Corp of Engineer was given to the Utah State Treasurer when the meeting was held in Richfield. Council member Donna Robinson asked Patricia how much operating funds are available. Patricia stated as of the end of February there is $99,254.27 in checking. She made a check out for one of the water loans and it hasn’t been cashed yet for $23,000. Councilman Hortt Carter asked if the previous water loan is paid off. Patricia replied no. Patricia stated the previous sewer loan is finished. Since there is no Treasurer’s Report, there will be no vote.

***Report of Officers***

Mayor Nick Castleton reported that he contacted Goshen City about the Christmas decorations. Goshen would like to incorporate it with their decorations. Nick stated the pipe cannot be purchased for construction for the project (was not discussed what for or any other details on what project the pipe is for). The IRS will get involved and has come back and fined cities.

Nick mentioned replacing Lloyd Condor on the County Planning & Zoning with Donna Robinson. Council member Donna stated Lloyd is required to contact the County first, and let them know he is resigning. A citizen spoke up to the Council and let them know Lloyd submitted his letter of resignation. Donna mentioned they send recommendations. Nick asked if a notice should be posted at the post office and other places for vacancy. Byron Woodland suggested having info on whoever puts in. Donna stated Judy Jones might be a good candidate as well. Nick stated if anyone knows someone that would want to be on the County Planning & Zoning to speak with them about it.

Mayor Nick Castleton mentioned Jim King isn’t able to be here tonight, but is waiting for a video conference set up for 7:30 pm.

James King introduced himself to the Council. He is volunteering to project manage the trail effort. He comes into Eureka City often. He is a Senior Vice President of Technology in Salt Lake County. He works with the Northern ATV Club. $6500 will be given up front for the trails. There is more money available than is needed. The additional benefit is the volunteers that will help with the trail system. At present, there are a good number of people from ATV associations to volunteer with trail signing and maintenance. He asked the council what concerns they have.

Council member Donna stated her concern is that the City is not capable of funding this project after everyone is gone. She mentioned the City is not capable of funding liability, or installing and maintaining the restrooms. She feels fixing up the current restrooms will be a giant stretch. The parking that has been recommended is not fair to the citizens, in her opinion. It will take up all of the parking for the parks and Ball Park. When events are held there, ATV’s be taking up parking. She would love to see the income come into Eureka, but as far as a City, she feels in her opinion they cannot take on that kind of responsibility. James stated those are fair questions. His replying question is what will be the motivation to get the trails established. He mentioned if the concern is funding, he feels you need start somewhere. Donna indicated the City has a large problem getting enough people to volunteer to do the Planning & Zoning; her fear is there won’t be enough volunteers. James stated that no one maintains the trails he rides, and nothing really happens to those trails as far as severe weather. Donna clarified that she is speaking of the off road riding. James replied that from what he has seen from riding around Eureka, is most of the private property and mines are pretty well fenced off. Donna mentioned that the contract states that the City is responsible for everything. Councilman Hortt Carter stated in the contract they have to come up with funds. James clarified that it is matching volunteer labor. Hortt stated he is in agreement with Donna. The contract states the participant shall maintain all facilities. He continued to read a portion of the contract. He stated he interprets it as the City invests and funds this ATV project. He wished this project would go through, but in his opinion the City does not have the resources. James appreciated that sentiment and asked what funding they see they are contributing to the project. Donna stated it is not the initial funding that’s the issue; she is concerned about who is going to maintain it in the future. She stated it is hard to get people to participate. James mentioned the maintenance is pre-minimal. James stated the State’s intent is to make this successful. Glen Greenhalgh mentioned the County has made a commitment in place in the County.

(Unable to hear some conversations going on)

Donna asked what can be expected on a weekly basis as far as truck and trailers. James stated his preference would be to bring in ATV’s from the 5-mile pass area. It would be a destination route. There will be drive through traffic as well. James stated the largest group of riders is those that originate from the 5-mile pass area. Nick asked if there would be parking available at Fill-R-Up. Brandon Gout spoke with Jim King and he has some property behind them. Brandon stated he cannot pay for the pavement, but will allow parking. James mentioned there is no pavement at 5-mile pass as well. The issue is having people park at the Fire Station. Donna asked what liability the City holds even though there is signage. James stated there could be that same liability today. Donna stated if they offered them a place to be, what liability is there. James replied it is no different then what there is today. Donna asked if parking can be around the BMX area, instead of the City Park. She does not feel it is fair to the citizens. Nick stated a big percentage will be coming from 5-mile. James stated 5-mile pass is managed and owned by Tooele County. For the most part it is volunteered to maintain that area. Council agrees in moving away from the City Park. Hortt asked if there are operating restrooms at 5-mile. James clarified they have an operating restroom, it is a pit toilet. Nick stated we wouldn’t want pit toilets in town. He stated the restrooms can be fixed up. Donna is concerned after all is said and done; the City is responsible for keeping the bathroom and parking lot available. James asked Donna if she would want that for their park anyways. Donna stated she would love it, but there are no funds. Nick informed Donna that after the last vandalism, it cost the City $100. Hortt was under the impression the restroom needed a new roof. Nick stated the toilet fixtures are fine. Donna asked what issues the bathrooms have now. Nick stated it does need a new roof and suggested using the funds that the State is giving the City. Donna stated she would like to get a committee together that would want to take this on. Nick clarified is what James is offering to do. Brian stated his frustration is that he has only heard bits and pieces, and is in the dark about it. He informed James that they are unaware of where it starts and where it ends. Nick stated at last Council meeting he showed maps of every inch of the trails, and as he started to explain the Council shut him down. He felt the Council was not interested. Nick stated the maps are present for the Council to see. He has offered to take people and show them a tour of the trails, and no one showed interest until City Council meeting starts, and then everyone is against it. He clarified there is nothing in the contract that states a bathroom is required. Hortt agreed that the restrooms need to be redone, but his biggest issue is not having anyone to maintain the restrooms. Nick stated that is part of the City employee’s job. Nick offered to go up and clean them himself. Par stated he will be a part of that committee. Hortt stated he needs some knowledge presented on the table. Taylor Draper stated he feels it is good for business, but also feels like the Council needs to know all the details. Donna asked about the BLM property around town. Ned mentioned Jay Cram from the BLM has not been notified. Donna asked James how to proceed with this, if that’s what they decide. Jim stated the cart is being put in front of the horse. Phase 1 is predominantly in and around Eureka. With the intent to break track, most people will drive 5-mile pass and already know the route. The bottom line is funds exist from the State. Byron received a call from Jeff Richardson and he heard about this project. He is willing to volunteer the materials and the equipment to make the signage. People are willing to financially support this project. Donna asked if the City has to put this out for bid since it is taking City property. James stated he isn’t aware of having to do that. Nick mentioned there are no bids going out and they are not hiring any work. Nick stated from the time the contract is signed, they have 18 months to complete project. Donna asked what needs to be done now. James stated the contract needs to be signed. (More conversation that is inaudible)

The wording on the contract is a big concern. Nick stated if the City doesn’t do something to increase sales tax, they will be in the same situation they are next year and the year after that. Donna asked Patricia if the City sees sales tax from the town right now. Patricia replied yes. Chris Ott offered help to plan activities and organize events to help with restrooms and assign work out. Donna asked Brian and Hortt if there questions were answered. She does not want to make a decision right now. Hortt would like to speak with the County Commissioner. He feels the map needs to be redone, and get it out to the community. Hortt asked when the BLM will be on board and have the other 5 miles of trail done.

(Brian’s concern is not audible, and not written down to record)

Ned stated his concern is the BLM property. City could get fined.

(Too many side conversations, and is not audible)

James stated there is $12,000 not funded from Eureka and hundreds of volunteers. He mentioned he hears a lot of reasons of why the Council should not consider this project. He stated he makes money by taking risks, which means spending money to make money. His question to the Council is if they have the stomach to move forward with this project. Donna asked when James needs the signed contract. James replied there isn’t a date, but from what he understands from the State for the grant, they are about out of patience. Donna mentioned it is hard to spend a dime on something you can’t guarantee the general population wants. Nick suggested getting a contract signed, get the money from the State and set it aside. If after that, they decide not to go forward, the check can be sent back. Mike Jorgensen stated he is a little disappointed when the State is willing to drop money on their laps and not being supported by the Council. He does not see support, or feel it. He stated there is no risk, free money, people willing to volunteer their diner, the Mayor is willing to scrub the City’s toilets, and the Council isn’t willing to do it because they can’t get a good definition of “useable”. He stated Nick had his plans up, and the Council shut him down. He feels the reason there are no businesses, is because of the Council’s inability to support them.

Donna stated she takes offence to his comments. She stated they do support businesses. They have done a lot to get them in here, and have not said they don’t support the ATV trails. She promised those people that voted for her, that she would not put the City in a financial problem. Nick stated now is the time to put up or shut up. There has been talk, and now needs move forward or be done with it tonight. He stated every single Council member, including Hortt Carter has had the chance to ask questions and be there when the decisions are being made.

Laura Kirgan asked what the second and third phase constitutes. James stated it is to get the trails established. The goal is to get people into Eureka. He stated they don’t need BLM’s approval for them to ride from 5-mile to Eureka. Signs would be a phase 2 effort and working in conjunction with the BLM and the State of Utah. There are multiple phases, and the contract is the first one. The initial spending is $2,000.

Nick asked if there is any more discussion.

James stated he wanted to echo the comment made from the private business owner that spoke earlier. He stated he lives in Salt Lake County. He has drove to Nephi several times to try and help with this and is not making any money from putting this project together. They are putting in all the work and effort to getting this done. He is personally frustrated by what he is hearing which is who is going to do this. Eureka City has to have some skin in the game to make this successful. He can get the funding and get it going, and if the Council is not committed to maintaining it, then there is no sense in going forward. Nick asked for a motion to move forward. Nick stated no one has made a motion, so that means no one supports. Donna stated he only gave the Council 10 seconds to motion. Nick stated yes he gave them 10 seconds, and he has also given them a year and at every single meeting that’s been held it, has been discussed.

Brian stated that is an unfair statement. He stated Nick has put them in a hard spot. Brian stated he doesn’t agree how it was explained to the Council by Nick. Donna asked for a little more time to discuss the matter. She is offended that Nick made the Council out to be non-supportive. Nick stated the Council hasn’t said one word of support for any businesses that wanted it to go. Brian gave his signed resignation during meeting. Chris Ott stated they didn’t want to put anyone on the spot. She suggested taking a break and thinking about it. A lot of time and effort has been put into the project. James didn’t understand why the gauntlet was thrown down tonight, but he can collect written concerns that he can address. Donna stated she records every meeting with her own recording. Hortt stated the City is signing a contract that is binding that has stipulations, and that is concerning. Patricia mentioned that two months ago they asked for the rewording of the contract. Donna wants a special meeting. Donna made a motion to sign the contract, and in one month, if all of their concerns are not met and addressed, they can cancel the contract. Ned seconded. Vote was unanimous. A meeting will be held with County Commission.

(More inaudible comments)

Hortt stated Council is here to do the best for the community. Nick apologized to Donna.

Unfinished Business

Nick stated they still need to do some rewording on the maintenance fee. All of the part-time residents will need to be notified of the increase in fees. Bill Baum asked what the current fee is. There are 69 hook ups that are idle. It will be $101 a month without the garbage. Councilman Hortt Carter explained that it was in the part of the survey when Sunrise Engineering came up.

Heather Young inquired about the *Light up Eureka* funds. Mayor Nick Castleton explained the porch on the front of the old City Hall is being constructed with those funds. Council member Donna Robinson explained the *Ride to Light* funds was not enough to cover lighting, so the Council asked Doug what project he would like done. Heather Young asked if it will be completed this year, because a child was hit because it is so dark. She explained kids need safety. Heather asked if it’s possible to purchase more inexpensive street lights. Mayor Nick Castleton asked if the street light by the church works. Heather stated no. Mayor Nick mentioned Rocky Mountain Power has a website that people can report street lights that go out. Heather explained kids are not safe around the school because it is dark. Councilman Hortt Carter stated they are in the process of applying for a sidewalk grant. Council member Donna stated she appreciated everyone that came to meeting. Krystal Gout asked how it went from Light up Eureka, to spending funds on a portico. Ned explained that when the State of Utah came in, the project went as long as it could, and there wasn’t enough to light up the rest of Main Street. Mayor Nick Castleton stated they are maxed out on grants right now. Heather asked why the City didn’t stick with the lights. Mayor Nick stated they have a contract with Rocky Mountain and if a light isn’t working they need to come fix it. Mayor Nick mentioned there are more energy efficient lights that the City would prefer. Laura Kirgan stated she has 5 wood poles the City could use. Councilman Ned stated there are City regulations that need to be followed. Councilman Hortt Carter stated he will work on it, it is his department. He will drive around and get a list of the lights that are out. Heather stated she is disappointed that the purpose of Light up Eureka was to light up Main Street, and it wasn’t done. She feels like the City could have pushed it more. Nick replied no, they had their ideas and it was their funds.

Hortt made a motion to adjourn, Donna seconded. Vote was unanimous.

Nick Castleton Patricia Bigler

Mayor City Recorder