

**EUREKA CITY COUNCIL
WORK MEETING
DECEMBER 6, 2021 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 Larry Ezell – Present
Council Member Travis Haynes - Present
Council Member Leslie Rice – Absent
Council Member Robert Trepanier – Present
City Recorder Patricia Bigler – Present
City Attorney Melissa Mellor - via Zoom
Public Works Director Lynn Elliott- Present

OTHERS IN ATTENDANCE

Don & Bonnie Brantley, Austin Summers- Dominion Energy, Mike Sorensen, Justin Withers – Dominion Energy, Cindy Roberts, Russell Roberts, Jessica Severa, Neils Wrights, Brad Simons – Dominion Energy, Brigitte Kirgan, Andrew Froula, Laura Kirgan, Brandon Gout, Krystal Gout, Glen Wahlberg, Patricia Wahlberg, Scott Pugh, Jessica LaCario, Chris Dever, Greg Evans, Brandy Kirgan, Kyle Norman, Aaron Schauers, Robert Pagnani, Charles Davis, Harley Bradbury via Zoom, Shelly Stansfield via Zoom, Cory & Margaret Hills via Zoom, Kimberlie ? via Zoom, MC via Zoom

DISCUSSION ITEMS

a. Discussion concerning Performance Guarantee/Bonds.

Attorney Mellor explained what the ordinance is. Developers must post a performance guarantee bond anytime there is new construction. These bonds can be a surety bond, cash, a letter of credit, etc. This would be for improvements for the new development such as curbs, gutters, anything that would be the responsibility of the developer. Typically, the bond is for 110% to 120% of the estimated cost of the improvements. This would stop the City and the residents from holding the bag if it does not get done. The developer must guarantee their work for at least one year. Council Member Ezell asked if we can we hold a private individual to these standards. Yes, a private individual can be held to these standards. The bond amount needs to be proportional to what is being done. A subdivision bond would need to be higher than an individual resident. Attorney Mellor said when the City starts to grow and more developers come in the City needs to be prepared for them to not like or even fight this ordinance.

b. Discussion concerning the Cottage Home Ordinance.

Mayor Castleton felt this ordinance was very applicable for Eureka to help deal with the various sizes or properties that do not meet the current requirements. Attorney Mellor said this ordinance is also on a discussion level she wants to add more detailed definitions. She would like the

Council to especially look at the lot sizes to see if it needs to be bigger or smaller. She said we are identifying these existing non-conforming lots and allowing single-family smaller homes to be built on them. Chris Dever said they used Park City's ordinance and just changed some of it to fit Eureka. This is for existing lots only not new construction. On those triangle lots we may have to use the frontage as a minimum requirement. The Council discussed how to use these small lots and what they would like to see in the ordinance. The short-term rental ordinance will be discussed at the next Council Meeting.

c. Discussion concerning the American Rescue Plan Funding.

Mayor Castleton talked to Lynn and Drew for their input. One of the things he wants to do is get the Vulcan well up and running and get it working on the SCADA and get the sewer screen fixed at the sewer plant. Council Member Ezell wants the Vulcan well to be the priority. This way we will have a paper trail if we need it, and no one can take the water from us. A discussion took place on the well and the water volume. The new sewer screen will cost \$27,350. Council Member Ezell wants no more surprises on this issue. The booster pump needs to be addressed at the next Council Meeting.

d. Discussion concerning acquiring/leasing a work vehicle.

Council Member Ezell said he found some and Council Member Carlson found a bobtail and sent the information to Council Member Haynes. Council Member Haynes tried contacting the guy but took a while to get to him and now the ad is no longer showing so he thinks it must have sold. Council Member Ezell said he spoke to a gentleman about leasing a truck and told him we would do the lease. The truck is at Larry H Miller it is a Ford F250 long bed that will fit the sander and the plow. It is \$6,000 for the year. The money is in the budget. Chris Dever and Council Member Haynes will give Council Member Ezell a phone number to call a couple of people if it does not work out. The Council said to go ahead and get the Ford F250.

e. Discussion concerning Building Permit/Inspection Fee for Natural Gas. (Representatives from Dominion Energy and Eureka City Building Inspector will be in attendance to answer questions from concerned citizens.)

Justin Withers, Mike Nelson, Austin Summers, and Brad Simons with Dominion Energy reported they have gassed the lines and are ready to set four meters. Mayor Castleton confirmed with the Dominion Energy Representatives that there will be no cost to citizens as far as the work they do. He asked Chris Swenson, City Building Inspector, to stand up and introduce himself and explain the cost for his services. The City is charging \$210 fee which covers administrative costs, the items listed on the check list, the plan review, and having the building inspector enter the approved inspection into Dominion Energy's website. Once the approved inspection has been entered Dominion can come out and hook up the meter. One of the representatives from Dominion said if he received verbal approval from the building inspector and the contractor was on site, he would set the meter that day. They want to make it as simple as possible. Mike Nelson – Dominion Energy responsibilities is a pre-evaluation he will come in look at your existing system and help citizens with what is needed in their home. Brigitte Kirgan asked what the \$210 included and why it is so much more than some of the other fees. Mayor Castleton explained again what the fee covers. Council Member Carlson said new construction is cheaper than doing retro jobs. Most of the homes here in Eureka will be considered a retro job. He asked Chris Swenson how long it usually takes from him to review the plans and the

inspection. Chris said today he did three plan reviews which took about a 1½ for each plan review. The inspection will depend on the home and what has been done. Certainly, a new home is going to be a lot simpler. Council Member Haynes wanted to know what he felt his total time would be. Worst case scenario 2 ½ hours if it is straight forward and easy maybe 1½ hours. Mayor Castleton mentioned one thing to remember is propane runs at a much higher percentage and is significantly heavier. This is why inspections are so important for pipe sizing and so forth. Council Member Ezell asked if any of the Council had Dominion come to your home yet? Mayor Castleton had them come and talk with him. Council Member Ezell reminded everyone that we are not dealing with the EPA we are dealing with Dominion, and they are doing a great job. Dominion has been kind enough to go through our homes and help us understand what needs to be done. Dominion requires the same type of inspection in every community they service. Dominion no longer takes on the responsibilities inside the home to make sure someone's appliances and fuel lines are sized correctly. They are doing this here in Eureka as a courtesy to help things go more smoothly. The State of Utah requires a plan review and an inspection. Mike Nelson – Dominion Energy said we can help but they cannot do the work. Some of the residents present at the meeting felt that the fee was too high, and the inspections are taking too long. Council Member Carlson asked Chris if he does any other inspections. Yes, he does other inspections and charges \$75. Council Member Carlson said he felt the \$210 was reasonable when you consider the travel time along with the plan review and inspection. He does not think we could get another building inspector who would be willing to take a loss in pay like Chris is doing. It was asked why we do not use the County Inspector. The City used to have him as the inspector, but he quit coming up. Aaron Schauers said he does not want to pay the fee, but we must pay for the building inspector's time. His time is valuable. Building Inspector Chris said he tries to accommodate people when doing their inspections. More discussion took place and Bridget Kirgan asked why the City does not send one of the city workers to school to become an inspector. Mayor Castleton said it would be against State law they cannot be associated with the City, however; Building Inspector Chris said the City can have their own inspector as long as they are licensed and certified. He said he has been an inspector for 28 years and has 34 certificates. The State requires a minimum of 8 for residential and commercial certificates. It would not be practical for the City to pay the cost of a full-time inspector. It was also brought up that it can be difficult to get a contractor to come to Eureka. Building Inspector Chris said the State of Utah allows the homeowner to be their own contractor. The homeowner will need to fill out a form and turn it into the State. Dominion Energy Representative Mike said he would like to thank building inspector Chris for being here tonight. He will keep your home safe with his inspections and at the end of the day the fee is minimal compared to your savings with getting natural gas. Krystal Gout asked if a group rate could be used if a bunch of inspections were scheduled on the same day. Building Inspector Chris said it could be done but it is very hard to do because each inspection is going to be different. He must look at his cost because if he is going to lose a lot of money then it is not worth his time to do the inspections anymore. Chris Dever spoke and said he is the one you should be complaining to because he came up with the list and fee. He said a lot of this went into protecting you as citizens, but also to protect the City as a Corporation by itself. He thanked Dominion Energy for getting the lines in they did a great job. He said we should not be bashing Building Inspector Chris for his job; he is a professional. The City must run as a business and some people have homes that may have to have more work than other people. Council Member Ezell said thank you and we appreciate Chris Swenson, citizens, Dominion Energy for coming.

ADJOURNMENT

Council Member Carlson said he will not be able to attend the Council Meeting next week he will be in Disneyland, and he is retiring from Eureka City Government. He has been involved with City Government for 27 years. Chris Dever said on behalf of him and the new Council Members he wanted to thank them for their service.

Council Member Haynes made a motion to adjourn. Council Member Carlson seconded. All in favor meeting adjourned. 9:26 pm