

MINUTES
ENOCH CITY COUNCIL
February 19, 2014 at 6:00pm
City Council Chambers
City Offices, 900 E. Midvalley Road

Members present:

Mayor Robert Rasmussen-absent
Council Member Destry Griffiths
Council Member Steve Johnson
Council Member Kirk Lovell
Council Member Mike Olenslager
Council Member Gary Wilcken

Staff present:

Julie Watson, Recorder
Dan Jessen, Treasurer
Nick Turner, City Attorney
Robert Dotson, City Manager
Earl Gibson, Dir. Public Works
Jackson Ames, Police Chief

Public present: Ken & Carolyn Bauer, Donna Crase, Chris Johnson, Arlene Ball, David Scott, Dilworth Armstrong, Roy Tryon, Jerry Nowland, Brenda Killian, Anne Zufelt, Barbara Combs, Pam Cully, Joy Meyer, David Benkert, Jay Callaway, Cathy Wentz, Michelle Pritchard, Clara Pickett, Susan & Kurt Saxton, Weslie Graham, Steve Clarke, Kip Lewis, Carol & Taiga Rohrer, Christine Spencer, Chad Horman, Adam Maxwell, Brian & Sam Davis, Mike Dalton, Gary Howe, Carolyn Olenslager, Tim Watson and Bob Graul

1. CALL TO ORDER OF REGULAR COUNCIL MEETING- By Council Member Lovell who asked for a motion to make him Mayor Pro-Tem for tonight in Mayor Rasmussen's absence. **Motion by Council Member Wilcken. Motion seconded by Council Member Olenslager and all voted in favor.**

- a. **Pledge of Allegiance**-Led by Scout Brian Davis
- b. **Invocation**-Audience invited to participate-Given by Donna Crase
- c. **Approval of Agenda for February 19, 2014**-**Motion to approve agenda by Council Member Olenslager. Motion seconded by Council Member Johnson and all voted in favor.**
- d. **Approval of Minutes for February 5, 2014**-**Motion to approve minutes by Council Member Wilcken. Motion seconded by Council Member Olenslager and all voted in favor.**
- e. **Conflict of Interest Declaration for this agenda**-none stated

2. APPOINT NEW MEMBER TO THE TREE COMMITTEE

City Manager Dotson said Curt Saxton applied to serve on the Tree Committee and we would like to present his name for approval. Curt said he moved here in 2012 and he grows giant vegetables. He works in Milford and lives on Old Scout Trail. He wanted the opportunity to meet community members and serve the community. Mayor Pro-Tem Lovell asked for a motion to approve Curt Saxton to the Tree Committee. **Motion by Council Member Olenslager. Motion seconded by Council Member Johnson and all voted in favor.**

3. PRESENTATION FROM "CEDAR CITY UNPLUGGED"

Brenda Killian came forward to say she works for the school district and they are starting a program this summer to get kids to "play unplugged" and off of electronics. She gave details of the program. They are asking now for the City Council's support adding the Tourism Bureau will sponsor one tag, which is 500 "brag badges" per city. Mayor Pro-Tem Lovell said it sounds like a good program and thanked Brenda for the presentation asking if there is a specific request and when do they have to decide. She said they need to know by the middle of March. Council

Member Olenslager said he would personally pay for a sponsorship, like to walk dogs at the shelter perhaps. City Manager Dotson said there is \$500 in the Economic Development budget and volunteered those funds for City Council allocation. The Council decided to seek funding privately and not allocate any funds.

4. DISCUSS MUNICIPAL WASTEWATER PLANNING PROGRAM

Mayor Pro-Tem Lovell invited Earl to explain what this is. He said this is a yearly report and resolution to the State DEQ that says we are taking care of our wastewater system. There were no problems with sewer system this year. The oldest part was constructed in 1994-95 and the Wastewater Treatment Plant opened in 1996. Mayor Pro-Tem Lovell asked what could change this current status. Earl said if we get hit with growth then we would have to add an outfall line. We are currently running 30%-40% of system capacity. Council Member Olenslager asked about the certifications. Earl said for the size of our city we are fine for now. Grade 2 is good for up to 10,000 in population. They discourage getting ahead on the training. Council Member Wilcken complimented them on running a good system and thanked Earl for the report.

5. RESOLUTION NO. 2014-02-19 A RESOLUTION APPROVING THE MUNICIPAL WASTEWATER PLANNING PROGRAM

Mayor Pro-Tem Lovell asked for a motion to approve Resolution No. 2014-02-19. A Resolution approving the Municipal Wastewater Planning Program. **Motion to approve by Council Member Wilcken. Motion seconded by Council Member Olenslager and a roll call vote was held as follows:**

**Council Member Griffiths-yes
Council Member Johnson-yes
Council Member Lovell-yes**

**Council Member Olenslager-yes
Council Member Wilcken-yes
Motion passed unanimously**

6. DISCUSS AND TAKE ACTION ON TAX REFERENDUM BEING ON THE 2014 ELECTION BALLOT

Mayor Pro-Tem Lovell asked if the City Council thought about this issue. There was a discussion of the ballot language and City Attorney Nick Turner said the language is not up for consideration. Utah Code sets forth all the requirements and the whole process has already been completed with no objections from the former City Council or referendum sponsors who approved the language as required by law last year. The only way to change the ballot language is to file in the Utah Supreme Court. The question tonight is does this appear on the 2014 or 2015 ballot? It was stated there will be a voter information pamphlet prepared for voters prior to the election.

Mayor Pro-Tem Lovell said he prefers it be on the 2014 ballot. It was explained the tax increase was for the 2013-2014 budget which was modified and passed last year without the requested tax increase. The referendum does not affect other budget years coming up for discussion so it is important to keep that in context. The County Clerk, David Yardley said we can put this on the 2014 ballot if the Council so chooses. Council Member Johnson said he would have preferred other wording but he was elected to do something about this issue and the people are probably going to vote for the increase if we have not made the cuts. He felt he needed more information on bids and other budget issues before he would feel comfortable making a decision. Mayor Pro-Tem Lovell reminded the Council the budget has to be completed by mid-June per State law. Confusion persisted in the discussion of budget years and what is affected by the vote on the referendum. City Manager Dotson said the decision made in 2014 or 2015 does not affect the approved budgets. If the voters pass a tax increase then there is new revenue coming in and whatever budget it impacts will be modified accordingly.

Council Member Wilcken asked if they can table this to wait for more budget information, asking what is the “drop dead” date they have to decide? Mayor Pro-Tem Lovell said his thinking is we should vote tonight. He wants to see this issue resolved and done because it keeps stirring the hornets nest. Council Member Oenslager asked what new information is expected. Council Member Johnson brought up the PD bid again. Council Member Oenslager said whether you get bids or decide not to do anything it has no effect on voting on the referendum in 2014. The current budget we are working on will not change and has to be decided by June. The outcome of the referendum could affect the 2015-2016 year with more revenue but the two are not connected.

Council Member Johnson said to him they are connected. We have to raise taxes if we can't make the cuts so they need to know the deals we can make. He is leaning towards 2014 but doesn't want to vote on it tonight. Mayor Pro-Tem Lovell said we need a motion to determine when we will vote on it. Council Member Wilcken said lets verify the date the County Clerk has to know and they can decide later this spring. Council Member Griffiths said they want the people to see this process. **Council Member Wilcken made a motion to move this item to the first meeting in May for a vote unless learning of a hard date forces a choice sooner. Motion was seconded by Council Member Johnson. A roll call vote was held as follows:**

Council Member Griffiths-yes	Council Member Oenslager-no
Council Member Johnson-yes	Council Member Wilcken-yes
Council Member Lovell-no	Motion passed 3 to 2

Staff will verify a date with the County Clerk.

7. PRELIMINARY BUDGET DISCUSSION

Mayor Pro-Tem Lovell said we will keep this general tonight. The Council Members met with their departments and we will discuss some basic ideas of where they want to make changes.

Mayor Pro-Tem Lovell said he is over the 5K-10K Race on the 4th, economic development and the library and their budgets are bare bones already.

Council Member Griffiths said he wants more emergency response, planning and drills. He is over CERT and that is a volunteer organization and is not City funded. City Manager Dotson gave more details about emergency management. We have increased our capacity with better radios and we have had some drills. Council Member Griffiths is also over roads, trails, drainage and parks but did not comment on those.

Council Member Johnson said he is over water, sewer and garbage and he is keen to make sure we are fulfilling the role of government adding this is what government is supposed to do. Provide basic services. He met with Earl and looked at every item. A lot of the expenses are divided evenly between the three departments since the crew works for all three departments. One to cut is uniforms. He proposed having just a lanyard with ID on it and let them wear their own shirts. That would cut \$1500 from that budget and give staff more freedom. Council Member Oenslager said as a citizen he wants to know who they are when they are walking around his house and he recognizes a uniform. Lanyards are dangerous because they can become tangled in equipment. Council Member Johnson said he would cut the library and fireworks because that is not essential and then cut parks and that type of thing.

Council Member Wilcken said he is over the Tree Committee who has -0- budget. They meet tomorrow night and he will know more then. He is also over the building department and he met with Dave Nelson and talked about some options. We could save a few hundred or perhaps eliminate our building department and contract it out. It might make sense if there is not a lot of building going on.

Council Member Olenslager said he is over the PD and they are pretty bare bones now. They showed him where they trimmed and there is nothing left to cut adding he wants them well equipped and paid for their training and service. Our PD is the lowest paid in the county.

8. ADJOURN REGULAR MEETING TO GO INTO CDA MEETING-

Council Member Olenslager made a motion to adjourn from the regular meeting and go into the CDA meeting. Motion was seconded by Council Member Wilcken and a roll call vote was held as follows:

Council Member Griffiths-yes

Council Member Johnson-yes

Council Member Lovell-yes

Council Member Olenslager-yes

Council Member Wilcken-yes

Motion passed unanimously

See CDA Agenda and minutes

9. PUBLIC COMMENTS

Steve Clarke said he was surprised that he was hearing that this Council was considered changing our form of government and doing away with the city manager position. That means the Council has to take all those responsibilities and they would almost have to be full time to do that. We tried working with no city manager and it was very difficult and was a hardship. The citizens did not get the responses they needed. Also the possibility of doing away with the PD would be a mistake. Previous Councils worked very hard to get them functioning properly. They are a great public service and he supports keeping the PD.

Taiga Rohrer said bids are important and since the PD has the biggest budget and we should see some options so people can make an informed decision. The people in those positions are good people but we can't afford it. Think about what 113% tax increase will do to the city. It will stop growth and builders will go elsewhere if we have high taxes the same as Cedar City. There will be ramifications and they should do an earnest job of looking at the possibility of cutting and be objective before making decisions.

Roy Tryon said the role of government is to band together to keep people from taking our stuff and that involves having a PD. Maintaining a PD is the proper role of government and is at the top of his priority list. He wants the PD between him and trouble coming in the future.

Arlene Ball said she is confused about the tax increase. 113% is misleading and is not what it seems because it is 113% of the Enoch portion only of the property tax bill. In that context it is not that much money. People are confused and that point needs more clarification.

David Benkert said he did research and only two towns under 5000 population have a PD and they service other communities too. Referring to the CDA, if we had not been asleep at the wheel we might have the new furniture store here. There could be motels on Highway 91 serving Brianhead but it all goes the other way. *Mayor Pro-Tem Lovell said the difference is what role does the City take? We do not finance businesses. We only make the environment friendly for businesses to operate. We have many things in place to encourage business to come here. City Manager Dotson said just because you don't see what we do, you assume we do nothing and that is incorrect. He explained we are in EDCUtah and they are the big boys who help communities like ours. There is too little population here to bring the big stores in. They count traffic patterns and the reason they are not here is because the population does not warrant it. EDCUtah tells us about businesses that want to expand in Utah and what they need. We don't have a lot to offer in the way of existing buildings but zoning and other business friendly ordinances are in place. This is all governed by the free market.*

Mike Dalton said the problem with the CDA is if a business wants to come do we have the zoning. He studies economics and building and 80% of Enoch is homes. That is why businesses go to Cedar where there are lots of rentals.

Julie Johnson said she wanted to clarify what is being voted on. ***City Attorney Nick Turner said we were talking about the referendum.*** We can only afford what we can afford. She has looked at the PD budget and it is the biggest part of city expenses. The Sheriff might not be as good but using them would make the deficit smaller. The new City Council was elected because they did not want the tax increase. The 1/3 that cares voted and there are more here that don't want the tax increase. You have to come down to what you can afford. Bids are fair and cuts are necessary.

City Attorney Nick Turner intervened to define what public comment is. It should be a comment not an inquisition or Q&A session. If it is not an agenda item the Council can't discuss it, take action or even respond officially. Also, applause is not appropriate.

Chad Horman said put the referendum on the 2014 ballot. Drawing it out it puts extra hardship on the community and staff. He proposes we get input from the citizens in a survey to identify what services they value. He reminded the Council that even though they were voted in it was by a slim majority and they are responsible to represent all of the citizens not just those who supported them. The PD is a benefit to our city and is a draw for business. Just because a vocal minority speaks out it does not represent the majority.

Ken Bauer said he was one gathering names on petitions. There were 1600 registered voters in Enoch and they got 1000 signatures so they are not a vocal minority. He has not heard anyone say the PD is bad. We just can't afford it. Look at trash collection and see if we can save by farming that out. Raising taxes or firing people are bad options.

Kip Lewis said he is in support of the PD. He has lived here all his life and has seen a significant difference between what the Sheriff provided in the past and the current PD. Also the City Manager does more than anyone knows for the City and bears a great deal of stress and heavy work load.

Christine Spencer said the cuts made so far are all nickel and dime stuff but the PD is a huge chunk. We should get the bid from the sheriff. He has resources already that could save money. If it is not a significant savings keep the PD.

10. CORRESPONDENCE-none

11. COUNCIL/STAFF REPORTS

Council Member Griffiths said if we can't make any cuts the reality is taxes will go up so he wants to do the budget first before deciding on when to vote on the referendum.

Council Member Wilcken threw out the idea of enlisting a service organization like Lions Club who would help us to foster services without everything being City funded.

Council Member Johnson asked if we had any information about putting recordings of meetings on the website. City Manager Dotson said he would follow up on that.

Council Member Olenslager asked about the community orchard and the big promises to take care of it. City employees should not be tasked with weeding it and he asked to talk about that at the next meeting as an agenda item.

City Manager Dotson asked the Council if they want to schedule a spring clean-up. Last year we opened the dumpsters on Friday and Saturday for extended hours. If they want to do it then make the assignment and staff will organize it. The Council agreed we should sponsor the event again. City Manager Dotson said the Saturday orientation they had recently is on the dropbox for review. He said it was suggested we do a survey about what resident's value in City services. The Economic Development Committee has created such a survey and they could consider using it.

Treasurer Dan Jessen said he has been studying the budget and his door is open. He said he hears many concepts but he has the actual numbers so come in with your questions. There were no other comments.

12. ADJOURN-Motion to adjourn by Council Member Olenslager. Motion seconded by Council Member Wilcken and all voted in favor. The meeting ended at 7:50pm.

Julie Watson, Recorder

Date

Enoch City Council Meeting

February 19, 2014