

**MINUTES**  
**ENOCH CITY COUNCIL**  
**February 4, 2015 at 6:00pm**  
**City Council Chambers**  
**City Offices, 900 E. Midvalley Road**

**Members present:**

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

**Staff present:**

Julie Watson, Recorder  
Dan Jessen, Treasurer  
Gary Kuhlmann, Asst. City Attorney  
Robert Dotson, City Mgr.  
Earl Gibson, Pub.Works  
Jackson Ames, PD Chief

**Public present:** Michelle Pritchard, Nicole Johnson, Officer Mike Berg, Bob Graul, John Ellison, Bryan Harris, Ken & Carolyn Bauer, Maryellen Crase, Jolene Lee, Dan Axness, Mike Pasch, Lyle Goulding, Cassie Easley, Donna Crase, Tim Watson, David Owens, Jordan Barben, Michael Edwards and Spencer Jones

**1. CALL TO ORDER OF REGULAR COUNCIL MEETING-**By Mayor Rasmussen at 6:00pm. He said Council Member Wilcken is ill tonight and will be excused.

**a. Pledge of Allegiance-**Led by Julie Watson

**b. Invocation-**Audience invited to participate- By Council Member Olenslager

**c. Approval of Agenda for February 4, 2015-**City Manager Dotson asked to amend the agenda to cancel items #7 and #8 because we are not ready to go into a CDA meeting tonight. We will have the revisions for the next meeting. **Council Member Johnson made a motion to table items #7 and #8 for the CDA meeting until next meeting and also to amend the agenda to hear a report on the NRCS project as the first item #2a. Motion was seconded by Council Member Olenslager and all voted in favor.**

**d. Approval of Minutes for January 21, 2015-** Council Member Olenslager made a motion to approve for both sets of minutes with corrections. Motion was seconded by Council Member Griffiths and all voted in favor.

**e. Approval of Minutes for work meeting Jan. 28, 2015-** City Manager Dotson said to correct the spelling on Jody Edwards name and the reference to the ambulance building in on page 3. See motion above.

**f. Conflict of Interest Declaration for this agenda-**none stated

**2a. NRCS REPORT-**Dan Axness, Engineer

City Manager Dotson introduced Dan Axness, the NRCS engineer representing McMillen Engineering saying he came today from Idaho to review the NRCS project. We invited him to update the City Council. Dan said the NRCS project is nearing completion of the installation. The pipe and manholes are installed from Midvalley Road and Half Mile Road up to Sagebrush and Highway 91. It is connected and water has flowed through it. The process is ongoing to install the catch basin and drop inlet boxes. That will conclude the bulk of the work on the collection system. Remaining is to grade the ditches out and complete the out flow to the north of Half Mile Road. The project is beyond expectations for approval. He gave more details of items to complete and explained the pipeline capacity giving more details of how the system will work. Depending on how far the money goes is how far north we go with the project. We will end with some kind of a structure perhaps a sloped end section, culvert or another concrete structure. He gave more details of catch basins and funding issues adding we are working with

another property owner to have a catch basin on his property which would help with east side water retention also. This will leave us set up for future expansion. The system was sized and funded and take care of impacts from the 2012 flooding. Almost all of the water came from east of Highway 91 and I-15. He explained more details of the planning and funding saying due to high costs we scaled down although adding to the project in the future could be a possibility. City Manager Dotson said we received a letter from NRCS saying we are still on a list should additional funding come up. This involves other states too and they will offer funds if they become available and if we can meet the match requirements. Dan Jessen said we have a new storm drainage enterprise fund and asked for project recommendations from Dan Axness. He recommended looking at the catch basins above I-15 as most issues are created by water coming from there. Council Member Griffiths asked how we prioritize projects. City Manager Dotson said they were prioritized based on past storms. Sunset and Veterans Memorial still needs attention. The engineering has been done and when funds become available from the enterprise fund we will work on that area. We may also consider an impact fee for drainage which is another process. Dan Jessen said this project only covered what funding allowed and could be expanded later. Mayor Rasmussen thanked Dan Axness for the update.

**2. RESOLUTION NO. 2015-02-04 A RESOLUTION TO DESIGNATE NOVEMBER 20, 2015 AS “REPRESENTATIVE BECKY LOCKHART DAY”**

Mayor Rasmussen asked City Manager Dotson to explain. He said Council Member Wilcken suggested we do something to recognize Becky Lockhart. He worked with her on occasion and was saddened by her death. He wanted to do something with meaning to it and he likes this resolution which is on her birthday. City Manager Dotson read the resolution for the audience adding Council Member Wilcken suggested this be sent to her family with a letter extending respect and appreciation. It is for this year only. Mayor Rasmussen asked for a motion. **Council Member Olenslager made a motion to approve Resolution No. 2015-02-04, a resolution to designate November 20, 2015 as “Representative Becky Lockhart Day”. The motion was seconded by Council Member Lovell and a roll call was held as follows:**

<b>Council Member Griffiths-yes</b>	<b>Council Member Olenslager-yes</b>
<b>Council Member Johnson-yes</b>	<b>Council Member Wilcken-absent</b>
<b>Council Member Lovell-yes</b>	<b>Motion passed unanimously</b>

**3. DISCUSS CHANGING ENOCH CITY CODE OF REVISED ORDINANCES CHAPTER 13-200, PART 13-244 REGARDING “DOG AT LARGE”**

Mayor Rasmussen asked for discussion and questions. Council Member Griffiths raised issues about reporting of missing animals to the pound master saying we should give some leeway to the officers and animal control regarding the timing. After some discussion of other aspects of the ordinance it was noted that we are only asking to change the “dog at large” classification from a Class B misdemeanor to an infraction. Chief Ames added if the Council would like to revise other items in the ordinance we can do that at a later date. Chief Ames added having “dog at large” as a Class B misdemeanor puts it on par with DUI, possession and more serious crimes so the intent is to lessen it to an infraction. Council Member Griffiths said he thought we already did that but if not we can pass this change tonight and then revisit the rest of the ordinance later. Council Member Olenslager said we need a graduating fine schedule to discourage dog at large. Mayor Rasmussen said the Court decides that.

**4. ORDINANCE NO. 2015-02-04 AN ORDINANCE CHANGING THE ENOCH CITY CODE OF REVISED ORDINANCES, CHAPTER 13-200, PART 13-240, SECTION 13-244, DOG AT LARGE PROHIBITED**

Mayor Rasmussen asked for a motion. **Council Member Lovell made a motion to approve Ordinance No. 2015-02-04, an ordinance changing the Enoch City Code of Revised Ordinances, Chapter 13-200, Part 13-240, Section 13- 244 “Dog at Large” prohibited. The motion was seconded by Council Member Johnson 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-absent  
Motion passed unanimously**

Mayor Rasmussen thanked those who brought this to our attention.

**5. DISCUSS AND VOTE ON REVISED EASEMENT AGREEMENT FOR FIRST WIND SOLAR**

Mayor Rasmussen asked City Manager Dotson to go over the agreement which was revised today by our City Attorney. City Manager Dotson introduced Bryan Harris of First Wind Solar saying City Attorney Kuhlmann reviewed the agreement and made some changes. He asked City Attorney Kuhlmann to state his concerns and one was about the names of the parties involved and that was cleaned up. It needed to be clarified that the easement goes to Rocky Mountain Power who is intended to benefit from the agreement. City Attorney Kuhlmann said he cleaned up what was actually being granted and limited it to immediately adjacent property adding a deadline for the anticipated construction schedule which is August. Tim Watson, our City Engineer, went over the ground and checked the legal description too. Rocky Mountain Power has to approve the changes. There was more discussion of details such as wires outside of the boundary and restrictions under power lines. Bryan Harris said they do not intend to go out of the area designated and it will be fenced and fully contained within the fence.

Bryan Harris told about the company he works for saying they were recently acquired by Sun Edison. He told about the many solar projects in Iron and Beaver counties. City Manager Dotson projected the diagram of the easement area. City Attorney Kuhlmann said he is looking out for the City’s interests in this agreement adding the Council can approve it tonight with these specifications. Mayor Rasmussen asked for comments or questions. Council Member Johnson asked why they decided to put this in Enoch. Bryan said the solar project is out by the sewer plant explaining Rocky Mountain Power wants to operate that the main switch remotely and this is located in a place as close as possible to enable that. This is also an industrial area so the location is fitting adding these projects bring in substantial tax revenue for cities aiding the local economy. They are planning on one microwave tower and a small building. Most substations have communications towers like this and it is a common practice all over the state. Council Member Johnson asked how tall it would be and Bryan said he thinks about 60 feet but Rocky Mountain Power determines that. Council Member Griffiths said there were some safety concerns from one person. Council Member Johnson said he researched this and there are some who say it is more dangerous than we are told.

**Mayor Rasmussen asked for a motion regarding approving the agreement. Council Member Olenslager made a motion to approve the easement agreement for First Wind Solar. The motion was seconded by Council Member Lovell and all voted in favor except Council Member Johnson who voted no.**

**6. DISCUSS AND VOTE ON COUNTY COMMISSION PROPOSALS REGARDING AMBULANCE SERVICE**

Mayor Rasmussen said we will quickly go through the three proposals. City Manager Dotson presented the options saying we discussed this in detail in a Council work meeting. To recap, the County Commissioners sent a letter to the ambulance service to say they are looking at privatizing the service. It came to the attention of the local mayors who were alarmed because

this affects service to everyone in the county. The mayors had a different idea and brought it to County Commissioners who countered with three options. One involves funding from the cities to cover the overage the ambulance service has built up over the years due to uncollectable bills of approximately 2.1 million dollars. Another option is to privatize the service to eliminate the debt with the new owner taking the debt as part of the terms of sale. It was noted this has been handled by the county as an enterprise fund which is odd in Utah and is not a profitable thing. Ambulance service is a public service like fire and PD and is not meant to make a profit.

Another option was to have the municipalities own and operate the ambulance service but there were no details given to the cities on how to do that. City Manager Dotson asked Officer Mike Berg to talk about what would be involved in that option for the Council's information. It was noted that Officer Berg was involved with the Beaver County ambulance service before coming to work for Enoch as a police officer. Officer Berg gave many details regarding licensure, Bureau of EMS rules, staffing, training and duties of EMTs and paramedics, equipment requirements and costs. He talked about on-scene care, transport times and the number of calls to Enoch in 2014 adding insurance only pays what it pays and fees are set by the Bureau of EMS. It would be hard to cover the bills with so few calls. Some services run on volunteers but also have some paid employees. Many things have to happen including funding to make this a reality. Iron County now holds the licensure for the county and cities never had a reason to have their own service. Due to high costs ambulance service is made workable by pooling as a group.

City Manager Dotson said the County requested a letter from each city in regard to their willingness to support options 1, 2 or 3. All have met with their Councils and all have said they do not have the funds to pay into the ambulance service to cover old debt although some would pay for future service for their own needs. Council Member Olenlager said we are already taxed for this in property taxes. The mayors were doing their due diligence but do not get to make the decision of what happens to the ambulance service. The question tonight is would Enoch be willing to pay for this service as outlined by the County Commission.

Council Member Johnson said we decided we don't have the money they are asking for so that is the bottom line. Council Member Griffiths concurred we don't have the money and he thinks we should defer to the County Commission because they have studied this in depth. City Manager Dotson said the mayors got involved because we are all recipients of this service and are concerned about the level of service to residents. They felt the change would be detrimental to residents and that is why it came up. Today's issue, Mayor Rasmussen said, is what we want to say to the County Commission. Council Member Griffiths said we don't have the funds and that is it. Mayor Rasmussen asked for a motion.

**Council Member Johnson made a motion to write the letter saying Enoch is not in a position to fund the ambulance service. Motion was seconded by Council Member Griffiths and all voted in favor.** City Manager Dotson will draft the letter.

**7. ADJOURN REGULAR MEETING AND GO INTO A CDA MEETING  
(SEE SEPARATE AGENDA FOR CDA MEETING)**

Tabled until February 18, 2015.

**8. MOTION TO RETURN TO REGULAR CITY COUNCIL MEETING**

Tabled until February 18, 2015.

**9. PUBLIC COMMENTS-none**

**10. CORRESPONDENCE-**Council Member Johnson said he was going to send quotes about health issues related to microwave frequencies to the other Council Members but was given

to understand that the legal work was not done so this item regarding First Wind Solar would be tabled. He did not get to send his concerns out to the Council and would have liked to do that.

**11. COUNCIL/STAFF REPORTS**

Council Member Olenslager reported there are three openings on the Planning Commission if anyone interested. He intends to ask those whose terms are expiring to serve again and will bring the approval for reappointment to the next meeting.

Earl Gibson said he is waiting on the test results on the test well.

Mayor Rasmussen said Hilda Grimshaw, a long-time resident passed away last night.

**14. ADJOURN-Motion to adjourn by Council Member Olenslager. Motion seconded by Council Member Lovell and all voted in favor.** The meeting ended at 7:40pm.

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**Julie Watson, Recorder**

**Date**