

MINUTES
ENOCH CITY COUNCIL
January 7, 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-absent
Council Member Mike Olenslager
Council Member Gary Wilcken

Staff present:

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

Public present: Doug Jones, Kay Ayers, Michelle Pritchard, Sue Abbis, Cassie Easley, Britton Lund, Dennis Ayers, Jolene Lee, David Benkert, Sr., Brandon Cox, Haley Perry, Devin Mackleprang, Austin Boccelli, Tim & Rebecca Daniels, Clara Pickett, Ken & Carolyn Bauer, Pat Thompson, Jay Peake, Spencer Jones, Lyle Goulding, Officer Shawn Higgins, Nicole Johnson, Artimesia Chappell, Michael O'Rourke, Gary & Lindsay Bezzant, Bob Graul and Bruce Gookin

1. CALL TO ORDER OF REGULAR COUNCIL MEETING-By Mayor Rasmussen at 6:00pm. He welcomed the audience and excused Council Member Lovell who was unable to attend due to work commitments.

- a. Pledge of Allegiance-**Led by Dan Jessen
- b. Invocation-**Audience invited to participate-Given by Spencer Jones
- c. Approval of Agenda for January 7, 2015-**Motion to approve agenda by Council Member Olenslager. Motion seconded by Council Member Wilcken and all voted in favor.
- d. Approval of Minutes for December 11, 2014-**Motion to approve minutes by Council Member Olenslager. Motion seconded by Council Member Griffiths and all voted in favor.
- e. Approval of Minutes for December 17, 2014-**Council Member Johnson said he read from the model resolution regarding the transportation coalition and would like that attached to the minutes. Council Member Johnson made a motion to approve the minutes with that attachment. Motion was seconded by Council Member Wilcken and all voted in favor
- f. Conflict of Interest Declaration for this agenda-**none stated

2. PUBLIC HEARING REGARDING THE REVISED 2014-2015 BUDGET

Mayor Rasmussen asked Dan to discuss any changes. He said there were two things not discussed and not in the budget that was posted however they have a net zero effect. He said the Economic Development Committee raised money for the Iron Days Festival however they did not have their 501(c)3 account set up at that time so the funds were run through the City as "in and out" entries with a little money carried over into next year for the festival. He explained the line items affected. The other item was a \$5000 grant obtained by City Manager Dotson from the Iron County Water Conservancy District for geochemical water testing we are doing to determine where our water originates from and goes to. This will be a program the Conservancy District hopes to build on in the future. These funds appear in the Water Department and he recapped the line items affected. This is money "in and out" and is not spending new money or changing

policies. Mayor Rasmussen added we opened the budget in December and tonight we will hold the public hearing which was noticed per State law. He asked for a motion to enter the public hearing. **Council Member Johnson so moved. Motion was seconded by Council Member Wilcken and all voted in favor.**

Mayor Rasmussen instructed the residents wishing to comment to state their name for the record and comment only on the budget taking 2-3 minutes each.

Dennis Ayers asked for an explanation regarding what would happen so it is clear to the public on the Council's intentions if this budget is passed. ***Council Member Griffiths said basically the library will be cut. We will try to get volunteers to run it. Mayor Rasmussen said the City Council proposed that \$41,200 in fees to fund the library be cut in order to balance the budget.*** Dennis said he heard the City Council say this is not the appropriate function of government. ***City Manager Dotson said this public hearing is not meant to be a question and answer session but is for residents to state their comments on the budget. This is not a public debate but a time to make statements to the City Council.*** Dennis said the Council should do anything they can to preserve the library because it downgrades the community to lose it.

Britton Lund with the Utah State Library said their contract is with Iron County. If funding is cut the library building will exist but all of the contents are owned by the State and every shelf, table, computer and book belongs to the State and will go away.

Ken Bauer said he has been to library and all he noticed is the Enoch babysitting service. All books can be downloaded off the internet now and he does not think we need to spend money there. If this is a county thing, they should pay for it.

Jeannette Putnam said it will cost more in long run to replace all of the contents if we want to maintain the library. She is a school teacher and likes to have a regular book in her hands to read. Children need a place to go to check out real books.

Carolyn Olenlager said she is also a school teacher and if kids will go somewhere to get books to read that is better than being on the streets getting in trouble.

Brittany Jensen said she a mom and not political. However for children and young moms it makes a huge difference in the lives of children to have a safe place to learn. Our kids walk and ride bikes to the library to grow and learn and it is important to keep that. If you think there is not a need that is sad for our community. She suggested finding other places to cut like the PD budget to keep the library.

Brandon Cox said he grew up in Salt Lake City and moved to a small community to raise his kids so they can go everywhere with no fears. We want them to learn how to read books and not just download books. We don't want to take them into Cedar City for that. We should keep our community small and tight and keep these things for residents.

Kay Ayers said she has been here 15 years and in the beginning when the PD was put in it was a sore subject with many. There was no need for it and now all of a sudden we have a bunch of officers and she does not see much crime. She cited the example of Brianhead with thousands of people in and out of there and a town marshal who does it with two deputies. The PD is the biggest budget item and cuts should come from there. Don't cut animal control as that is more necessary than officers up on the freeway. She said her sister walked to the library many times and came home in tears because they were closed all the time. The hours were not stable and that put a damper on the use of it although many need to use the computers because they do not have them at home. Everybody started punishing us saying there will be no fireworks and hot dogs and cutting all the minor things. She added she is discouraged with the way Enoch is being run.

Bob Graul thanked the City Council for the work they have done to bring the budget into line with what voters asked for. He thanked Dan for saving money and not spending it. He appreciates the work done and understands the emotion surrounding the library. We have to come together as a community.

Artemisia Chappell said she is a mom with small children and does not come to meetings adding she saw only one newspaper ad for the public hearing. She asked if the City Council is looking at all options to cut. Having no fireworks was fine and did not hurt. She said look at the departments to be sure they are run most efficiently.

Rebecca Daniels agreed with her adding she has been the beneficiary of the services of the PD and is grateful we have one although we may not need that many officers. Is it as efficient as it can be? She has no emotional ties to fireworks but appreciates the library.

Brittany Jensen said she voted against the tax increase but asked if it should be all or nothing. She said when looking through the budget shortfalls that there has got to be some middle ground without cutting the library.

David Benkert proposed a 3% to 6% tax increase if they really need the money.

Mayor Rasmussen said that does not help this fiscal year's budget and he explained the fiscal year budgeting process. We have to operate on a balanced budget by law. Dan clarified this budget was planned to run a deficit because the vote was coming however we can't run a deficit by law so the budget was opened to make cuts in order to balance.

There were no other comments.

Mayor Rasmussen asked for a motion to end the public hearing. **Council Member Olenslager so moved. Motion was seconded by Council Member Johnson and all voted in favor.**

3. DISCUSS REVISED 2014-2015 BUDGET

Mayor Rasmussen said now is the time for the City Council discussion on the revised budget and if ready we will vote tonight.

Council Member Johnson thanked Dennis for getting to the meat of things with his comments adding the proper role of government is what this is about to him. Almost all comments said that libraries are a good thing and he used those things as a kid, but he still does not believe it is the role of government to provide entertainment to people in any form. If people want a library we can have it but it should be paid for by those who use it. If every card holder donated a few books we would have more than current items available. The people can provide their own if they want it and those who want it are paying for it. Those who have no use for it keep their own money. That is what freedom is about and that is why it is appropriate to let it go and let the people who want it figure out how to have a library.

Council Member Griffiths said even though some of us will vote for this budget which cuts the library funding it does not mean we are anti-library or against learning. It is economics and we are not punishing anyone. Education is the key for kids and we are fortunate to have the Cedar City library so close because we all go to town for other things. He expressed appreciation for the great sentiment from the public however the budget dynamics we are under have created the problem. We all have to cut our own budgets. The PD budget has been hashed out and cut where possible and that will be done again in the next budget process.

Council Member Olenslager said he will vote for keeping library funding but there is just no money. We have been cutting for five years and there is nowhere to cut anymore. That is why the tax increase looked large but was not. It is a constant part of the process to evaluate department budgets and cut wherever possible. Things predicted to be cut have not happened yet but they may still take place with no new revenue coming into the general fund. This budget affects our future going forward and we will see some of those cuts happen adding it probably would be appropriate to go through another "Truth in Taxation" process for a modest increase however he does not see that happening with this Council. Council Member Wilcken said we have discussed this for months and months. The bookmobile was critical to him when he was a kid but times have changed. It looks like we are just cutting the library but we have also cut flood

control and will have to cut more things. Fuel prices going down is a good thing but who knows if that is lasting. We are in a hard spot and we have to do this.

4. RESOLUTION NO. 2015-01-07 A RESOLUTION APPROVING THE REVISED 2014-2015 BUDGET

Mayor Rasmussen asked for a motion. **Council Member Wilcken made a motion to approve Resolution No. 2015-01-07, a resolution approving the revised 2014-2015 budget. The motion was seconded by Council Member Johnson and a roll call vote was held as follows:**

Council Member Griffiths-yes	Council Member Olenslager-no
Council Member Johnson-yes	Council Member Wilcken-yes
Council Member Lovell-absent	Motion passed 3 to 1

Mayor Rasmussen thanked all who worked hard on the budget.

5. CLOSE THE REVISED 2014-2015 BUDGET BY MOTION

Mayor Rasmussen asked for a motion to close the budget. **Motion to close the 2014-2015 budget by Council Member Johnson. Motion was seconded by Council Member Wilcken and all voted in favor.**

6. PUBLIC COMMENTS-Mayor Rasmussen said this comment period is for things other than the budget.

David Benkert asked about the status of the well drilling that was to be done by the end of December. Was it finished and was that project bid out? *Mayor Rasmussen said we are test pumping right now and yes it was bid out.* He asked about "paid volunteers". *City Manager Dotson said we only have part time employees.*

Bob Graul said he wanted to take a minute to look back on where we came from and the vote that caused division in our community. During that whole campaign there was a lot of fear going around. Loss of security, safety, flood control and bad things were predicted to happen. There have been lots of cuts in all areas. When people pay attention they hear about it. Things are on the website and in the newsletter. He added this is a thankless job to do what they do and he appreciated that. The debate came down to the library and there is questionable value there. Is that a service government should pay for? We will still have a safe community with a viable PD and animal control. The whole point is because of Dan and City Manager Dotson in this effort we will come out fine and we will be stronger.

Rebecca Daniels asked, for those who think library is important, could people come up with \$40,000 and keep the library doors open. *Council Member Griffiths said this is not a one-time deal. The funding is due every year.* She mentioned she was opposed to the tax increase until she realized the 113% increase was only for the Enoch line and was a smaller increase than she first thought. The City should have made that more clear.

Ken Bauer said there was so much controversy and the 113% increase would have given much more than was actually needed. He cited the fear-mongering. He said he saw a video and inquired about the PD giving money away saying it looked like they were rewarding law breakers. *He was told that was from donations for Christmas.* He said he thought it was a tacky video to prop up the PD.

Brandon Cox said from what he hears everyone wants to cut and cut. In order to make more money you have to work more. We want to make Enoch grow and he wants the library. People will sell and move out of Enoch and home values will go down when amenities are cut. To get more money we need to bring in business but we don't want big business out here. People need to look at what we can do to build the city up. Look at the orchard and running that with volunteers.

It did not work. It costs money to build a town up and the tax increase is needed and warranted. People need to quit thinking our City is big government because it is not.

Lindsay Bezzant wanted to let the Council know they care about the library and will be sad to see it go because they use it a lot. It feels like we don't care about improving.

Kay Ayers said when they came here to buy they spent a week looking they wanted a city that offered protection and had codes and ordinances to keep junk cars out. She suggested we should impose fines for weed abatement and give tickets for junk cars to raise funds. If we have a PD they need to enforce codes. The City needs to protect property values because a home is the biggest investment anyone ever makes.

Britton Lund of the State library said now they will go to the County Commission to see what they can do. She suggested that we have all kinds of options for the future if the County Commission can pick up the funding for this year. The library does not have to go away and she said she will do her best to keep it.

Gary Bezzant said he has talked to people and many would be happy to have a tax increase for a smaller amount. The base is there to support that. It should be stated what would be funded with the increase.

Rebecca Daniels said we had extra money in the past and we need to build that back up again and she asked how that is done. *Mayor Rasmussen said we have to bring in more than we spend.*

7. CORRESPONDENCE-none

8. COUNCIL/STAFF REPORTS

Council Member Olenslager reported in defense of the PD, people were targeted for donations at Christmas time. The folks selected were in need and the PD looked for them to give out the donated funds. He also reported the PD got a JAG grant for portable breathalyzers. The lower gas prices will help but does not solve funding problems. Our PD took 1000 reports last year and that is a high. Also when our officers are seen up on the freeway they are not using Enoch money to do that. They individually contract with the Highway Patrol to work extra shifts to earn extra pay over and above their Enoch City shifts. At times they may also be called to provide back-up on the freeway.

Chief Ames said the folks who donated funds at Christmas wanted to remain anonymous and it was not to reward law breakers. We wanted to do good during the Christmas season. The PD holds lawbreakers accountable. This was an attempt to say we are human and approachable and that was the idea. It was successful and was a rewarding day for the officers participating. He added two officers went to New York City to attend the funeral of one of the recently slain officers. The airfare was donated by JetBlue. They went with two Cedar officers and it was a good bonding and networking experience for them and made them grateful to live in Enoch.

Mayor Rasmussen mentioned it is National Law Enforcement Week and he is grateful for the work of the PD and for keeping the community safe. A lot of negative things have been happening nationally and we hope it will not come here. There was audience applause.

Council Member Wilcken said the Tree Committee meets tomorrow and he invited residents to come and be a part of that.

Council Member Griffiths thanked people for coming to meetings and said we do listen and may vote against what is said but tolerance is being able to disagree and still be friends. We still value the opinions of the public.

Council Member Johnson said if anyone here would like to understand his decisions he has a seven page document that explains the proper role of government. He invites residents to get with him to talk about it. He gave more details of the origin of the document he referred to.

Earl Gibson reported the well is drilled and they are test pumping with good results so far. The NRCS project is up to Wagon Wheel Drive where they will have to go under existing utilities.

They have notified residents who will be affected and asked residents to use other routes around that area. They hope to finish the main pipeline by the end of January.

City Manager Dotson reported the Washington County Commission has invited City officials to a special meeting at noon on January 14th to discuss transfer of public lands in Utah. They are meeting with Representative Ken Ivory who will be there to give an overview. He asked if any Council Members would be interested in going. Council Member Wilcken said he would go. City Manager Dotson said next meeting we will go into a CDA (Community Development Agency) meeting per our bylaws. This is held within the regular City Council meeting and he gave more details of what will be covered adding the Council was given information about the CDA in their orientation packet. He added we are receiving about \$8000 per month in sales tax revenue. There is an increase in economic development in Utah and the Council needs to discuss what they are willing to give in incentives to commercial businesses to come into Enoch. We need decisions now because there are projects in the talking stages. We have only met once a year the past several years because there has not been much going on since 2007. If there is more activity we will meet more often. He reported a Federal judge has ruled on a lawsuit regarding prairie dogs saying the federal government does not have control on private land. The County Commissioners and others are working on a plan to maintain that ruling however SUWA and others have appealed with the U.S. Fish and Wildlife Service. This may go to the Supreme Court in the future. We all need to be aware of the questions about prairie dog removal from property because we are still working within the same structure as before.

Mayor Rasmussen reported the Iron County Coordinating Council also talked about the ambulance service for Iron County in their meeting today. The County has three proposals and asked the cities if they would be willing to pay for deficits in this service. We need to have the discussion in a Council meeting soon. City Manager Dotson said the details are still vague and we don't have all the information yet. He added the word "deficit" probably is not accurate although that term is being thrown around. When you don't have revenue to cover expenses you borrow money to pay the bill and that is not what is happening. They are not in the red but have a shortfall due to unpaid bills. Their budget comes from revenue from service and from taxes collected by the county. The question is would cities be willing to give more money to keep the ambulance service as it currently is.

9. CLOSED EXECUTIVE SESSION REQUESTED-(Requires a roll call vote w 2/3 majority)

Chief Ames asked for an executive session to discuss a personnel matter. Mayor Rasmussen asked for a motion to close the regular meeting and go into an executive session for a personnel matter. **Council Member Olenslager so moved. Motion was seconded by Council Member Griffiths and a roll call vote was held as follows:**

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| Council Member Griffiths-yes | Council Member Olenslager-yes |
| Council Member Johnson-yes | Council Member Wilcken-yes |
| Council Member Lovell-absent | Motion was unanimous |

The regular meeting ended at 7:30PM.

10. ACTION FROM EXECUTIVE SESSION-The City Council voted in favor of hiring a seasonal employee.

9. ADJOURN-Meeting adjourned above.

Julie Watson, Recorder **Date**
 Enoch City Council Meeting
 January 7, 2015