

MINUTES
ENOCH CITY COUNCIL
April 15, 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 Gary Wilcken
Council Member Mike Olenlager

Staff present:

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

Public present: David Owens, Dilworth Armstrong, Cassie Easley, Jolene Lee, Jim Allen, Tim & Joni Vail, Jaytee Vail, Michelle Pritchard, Lisa Lowden, Scott Leavitt, Ray Whittier and Carolyn Olenlager

1. CALL TO ORDER OF REGULAR COUNCIL MEETING-By Mayor Rasmussen at 6:00pm. He welcomed the audience.

- a. **Pledge of Allegiance-**Led by Mayor Rasmussen
- b. **Invocation-**Audience invited to participate-Given by Ray Whittier
- c. **Approval of Agenda for April 15, 2015-Council Member Johnson made a motion to approve the amended agenda. Motion was seconded by Council Member Lovell and all voted in favor.**
- d. **Approval of Minutes for April 1, 2015- Council Member Olenlager made a motion to approve the minutes. Motion was seconded by Council Member Johnson and all voted in favor.**
- e. **Conflict of Interest Declaration for this agenda-**none stated

2. RECOGNITION OF GARDEN PARK FUNDRAISERS-Jolene Lee

Mayor Rasmussen invited Jolene Lee to make her presentation. She introduced Jaytee Vail saying he is 11 years old and lives in Garden Park Subdivision. Through his efforts he has raised \$2,100 in donations to make improvements to the "Garden Park" park. She wanted the City Council to meet him and recognize him for his outstanding efforts. Jaytee said he likes to play outside but the park is not very fun. With his mother helping they went door-to-door to ask for donations. People were helpful and he hopes to keep working to make the park a fun place to be. Council Member Wilcken said he appreciates his efforts through tough times and that someone decided to improve their neighborhood. Jolene said they are starting with a pavilion for which they received a Lions Club grant of \$1000. She added they have 150 homes in the subdivision and 54 have contributed so far. Mayor Rasmussen thanked Jaytee and his parents.

3. ORDINANCE NO. 2014-04-15-A AN ORDINANCE AMENDING THE ENOCH CITY CODE OF REVISED ORDINANCES, TITLE 6-000, CHAPTER 6-100 SALES AND USE TAX

Mayor Rasmussen asked City Manager Dotson to tell public what this is about. He said our sales tax is posted in the Code of Revised Ordinances as being $\frac{3}{4}$ % and it is actually 1% in checking with State Tax Commission. This is a housekeeping issue to correct the error. We are not raising taxes but only correctly stating what is actually being charged. Mayor Rasmussen

asked for a motion. **Council Member Johnson made a motion to approve Ordinance No. 2015-04-15-A. An ordinance amending the Enoch City Code of Revised Ordinances, Title 6-000, Chapter 6-100, Sales and Use Tax. The motion was seconded by Council Member Olenslager and a roll call vote was held as follows:**

Council Member Griffiths-yes	Council Member Olenslager-yes
Council Member Johnson-yes	Council Member Wilcken-yes
Council Member Lovell-yes	Motion passed unanimously

4. RESOLUTION NO. 2015-04-15 MUNICIPAL WASTEWATER PLANNING PROGRAM RESOLUTION

Mayor Rasmussen asked Earl Gibson to explain what this is. Earl said this is a yearly requirement from DEQ to let the State know how our system is doing. The State started this survey a few years ago in response to the federal government wanting to get involved in local sewer systems. We comply with this without being compelled by the government to do so. It covers things like how many people we serve, if there are any problems and if we have qualified operators and funds to keep the system running. Our system is in good shape and is gravity fed which reduces a lot of problems. Mayor Rasmussen asked for a motion. **Council Member Lovell made a motion to pass Resolution No. 2015-04-15, Municipal Wastewater Planning Program Resolution. The motion was seconded by Council Member Wilcken and all voted in favor.**

5. DISCUSS SECOND AMENDMENT CHANGES TO CODE OF REVISED ORDINANCES

Mayor Rasmussen asked for questions or discussion. There was a brief discussion of other activities in parks such as use of bows and arrows and noted that this action only addresses discharge of firearms. Mayor Rasmussen clarified to say the PD has discretion and if a problem comes up they can take action on safety concerns. There was a brief discussion of new language that may have been recently signed into law by the governor. City Attorney Kuhlmann was unaware if anything and Chief Ames concurred he had not heard that either. He took this information from the State website.

6. ORDINANCE NO. 2015-04-15-B AN ORDINANCE AMENDING THE CODE OF REVISED ORDINANCE BY CHANGING CHAPTER 8-300, PART 8-307 REGARDING FIREARMS IN PUBLIC PARKS AND TITLE 13-000, PART 13-1050-1 REGARDING DEFINITIONS, PART 13-1050-4 REGARDING CARRYING CONCEALED DANGEROUS WEAPONS

Mayor Rasmussen asked for a motion. **Council Member Lovell made a motion to pass Ordinance No. 2015-04-15-B, an ordinance amending the Code of Revised Ordinances by changing Chapter 8-300, Part 8-307 regarding firearms in public parks and Title 13-000, Part 13-1050-1 regarding definitions, Part 13-1050-4 regarding carrying concealed dangerous weapons. The motion was seconded Council Member Wilcken and a roll call vote was held as follows:**

Council Member Griffiths-yes	Council Member Olenslager-yes
Council Member Johnson-yes	Council Member Wilcken-yes
Council Member Lovell-yes	Motion passed unanimously

Council Member Wilcken thanked the citizen who was vigilant and reminded the Council to get this done.

7. DISCUSS 2015-2016 BUDGET

Mayor Rasmussen asked Dan to give his presentation. Dan said this budget is the same as last meeting and tonight he is asking what they want to change to balance the shortfall of \$7175.49. He said Council Member Johnson expressed some ideas to him and he asked him to tell the Council what he is thinking. Council Member Johnson suggested cutting \$15,000 for wood chips for Liberty Park. We could purchase a tiller and use that to keep the sand soft to reduce the liability. He added wood chips blow away so it would be a never ending cost to replace them. He said that makes up the difference and would also cover the dispatch increase we are expecting. It was also noted we could cover the dispatch increase another way by adding .25 cents to the utility bills to cover our costs. Cutting \$15,000 covers that with no fee change. Dan removed the \$15,000 and added \$500 to buy the tiller moving funds to cover the increase in dispatch saying we are now in the “black” by \$2,754.

There was a brief discussion of options to reward employees for gaining certifications and other things that make them more valuable employees. City Manager Dotson said what raises are based on is value based certifications or education gained. That makes an employee valuable forever and also helps the City to be able to retain good employees by paying them appropriately. City Manager Dotson said we look at things three ways; value based on knowledge, value based on attitude and value on based on longevity. There was more discussion of the merit system we use and City Manager Dotson said he has heard no complaints about wages. Employees are our most valuable asset because they do the work to make the City run. Mayor Rasmussen said we don’t just spend the 3% increase figure that shows in the budget. They have to earn it.

There was discussion of possibly funding some drainage projects with accrued revenue and also basing it on revenue that will be coming in. We can always open the budget if we have something come up Mayor Rasmussen said. Council Member Griffiths said we should go ahead with projects that are on hold so we keep our word on doing things. The figure deleted last year was \$60,000 and we now have \$30,000 collected from drainage fees. There was brief discussion of other issues that are pending and it was decided we don’t have to deal with it now until a few other things are taken care of referring to a possible land purchase. Dan said if funds are put in the capital outlay line item we can do that without stating the exact project. City Manager Dotson suggested they put \$30,000 in the capital outlay line and if the land proposition does not come to fruition then it would be there for the first project on the drainage list. Mayor Rasmussen asked if the Council is good to have this be the tentative budget. In the next meeting we will pass it and set a public hearing at which time the budget will be ready for public viewing.

8. PUBLIC COMMENTS-

Cassie Easley thanked the Council for getting the Second Amendment issue passed.

9. CORRESPONDENCE-none

10. COUNCIL/STAFF REPORTS

Mayor Rasmussen said he wanted to mention that we had a tragedy in our community on Monday night with a house fire that killed three residents. He said he speaks for all of us that our love and prayers go out to the family and neighbors who have sustained this terrible loss. He talked about how hard some of the City Staff have worked since then, losing much sleep. City Manager Dotson and the PD are working to assist the family and to make things happen to clean up the site. Earl did a lot of backhoe work to get the fire out. The City appreciates their efforts.

Chief Ames said he appreciates Mayor Rasmussen’s comments. This is a hard thing to be a part of and is very unfortunate. He encouraged those present to assess their homes for fire hazards and learn from this. Also of note, he mentioned this past weekend many man hours were spent on a burglary case. They got a search warrant and a confession and solved several other cases in the

area. Officers Mike Berg, Jeremy Dunn and Dustin Roy all participated. He also reported we are in the process of a routine FBI audit. Specifically it is an information technology audit regarding personal information we have access to. We are working with IT personnel and administration to review it all and making sure we are in compliance with standards and regulations.

City Manager Dotson gave an update on the NRCS project saying we had the walk through Monday and they were very impressed. We still have to move some dirt at the inlet structure on Highway 91 and Enoch Road and then dig 600 feet at the ditch outlet. He said we got 60 barriers at no cost from UDOT. NRCS has offered another 100 barriers that may be used for 5250 North drainage issues. The last day of the project will be on April 20th and then we will be all done except for repaving the roads affected. Mayor Rasmussen asked about the timetable for roads being fixed. Earl said Ashdown Brothers will try to open their asphalt plant on May 15th and will give a bid. City Manager Dotson said he and Earl went to the annual sewer meeting. He gave some details saying the budget for electricity at the plant will shoot up due to processing to use reclaimed water but we are two years out before we have to pay for that. City Manager Dotson passed out a handout regarding transportation funding and what that means with the new gas tax which may change our budget. The County has to approve putting the tax increase on the ballot and they may be asking City Councils to send them a resolution saying we approve of this to be on the November ballot for the local option sales tax dedicated to transportation costs. Council Member Johnson asked if this is over and above what the Legislature did with the 5 cent tax they approved. City Manager Dotson said this expands the leeway of what a city can do with transportation related projects. The 5 cent increase is part of Class C road funds and is for roads only. This option is for other things like trails. This was discussed at the ICCC meeting and some said they felt we should give the citizens a vote on it rather than not allowing it to come to a vote. He said this may come up as a resolution on an agenda in the near future. City Manager Dotson said he met with the Fire Chief today to talk about the fire incident and to assess who did what and how it went. The Chief expressed frustration specifically that someone was videotaping the fire three minutes before dispatch got the call. He was disappointed that more people did not call into dispatch but had time to film the fire. It took two minutes for our PD to get there. By then the north side of house was fully engulfed. When the FD got the call it took them 9 ½ minutes to get to the site from town. They only got four calls to dispatch. He wanted to make the point to educate residents to call in. People have doubt about if they should call and it is better to call than to assume someone else has done so. City Manager Dotson added a resident has applied to use Old Enoch Park to hold a car show on the 4th of July. Policy says vehicles are only allowed to be on the parking lot however for car shows they like to display the cars on the ball field. The applicant asked the City Council to waive the policy for this event. Also they are a non-profit and they have to prove that with documentation to us and won't be charged the user fee. Council Member Johnson said he is involved in helping with this. When we had car shows in years past this policy did not exist but now it is in the way. City Attorney Kuhlmann said this is an administrative action and Mayor Rasmussen can waive it tonight without it being on the agenda. The Council agreed and Mayor Rasmussen waived the policy for the car show. City Manager Dotson added in talking to the Fire Chief they discussed the open burn which started today. The Chief would like to get that changed to March 15th through May 15th and also have a fall burn period.

There were no other comments.

11. ADJOURN-Motion to adjourn by Council Member Johnson. Motion was seconded by Council Member Lovell and all voted in favor. The meeting ended at 7:25pm.

Julie Watson, Recorder **Date**

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April 15, 2015