

MINUTES
ENOCH CITY COUNCIL
July 16, 2014 at 6:00pm
City Council Chambers
City Offices, 900 E. Midvalley Road

Members present:

Mayor Robert Rasmussen-absent
Council Member Destry Griffiths-electronic
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 Atty.
Robert Dotson, City Mgr.
Earl Gibson, Pub.Works-absent
Jackson Ames, PD Chief-absent

Public present: Doug Jones, Donna & Michelle Pritchard, Dilworth Armstrong, David Benkert, David Owens, Chief & Mrs. Paul Irons, Anne Zufelt, Weslie Graham, Cathy Wentz, Officer Mike Berg, Cassie Easley, Worth Grimshaw and Seth & Cordelle Morris

1. CALL TO ORDER OF REGULAR COUNCIL MEETING-By Council Member Olenslager at 6:00pm. He excused Mayor Rasmussen and asked for a motion to make him Mayor Pro-tem for tonight's meeting. **Motion by Council Member Lovell. Motion seconded by Council Member Wilcken and all voted in favor.** Council Member Griffiths will participate by speaker phone.

- a. **Pledge of Allegiance-**Led by David Owens
- b. **Invocation-**Audience invited to participate-Given by Officer Mike Berg.
- c. **Approval of Agenda for July 16, 2014-****Motion to approve agenda by Mayor Pro-Tem Olenslager. Motion seconded by Council Member Lovell and all voted in favor**
- d. **Approval of Minutes for July 2, 2014-****Motion to approve minutes by Council Member Johnson. Motion seconded by Council Member Wilcken and all voted in favor**
- e. **Conflict of Interest Declaration for this agenda-**none stated

2. DISCUSS OPEN BURN REGULATIONS AND RESTRICTIONS-Chief Irons

Chief Irons came forward asking what the question is from the Council. Council Member Wilcken said a resident came to Council meeting a few months ago and cited EPA regulations that say burning is allowed more often than the City says it is allowed. Also the open burn takes place in the windiest month of the year and that is a problem. Chief Irons explained burn permits are issued thru the State Forester and you have to have a permit from him to burn at times other than April 15th thru May 15th. Currently he is not allowed to issue the permits in incorporated cities. Agricultural interests can burn anytime as long as they notify the local FD, meet air quality standards and have a fire plan. The EPA says 30 days are open for burning from April 15th to May 15th so the wind will blow the smoke out and that is why they do it in that time frame. If you prepare in advance which you will get good days to burn.

Chief Irons said Representative Evan Vickers is working on a new fire management plan to loosen some of the regulations for burning in incorporated areas and he suggested we wait to discuss it until after the legislative session in 2015. He said he understands we live on bigger acreage in Enoch and there is a need to burn weeds but the spring is the only legal time right now. After the next legislative session we may have more leeway for the Fire Marshal to issue burn permits. There was more discussion of how the burn permits work and that they are issued to individuals and not the City. The Fire Marshal would have to inspect the site and then issue the permit. Even with a permit if damage is caused the person burning pays the costs. People still

have to call the FD and permits are only for vegetation burning and not building materials or other garbage. Mayor Pro-Tem Olenslager thanked Chief Irons for the good information.

3. DISCUSS RECYCLING MARKET DEVELOPMENT ZONE

Mayor Pro-Tem Olenslager asked for more discussion adding the agreement was emailed to the Council for review. City Manager Dotson said when Jake Hardman from the Governor's Office was here last meeting he emphasized the other Enterprise Zone too but these are two separate programs. We are working with Cedar City and Iron County thru Brennan Wood of the Cedar City Economic Development Department. This program is designed to help with the cost of special equipment in the form of tax credits. He said our General Plan uses language to encourage and promote business. The agreement includes zoning maps and this zone would be in the industrial and regional commercial zones where businesses who could take advantage of the program would be more likely to be located. He cited Earl Sevy's Diffuser World as an example of a business who uses recycled materials and could benefit from this program. We are required to contribute in the form of business friendly ordinances and staff to provide assistance for permits and processes which we already do. Informing businesses of this program is also what we would do thru the Economic Development Committee. The compliance is overseen by Governor's Office of Economic Development, not the City. Cedar City and Iron County have renewed the agreement as required every five years. We have not been involved until now and the application awaits our resolution to proceed.

Council Member Wilcken confirmed this costs the City no money. City Manager Dotson said we contribute by changing or establishing policies to encourage this type of program. Our Economic Development Committee is looking at our codes to make them less restrictive. By passing this resolution we are allowing for a business to apply for this tax credit if it fits their needs. Council Member Wilcken asked why would want to limit this to certain areas. City Manager Dotson said the equipment is industrial in nature and is not anything a small home business would need so we are specifying industrial and regional commercial zones. This also could be an encouragement for businesses to locate here to take advantage of the program thereby creating jobs. It is another tool for making Enoch business friendly and is a benefit to business.

4. RESOLUTION NO. 2014-07-02 A RESOLUTION AUTHORIZING APPLICATION TO THE GOVERNOR'S OFFICE OF ECONOMIC DEVELOPMENT FOR CREATION OF A RECYCLING MARKET DEVELOPMENT ZONE IN ENOCH CITY

Mayor Pro-Tem Olenslager asked for a motion. **Council Member Lovell made a motion to approve Resolution No. 2014-07-02, a resolution authorizing application to the Governor's Office of Economic Development for creation of a recycling market development zone in Enoch City. The motion was seconded by Mayor Pro-Tem Olenslager 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-yes | Motion passed unanimously |

Council Member Wilcken said on the record he still has heartburn that government has the ability to take from some and redistribute to others. Council Member Lovell said we get caught up in that idea but really we are trying to allow everyone to have the most use of the money they pay in taxes by getting some of it back in the form of this tax credit. In this case we are taking power from a taxing entities and leaving money with the individuals in business who decide to apply for this tax credit. This is the individual's tax money and they can get some of it back if they comply with requirements and do the paperwork. Council Member Wilcken said he is good with that and did not want to do anything to disadvantage businesses. Council Member

Lovell said we want to offer every opportunity to our businesses to keep their own money. Mayor Pro-Tem Olenlager said this discussion is philosophical and should be discussed at another time.

5. **DISCUSS MUTUAL AID INTERLOCAL AGREEMENT FOR UTAH PUBLIC WORKS EMERGENCY MANAGEMENT AND AUTHORIZE MAYOR TO SIGN AGREEMENT FOR ENOCH CITY**

Mayor Pro-Tem Olenlager asked City Manager Dotson about this saying we have many similar interlocal agreements already. City Manager Dotson outlined this agreement adding it lays it out how we ask for help, pay for help and so on. The agreement is thru the Utah Public Works Association and was written by several attorneys. It adds no new requirements other than what we already do regarding emergency exercises. There was a brief discussion of the details of the agreement which in no way require the City to upgrade or purchase any equipment. We only participate if we are able to aid other communities with the existing equipment we have. This is an aid to logistics and sets a standard in the event of a disaster. We already have much of this in place from other similar agreements with other agencies. This addresses “public works” specifically and is a process for requesting assistance, getting assistance and paying for it. Mayor Pro-Tem Olenlager asked for a motion to authorize Mayor Rasmussen to sign the agreement. **Council Member Wilcken so moved. Motion was seconded by Council Member Johnson and all voted in favor.**

6. **PRESENTATION OF NEW CITY WEBSITE AND LOGO-Rob Dotson**

City Manager Dotson previewed the new logo and website. Our current logo has ten colors and is costly to reproduce. Design professional and Enoch resident Cordell Morris volunteered to help us and he developed a logo that is clean and simple and has only two colors, blue and white. There was more discussion of the design and that this professional looking logo has “pazazz”. We have waited to order the new letterhead until we could decide on a logo. Dan said the shape is consistent with current trends for “branding” and can be any color for different uses. City Manager Dotson went on to show the new website and give details of its capabilities including access to forms, bill pay, City documents like Code, Zoning and Subdivision Ordinances, meeting agendas, minutes and recordings to list a few things. It is 100% in our control and we can change and customize it at a cost of \$6 per month to use this web creation site. It can also be viewed with a phone app. City Manager Dotson said he would like the Council’s authorization to go ahead with finalizing the website and logo approval so we can order letterhead. The Council agreed it was a big improvement and thanked City Manager Dotson for his efforts with consensus to go ahead.

7. **PUBLIC COMMENTS-** Mayor Pro-Tem Olenlager invited comments.

David Benkert said there is a very dangerous intersection at Midvalley and Minersville. He asked if we have talked to UDOT about getting a stop light. ***City Manager Dotson said they have done traffic studies every few years and there are not enough accidents to warrant a stop light. Mayor Pro-Tem Olenlager said our PD has slowed traffic down. The painted strip was covered over by paving but will be re-done before the new store opens. Council Member Wilcken added the store may change traffic flows and then a stop light may be warranted.***

Donna Pritchard said there is a vacant house at Quickdraw and Midvalley that has been empty for two years and is totally overgrown. What is the procedure to find out who owns it and clean it up? ***City Manager Dotson said we can check with the tax office and send a letter requiring the owner to clean it up. If we are ignored then there is a process for the City to do the work and lien the property.*** She added it is an eyesore, a fire hazard and weeds are clogging the drainage ditch. That is just one place of many in the City that are abandoned.

8. CORRESPONDENCE-

City Manager Dotson said we got a letter from the Second Amendment Foundation in Bellevue WA. It came to their attention that Enoch regulates firearms in our code and they suggested that to avoid lawsuits we should make some changes. They cited two instances. One is regarding firearms in City parks for which there is a good reason and the other is regarding concealed carry of weapons. He has talked with Chief Ames and will bring some changes to the Council adding it is simple and helps us comply with the second amendment. Our attorney will review the changes before it comes to the Council.

Dan said it has come to our attention that animal control is not legally compliant when we adopt out animals. Officer Mike Berg said if we adopt out an animal that is not spayed/ neutered we are supposed to charge a \$25 deposit and when the new owner gets the animal spayed/neutered and gives proof we refund the fee. Instead we have been doing this with a contract with new owners which we follow up on to be sure the pet is spayed/neutered. This requirement was brought to our attention by Cedar Animal Control and we need to comply with this State law. The problem lies in the accounting procedures which would affect the budget and cause issues with receiving money, depositing and keeping track of it and then refunding it. This creates accounting headaches and will affect budget line items. We are trying to work out the details and will keep the Council posted.

9. COUNCIL/STAFF REPORTS

Council Member Lovell thanked everyone for their help on the 4th of July. He could not spend the time but staff took up the slack and we had a good turnout for the race.

Council Member Johnson asked about the Parowan City resolution the Mayor passed out at the last meeting. Julie said it will be on next agenda.

Officer Mike Berg said the “Tour of Utah” bike race will be coming down Minersville Highway on Monday August 4th at about 11:00am. The PD will be responsible for traffic control in our jurisdiction. We will get volunteers to place traffic cones and would like to have families and cars to block access onto Minersville Highway for a few minutes to watch the racers and cheer them on. The major intersections will have officer’s vehicles blocking them. Ten minutes before the race, traffic on Minersville Highway will be stopped and the race will pass thru Enoch in less than 5-6 minutes so there will be no major inconvenience.

City Manager Dotson reported we had a closed POD exercise with the SW Utah Public Health Department on dispersing medications in the event of a pandemic or medical emergency. He gave details of how it worked. By providing meds for staff and their families it enables staff to stay on the job for continuity of government in an emergency. This was an opportunity to learn and to fix issues that came up with communications, dispersal and paperwork. He also reported the RFP was advertised for the test well in the Iron County Today. We will open bids on the 28th. There is a mandatory location meeting for bidders. City Manager Dotson introduced Cordelle Morris who designed the new logo and helped with the website.

There were no other comments from Council or staff.

10. ADJOURN-Motion to adjourn by Council Member Wilcken. Motion seconded by Council Member Johnson and all voted in favor. The meeting ended at 8:10pm.

Julie Watson, Recorder **Date**