

**MINUTES**  
**ENOCH CITY COUNCIL**  
**March 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 Gary Wilcken  
Council Member Mike Olenslager

**Staff present:**

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

**Public present:** Doug Jones, Dilworth Armstrong, Ken & Carolyn Bauer, Jolene Lee, Spencer Jones, Christine Spencer, Officer Shawn Higgins, Cassie Easley, David Harris, Bruce Gookin, Brandon Barney, Braxton Rasmussen, Coulsen Meyers, Kenneth West, Adam Kurtz, Ryan Francisco, Tyler Zufelt, Garrett Barney, Trevor Bradford

**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 Council Member Lovell
- c. **Approval of Agenda for March 4, 2015-**Mayor Rasmussen asked for an executive session to discuss a property matter when we get to that item in the agenda. **Motion to approve agenda by Council Member Olenslager. Motion seconded by Council Member Lovell and all voted in favor.**
- d. **Approval of Minutes for February 18, 2015-**Motion to approve minutes by Council Member Johnson. **Motion seconded by Council Member Griffiths and all voted in favor.**
- e. **Conflict of Interest Declaration for this agenda-**Council Member Griffiths stated a conflict on items #2, #3 and #4. Council Member Lovell stated a conflict on item #4. No others were stated.

**2. DISCUSS AND APPROVE REAPPOINTING DAVID HARRIS TO THE PLANNING COMMISSION**

Mayor Rasmussen asked Council Member Olenslager to explain what is happening. He said we had three openings on the Planning Commission and no other volunteers stepping up to serve. He added this is a hard commission to be on because it requires education and experience in land use. All of the current members have applied themselves well and have extensive knowledge in this area. They are all willing to serve another term.

**Council Member Olenslager made a motion to approve David Harris for reappointment to the Planning Commission.**

Council Member Johnson expressed concerns saying when he attended Planning Commission meetings during the General Plan review his comments were not responded to and it was passed despite his stated concerns. He said he has nothing against anyone on the Planning Commission and respects their service and knowledge. His worry is they do not consider the proper role of government as they are sending things onto the City Council. The City Council trusts their expertise and almost always passes what they send forward. He would like to search for people who are aware of how cities are passing laws that are impacting freedoms.

Council Member Olenlager said one thing he ponders regarding the role of government is that we govern by what the citizens ask of us. Regardless no matter what we do we step on some toes. He cited the example of a small town in Idaho where his father lives saying that it is a ramshackle mess of unfinished, unplanned projects due to no formal planning although still a nice town. He sees the value of planning to benefit all citizens. We should not put this off any longer because the Planning Commission is getting busy now. This is a very time consuming job and requires much self-education. They have done that and are reasonable people. Putting this off will not serve the City well.

Council Member Lovell said we could review the General Plan again if needed adding he would like to see others serve but no one is clamoring to do this job. If the current Commissioners are willing to serve and there have been no major problems he has no problem with them continuing.

Council Member Wilcken said he has talked to one person who would consider serving. Council Member Olenlager said he would like the name so he could talk to that person. Council Member Wilcken said he questions why three are being reappointed at the same time. It was stated these are two-year staggered terms. One term expired in January and we missed taking care of the reappointment then. The Planning Commission is a board that is regulated by State law unlike the Water Board and Tree Committee which are regulated by local ordinance.

**The motion was seconded by Council Member Wilcken and all voted in favor of reappointing David Harris to the Planning Commission except Council Member Johnson who voted no and Council Member Griffiths who abstained.** Motion carried.

**3. DISCUSS AND APPROVE REAPPOINTING SCOTT LEAVITT TO THE PLANNING COMMISSION**

**Council Member Lovell made a motion to reappoint Scott Leavitt to the Planning Commission for another term. Motion was seconded by Council Member Olenlager and three Council Members voted in favor. Council Member Griffiths abstained and Council Member Johnson voted no.** Motion carried.

**4. DISCUSS AND APPROVE REAPPOINTING SPENCER JONES TO THE PLANNING COMMISSION**

**Council Member Olenlager made a motion to reappoint Spencer Jones to the Planning Commission for another term. Motion was seconded by Council Member Lovell.** Mayor Rasmussen called for a vote. **Two voted yes, two voted no and Council Member Griffiths abstained.** This created a tie vote.

After the initial vote was taken Council Member Wilcken said he wanted to revote. Mayor Rasmussen called for a revote. Two voted yes and three abstained. That meant there were not three votes in favor thereby making the position vacant on the Planning Commission. City Manager Dotson explained abstaining from voting has the same effect as voting no.

City Manager Dotson said that act was illegal because they voted no first and after the vote was taken they wanted to change their votes which you can't do in the same meeting. The Council would have to put this on another agenda because the motion was made, seconded and voted on and you can't "revote" this way. Council Member Wilcken said he was thinking wrong and it was not his intention to vote no but rather to abstain.

**Based on the original two to two vote with one abstention, Mayor Rasmussen voted to break the tie and to reappoint Spencer Jones to the Planning Commission.**

City Manager Dotson said he would check with City Attorney Kuhlmann but thought they would have to bring this back on the next agenda to vote on it again. Council Member Wilcken said that is politics. City Manager Dotson said what they did to change the vote was politics. Council Member Wilcken said he made a mistake in his vote.

**5. DISCUSS AND CREATE 2015-2016 BUDGET PROCESS AND SCHEDULE**

Mayor Rasmussen said we talked about how to go about the budget process in the last meeting and the Council now has a copy of the calendar. They discussed the budget deadline dates noting that a tentative budget has to be approved by May 6<sup>th</sup>. It has to be available for the public to review ten days prior to the required public hearing which could be scheduled for either June 3<sup>rd</sup> or June 17<sup>th</sup>. The Council could vote to approve the final budget after the public hearing per State requirements. Dan added if the Council decides a property tax increase is needed then those dates go out into August to allow for the Truth in Taxation process to take place.

There was more discussion of the process and Dan said we reviewed State code and need to get information from the department heads adding one-time purchases need to be considered. His question is do we bring the department heads into the Council meeting or meet as staff and Council Members individually with them to get their budget requests. He would then prepare a tentative budget and bring that forward as a starting place for discussions. Council Member Olenslager said he is meeting with Chief Ames next Monday to go over his budget. Council Member Johnson said he thought they already decided they would meet with their department heads to go over it first. Council Member Lovell said discussing all department budgets in one meeting may muddy the waters suggesting we have the PD in one meeting as that will take the bulk of the scrutiny with their larger budget. Public works and administration could be in the next meeting.

Council Member Wilcken said he would like to look at some kind of projections to project zero growth in the departments. If more revenue is projected then they will want to spend the money. City Manager Dotson said one solution is going with this year's budget as a starting point. Council Member Wilcken said this is still a guessing process and we should shoot for a lower bar. Dan reiterated again the biggest question is the one time expenditures and the unknown factors such as insurance costs. He added the PD will try to get grants which are tied to expenditures for equipment and such if successful. Earl may need some equipment as he has put off purchasing needed one-time big items. Dan said he is working on the projections.

Council Member Wilcken said he would like to invite all department heads to the next meeting to say we want zero growth to be the starting place and for them to be prepared to justify expenditures if they can't meet zero growth. Mayor Rasmussen recapped they will be instructed to come prepared for that. He stressed again there are unknowns such as insurance benefits which we typically don't know until very late in the process. Mayor Rasmussen recapped the first meeting of April we will start getting the department heads input.

**6. PUBLIC COMMENTS-Mayor Rasmussen invited comments.**

Carolyn Bauer said she is struggling with the planning issue and was here when Council Member Johnson explained what League of Cities has in mind. On the other hand she knows of well-planned cities that grew and prospered adding she appreciated the way the old planners laid out streets. She does not want to see Enoch dictated by a national plan but does feel there needs to be planning to be organized. She asked how we can do that without being overtaken by League of Cities and still foster and champion freedom.

David Harris said he was reappointed to the Planning Commission tonight and as a member he wants to voice support for Spencer Jones to remain on the Planning Commission. Spencer has expertise and knowledge the rest don't have and is highly valued. He added they work well as a Planning Commission and most have served for several years now. This is a classic example of "if it ain't broke, don't fix it".

**7. CORRESPONDENCE-none**

