

MINUTES
ENOCH CITY COUNCIL
May 21, 2014 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

Staff present:

Julie Watson, Recorder
Dan Jessen, Treasurer
Gary Kuhlmann, City Attorney
Robert Dotson, City Mgr.-absent
Earl Gibson, Dir. Public Works
Jackson Ames, Police Chief

Public present: Donna & Michelle Pritchard, Doug Jones, Dennis Ayers, David Owens, Chris & Nicole Johnson, Bruce & Jolene Lee, Dilworth Armstrong, Jay Callaway, Cathy Wentz, Clara Pickett, Weslie Graham, Mike & Nina O'Rourke, Debra Ley, Brenda & Jim Peck, Worth Grimshaw, Matt Bracken, Bill Ball, Bob Tingey, Donna Crase and Ryan Coleman

1. **CALL TO ORDER OF REGULAR COUNCIL MEETING-**By Mayor Rasmussen at 6:00pm. He welcomed the audience.
 - a. **Pledge of Allegiance-**Led by Council Member Lovell
 - b. **Invocation-**Audience invited to participate-Given by Council Member Wilcken
 - c. **Approval of Agenda for May 21, 2014-Motion to approve by Council Member Olenslager. Motion seconded by Council Member Wilcken and all voted in favor.**
 - d. **Approval of Minutes for May 7, 2014-Motion to approve by Council Member Johnson. Motion seconded by Council Member Lovell and all voted in favor.**
 - e. **Conflict of Interest Declaration for this agenda-**none stated

2. **RESOLUTION NO. 2014-05-21-A A RESOLUTION TO DESIGNATE AUTHORIZED AGENTS FOR PURCHASING FROM THE FEDERAL SURPLUS PROPERTY PROGRAM**

Mayor Rasmussen said we do this so we can purchase from the Federal Surplus Property Program although we have not done so to date. It was clarified who is being authorized to make purchases, that being the City Manager and various department heads. Mayor Rasmussen asked for a motion. **Council Member Wilcken made a motion to approve Resolution No. 2014-05-21-A, a resolution to designate authorized agents for purchasing from the Federal Surplus Property Program. The motion was seconded by Council Member Lovell 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 |

3. **RESOLUTION NO. 2014-05-21-B A RESOLUTION APPROVING THE INTERLOCAL AGREEMENT FOR THE USE AND OPERATION OF THE IRON COUNTY EVERBRIDGE MASS NOTIFICATION SYSTEM**

Mayor Rasmussen explained we have had the Reverse 911 program thru the County and they have chosen another system to use. This new company, Everbridge, is less expensive and more versatile and can be used to send out other important messages if needed so we will have more flexibility. Council Member Wilcken asked if those registered on 911 will transfer over to this system and Dan said they would. Dan explained the old contract saying we pool together as entities in this county to reduce the cost

to all. Everbridge has a more substantial data base and will give better coverage at less cost. Mayor Rasmussen asked for a motion. **Council Member Lovell made a motion to approve Resolution No. 2014-05-21-B, a resolution approving the interlocal agreement for the use and operation of the Iron County Everbridge mass notification system. The motion was seconded by Council Member Olenlager and a roll call vote was held as follows:**

**Council Member Griffiths-yes
Council Member Johnson-yes
Council Member Lovell-yes**

**Council Member Olenlager-yes
Council Member Wilcken-yes
Motion passed unanimously**

4. ADOPT TENTATIVE 2014-2015 BUDGET AND SET A PUBLIC HEARING FOR JUNE 4, 2014

Mayor Rasmussen opened by asking for a motion regarding the tentative budget. **Council Member Olenlager made a motion to adopt the Mayor's budget as amended. The motion was seconded by Council Member Lovell.**

Council Member Griffiths asked about the fireworks and if it is in this budget. Mayor Rasmussen said it is at this point adding if the Council decided they want to change anything they can do that and adopt the budget with changes in the motion. City Attorney Kuhlmann said this is so the public has the adopted version to view prior to the public hearing. Council Member Wilcken said the PD suggested they could raise revenue by doing more traffic patrols and that is his concern. We do not want them revenue oriented and having a higher revenue figure in the budget puts pressure on them to do that. Council Member Wilcken clarified that this budget is not set in stone and we can make adjustments.

There was more discussion of the fireworks and the fact that none have been purchased for this year. Due to the budget uncertainty we did not contract for the fireworks package within the time frame required to receive the discount they offer for early purchase. If we leave it in the budget we need to note that the fireworks were not purchased. Dan said this is for the 2015 fireworks package if we leave it in. Mayor Rasmussen asked do they want to take that out. Council Member Griffiths said yes take it out. Council Member Wilcken said part of the challenge is we are paying for things with savings for now and waiting to settle the referendum in November. We would open the budget in November anyway to adjust so taking it out now does not really matter. Council Member Olenlager added if it is left in then the public can comment on it in the public hearing.

Council Member Wilcken said he is still concerned with PD revenue and wants to lower that line item. Council Member Lovell asked Chief Ames what the reasoning is behind this. Chief Ames said they could try to offset some of the burden by upping the revenue with extra patrols. As the fiscal year end got closer they looked at actual revenue figures for this year. They looked at cutting an officer and they found they cannot reduce service and keep the level of coverage. With Dan's input they projected \$18,500 based on actual figures and he agrees with having less pressure to bring in revenue. We want our officers to function without that pressure. After more discussion all agreed it was better to stick with actual figures for revenue and lower the line item to \$18,500. Mayor Rasmussen asked if they want to lower that by including it in the motion. If lowered then we have to show an additional \$26,500 coming from savings to balance the budget.

There was more discussion of removing the fireworks from the budget with some feeling we should do it now and others wanting it taken out later depending on the vote. Council Member Wilcken said regardless we have to open the budget and do some juggling. Council Member Olenlager said we have never spent as much savings as what was projected to be needed to balance. They clarified the process for buying the fireworks early in order to get the discount. Council Member Wilcken said maybe we should take it out and add it back later if the public wants it. Mayor Rasmussen said his personal feeling is we should celebrate the 4th with fireworks. He asked for a motion regarding the fireworks.

Council Member Johnson made a motion to remove the fireworks from the budget. Motion was seconded by Council Member Wilcken with idea that if the citizens want fireworks it will come back into the 2014-15 budget. In favor of removing fireworks were Council Member Wilcken,

Council Member Griffiths and Council Member Johnson. Dan was instructed to remove fireworks from the tentative budget.

Mayor Rasmussen asked for a motion on the whole budget. **Council Member Olenslager made a motion to approve the Mayor's budget removing the fireworks and lowering the PD revenue item.**

Council Member Wilcken expressed concerns that staff would spend money if it is in the budget even though we may need to cut it out later, referring specifically to the lawnmower purchase that has been discussed many times. Council Member Lovell said we should not hobble or micro-manage the staff. We will trust them and Dan will be overseeing large purchases anyway. Council Member Wilcken said he wants it on record for staff to be really careful with spending. Dan concurred that is what he is hearing and as the one who approves spending it is already that way now. He assured them we will not go against the spirit of what the City Council is trying to do. Council Member Johnson said he has nothing new to say but he is leaning away from eliminating an officer and would be in favor of cutting elsewhere like parks or animal control which will be up for more discussion later.

Council Member Olenslager made the motion again to approve the tentative 2014-2015 budget striking the fireworks and lowering the PD revenue. Motion was seconded by Council Member Lovell. Mayor Rasmussen asked for a show of hands. Three were in favor with those changes; Council Member Lovell, Council Member Griffiths and Council Member Olenslager. Voting against the motion was Council Member Johnson and Council Member Wilcken.

Mayor Rasmussen asked for a motion to set the public hearing for June 4th. Motion was made by Council Member Lovell and seconded by Council Member Olenslager. All voted in favor. Mayor Rasmussen said the budget with changes as discussed will be available for the public to view online and in the office.

5. PUBLIC COMMENTS

Mayor Rasmussen said tonight is not the comment period for the budget asking that comments on that topic be saved for the public hearing on June 4th.

Donna Pritchard thanked the Council for approving the tentative Mayor's budget until people can vote.

Clara Pickett said she wanted to say thank you for having open doors and listening to citizens and caring what they say. She appreciates the Council's efforts and diligence to be sure we have a good city.

Worth Grimshaw said because he is opposed to a tax increase does not mean he is at odds with everything. He likes the fireworks but can live without it. Other things are more pressing and he will say what he wants. The Council has to sift it and sort it. If the people like it you will get elected again if you run. Another thing that bothered him is what happened at the last Council meeting. School children wrote letters in support of the library and were acknowledged by the Mayor. Since when do kids know what is best for the city? He is offended that any teacher would have her class write to say keep the library. Their parents need to decide that. Last meeting one lady said keep the library for the children. She is not speaking for his family. He is not opposed to the library but does not think people should speak for people they don't have the right to speak for and he is offended when they do that. He intends to protest that to the proper authorities over the school. He said he wanted to make it clear where he stands on that.

Mike O'Rourke said he has a question about using savings to fulfill the budget until after the vote and does that mean we start over with a new tax increase if the referendum does not pass. ***Mayor Rasmussen said if the vote goes for no increase then we have to open the budget and make adjustments. We want the vote first and then the Council will deal with that but for now we will use savings to cover shortfalls.***

Dennis Ayers said he wanted to clarify that when you talk about savings accounts it is his understanding that is money we accumulated that was paid in taxes in the past and we did not spend it in former budgets. ***Mayor Rasmussen said it is a combination of taxes and fees too. Dan said you would have to look at each past budget. There are many savings accounts most with limited uses for what they can be spent on because they are not general funds.***

6. CORRESPONDENCE-none

7. COUNCIL/STAFF REPORTS

Council Member Olenlager commended staff for being frugal. It came over many years to build the savings and has helped thru the economic downturn. He thanked the PD for their work adding he had a burglary at his house and they had a pot bust too. We are not crime free here.

Council Member Wilcken said he went to the Economic Development Fair and it was a good start. He thanked the committee for their efforts. He said regarding the referendum vote that the Voter Information Pamphlet needs volunteers from both sides to write the pros and cons for the public before the vote. If more than one person for each side wants to be involved the Council has to decide who will do the job. Preference will be given to the sponsors and members of the legislative body. He suggested people could contact the Council Members or write letters of interest. He asked that be put in the newsletter.

City Attorney Kuhlmann recommended that the letters go to a central location like to Julie. Or if the Council receives letters they could give them to Julie. He is concerned some letters may get lost and he would like one location so there are no issues. We should also set a deadline. There is no limit as to who can contribute but one person writes it so there is one version. If a sponsor wants to write it they get preference and a Council member has preference to write the other side. Only five sponsors can be listed and the argument has to be 500 words or less. It was decided the deadline will be July 1st to get letters to Julie and we will put it in the newsletter to let people know they can apply to participate.

Council Member Griffiths said he appreciates the calls and emails he receives and there is no easy answer. As an elected official he has conflicts too. If the referendum is passed for the tax increase we are kicking the can down the road. By cutting the budget now we have the opportunity to make some permanent adjustments. He read a quote from Thomas Jefferson regarding one generation not having the right to bind another adding he wants to make sure he has asked people to be responsible for their own lives and debts.

Council Member Lovell said he still needs volunteers for the 5K-10K Race on Friday the 4th with manning the water stations and the finish line. He could use a race director too.

Council Member Johnson had no other comments.

Mayor Rasmussen said the Conservancy District got the water rights they filed on from the west desert. It will be some years before the water will be available but it will be a source for the future.

Dan Jessen recapped saying on the next agenda we will hold the public hearing on the 2014-2015 budget and have a resolution to pass it however if we can't agree we have one more meeting on June 18th to get that done. Also on June 18th we will hold the public hearing for the 2013-2014 budget and pass a resolution that includes him being given permission to make final year-end adjustments as needed to close out the fiscal year. He reported regarding savings that as of the audited books last year we had 6% in savings of unrestricted funds. That is money that has no specific purpose designated for it to be spent on like impact fee savings do. Staff has been very frugal this year and has not spent as much as we budgeted. There were not a lot of emergency repairs or snow removal. We are flirting with the very low end of what is required by the State which is 5% to 25% in savings

. In November if the tax increase is not passed then we have to make some big changes.

8. ADJOURN-Mayor Rasmussen asked for motion to adjourn. Council Member Lovell so moved. Motion was seconded by Council Member Olenlager and all voted in favor. The meeting ended at 7:10pm.

Julie Watson, Recorder **Date**