

MINUTES
EAGLE MOUNTAIN CITY COUNCIL SPECIAL MEETING

September 22, 2006

Eagle Mountain City Council Chambers, 1650 East Stagecoach Run, Eagle Mountain, Utah 84005

7:00 P.M. SPECIAL SESSION – CITY COUNCIL CHAMBERS

Minutes reported verbatim.

Mayor Brian B. Olsen called the special meeting to order at 6:05 pm. Mayor Olsen led the Pledge of Allegiance.

CONDUCTING: Mayor Brian B. Olsen

ELECTED OFFICIALS PRESENT: Councilmembers David Blackburn, Vincent Liddiard, and Linn Strouse. Councilmembers Heather Jackson and David Lifferth were not present.

CITY STAFF PRESENT: Gerald Kinghorn, City Attorney; Gina Peterson, City Recorder; Gordon Burt, Treasurer; Peter Quittner, Deputy; Monsen.

PUBLIC HEARING

Councilmember Liddiard: I'm going to present a little information as it pertains to the budget items, and let Councilmember Blackburn talk about that a little bit later. By way of introduction to that, those agenda items, you may have received one of these. It talks about, uh, I'll read it just in case some of you may have not received it. (Reading.) "Administration of the adopted budget includes monitoring and amending the budget document from time to time. The budget process is a continuous effort to ensure that revenues are collected as projected and expenses do not exceed appropriated funds. The City Council must approve any amendments which alter the total expenses of a fund or increase the total number of full-time equivalents or employees." This is similar to something that was presented to the City Council earlier. That budget amendment did not pass. In regards to those budget amendments and where we are trying to go, I'm trying to constrain my comments only to budget issues, the concern was not on what the amendment covered, but on what it didn't. The amendment proposed for this evening, however, will not be enacted, due to some technical notification difficulties. So the amendment that we are proposing will be considered a week from tomorrow at 1:00. That would be Sept 30 at 1:00 pm. It will shortly follow the 12:30 pm ordinance special session that was also called, so there are two special sessions a week from tomorrow, one at 12:30, one at 1:00. At that time, we'll actually be able to take action to vote upon the proposed budget amendment. Today, we'll have an opportunity to explain a little bit about it and to hear your concerns or comments, as it pertains to that budget. Included in that budget was a desire to change references from Chief of Staff, as it was proposed and approved last May. Chief of Staff references would then be changed to City Administrator. This would mean that, in order to have someone to function in that position, he would have to actually be appointed with the advice and consent of the City Council, and that the funds that are currently allocated for a Chief of Staff would then be allocated to a City Administrator. It is also desired, through this budget amendment, that we recategorize things in divisions, offices and departments so that each of those be independently recognized as budgeted departments under State Code, and then be treated as such. This would then mean that items or monies between each of those divisions within the budget could not be transferred by

the Mayor from one fund to another fund without the express consent of the City Council. This is something that has been a concern to us, that funds that were divided in the budget would be treated as separate funds, not necessarily as grouped funds, something of significance to us. We also wanted to make some changes so that it would allow the Recorder's Office to proceed with some codification of the ordinances that we have already enacted. Also, that we would approve a grant request so that there could be additional apparatus and equipment purchased for the Fire Department, and that the Code Enforcement Officer would be granted more time, or hours, so that he would be able to do more work. Also in that was to be able to add a person to work in the Building and Plans Departments so there would be a plans reviewer. Specifically, this is so that those people who are bringing building plans to the City would be able to have a faster turnaround in the building plans, that the City could be more responsive to those people wanting to do business or to live here. We felt like that's important, and due to the rather rapid growth in the number of homes here, that allowing that to take place would be important. Those are some of the significant things that we had proposed in the budget. There are a couple of other things and, at this point, let me close with this. The failure of the amendment to the budget was not due to what it covered, but what it did not. New ideas were presented to the Council and an opportunity to absorb and to discuss this information was required. This may have become an effectual reminder that the government is a shared power, not a monarchy. However, the impetus in this decision was based on providing City staff and our citizens the best possible government. As a legislative body, the City Council is supposed to set policy and create laws for the executive branch of our City government to administer. Our executive branch is led by the Mayor's Office, and has been encroaching on the legislative powers by limiting the city access to verifiable information, staff access to Council members, and the difficulty of establishing the validity of issues and information brought to the Council has hampered our ability to enact laws while trusting their efficacy and necessity. Mr. Blackburn.

Councilmember Blackburn: Thank you. First off, thank you all very much for coming here tonight. As Councilmember Liddiard said, we are very much in support of the additional staff coming to the City, and it's very likely that we will see more staff coming to the City. One of our primary concerns was the recent definition given to us in the way of how a budget can be abused within the City. We're operating with over a \$20 million budget in our city, and as the Council has, in my past, reviewed and compartmentalized funds within the City in the budget, our expectations are that, if we approve money for a particular department, that it's used within that department. In the course of the last few meetings, our legal counsel and the Mayor have informed us that our understanding in the past has been incorrect, which essentially says that the time and efforts we put to give oversight and review to the budget is almost nullified. That the City currently operates under four general accounting concepts or categories, which are Public Works, Public Safety, Community Development and General Administration. Within our city itself, we have a budget that discusses and reviews approximately twenty different departments, broken down by various areas within the city and the services they provide. The interpretation that we, as Council, have understood, was that, if it was a department on our budget that we reviewed, that is where those funds would be used. The information, again, given by our City Attorney and by the Mayor is that those funds can be changed, essentially at will of the Mayor, and so our major concern here tonight, or prior to finding out that this meeting would not be able to enact an ordinance, is to firm up that budget, so that City Council and you, the public, see those numbers and information, that that is where those funds will be spent.

Councilmember Liddiard: If I could continue with a couple of things, and I think it's kind of interesting that we have probably more people here today than have been to the last three months of our general session meetings. In order to give clear understanding of the intents or policy of the Council, a modified version of the original budget amendment is being presented for consideration. Chief among the

changes is the stated purpose and organization of the budget, in order to ensure an equal body of authority rather than individual authority. There's also a matter of financial compensation to the Mayor that's changing. The argument for increasing the Mayor's compensation last year was strongly supported, based on the idea that it was malleable and subject to the approval of the Council. This change is indicative of the view of the performance and due compensation of that office at this time. A much, much smaller amount was originally proposed, but the \$50,000 total compensation, which was reduced from \$70,000, including benefits, was deemed that would be the entire ball of wax. \$50,000 was deemed an appropriate reduction, without being overly mean or strong a censure. It's not our endeavor to change the things in a overly mean-spirited way, but rather to be able to ensure that things are enacted in an appropriate manner in the city. Again, none of that will happen this evening, but it's something that at least you are aware of as an initiative among some of the council members you see before you today. Linn?

Councilmember Strouse: When we had our regular budget meeting, which we have every year, it was based on much information and a lot of dialog. Many unanswered questions still hung in the air and there were promises that there would be closed executive sessions, that my questions were only appropriate for closed executive sessions. Those never materialized. There was time pressure to get the budget passed, especially since there was such a delay in getting started. There was a change and rather than having budget hearings, where the Council, the Mayor and the department heads all spent a whole day or so going over the budget and talking about the different needs, it was a totally different format, which may be fine, but that's something that the Council needs to know. And so we were kind of down to the wire and when I was told that we would violate State law if the budget wasn't passed in June, obviously there was no way I wanted to hold up funding for the majority of things that our city badly needed. And so I did vote for the regular budget, with a lot of questions still unanswered. There's been, continued to be, a gap in communication, questions unanswered. Council meeting before last, there was a paper in my packet that said we'd spent half the budget in the first two months of the fiscal year. That obviously is a grave concern and I don't feel personally that my questions got answered. I was told it was due to a well breakdown, and when I asked about the warranty on the well, because it's barely been a year, and I asked about the cost breakdowns. This is our duty and our right, as representatives of the people, to have answers to these questions. The response I got from the Chief of Staff, because, as most of you probably know, we don't have a City Administrator, and the Mayor was that there was litigation involved and we could not discuss those issues or answer my questions. And my response was, "That's all the more reason why the Council needs to know if this City is in litigation. The Council has a right and a duty to its citizens to know what litigation is going on against the City or that the City has against somebody else. And I said that's all the more reason why we need a closed executive session to discuss it. I never did get the answer, like a lot of answers to the budget questions, and it's simply, we must have answers to our questions. We must have adequate information to make wise decisions. Our decisions are only as good as the information that we are given. It's difficult for me to have to continue in this manner. It's sad that on Friday night, when you guys all should be out on a date and spending special time with each other, it's difficult for me to know that we felt compelled to proceed with this meeting, because it had to be in a timely manner. These budget amendments needed to be addressed, you know, there is certainly needs. I should not have to hear that our Building Supervisor hasn't been able to take a vacation since I don't know how long. I shouldn't have to hear that in Council comments, with somebody saying they're outraged. That's information that the Council should have had right in the very beginning. That's information that the Council should have during its regular, you know, the big bang budget session that we have every year. Just like you plan your household budgets, we have to help plan the City budget. The Council responsibilities are such that we are supposed to have a balance of these powers and work together, and I really believe that everybody has the best interests of the city at heart. Everybody has different perceptions on how that should take place. But the most important thing

we have to remember is our rights and duties under the U.S. Constitution, under the State Constitution, and the City ordinances that we passed and will pass and we need to recognize and respect the balance of powers that needs to be exercised regularly. So that's my goal, is to get a better working relationship with everyone on the Council for the best interests of the city, and to fulfill our duty to the citizens to pass laws and vote on issues that are of extreme importance to your future. Thank you.

Mayor Olsen: The presentation will now move into the public hearing section of this, and I'll entertain a motion from the Council to open the public hearing.

Councilmember Liddiard: I **move** that we open the public hearing [at 7:22 p.m.].

Mayor Olsen: Is there a second?

Councilmember Blackburn: I'll **second**.

Mayor Olsen: Any discussion on that? OK, all in favor of opening the public hearing, please say 'yes.'

Councilmembers voting yes: Councilmembers David Blackburn, Vincent Liddiard, and Linn Strouse.
The motion **passed**.

Mayor Olsen: Hearing none opposed, we'll open the public hearing. This public hearing is now officially open. For those of you that weren't here before, this little light meter will help you through this process. When you have a green light, that's your time to speak. When it hits yellow, it gives you a ten-second heads-up, and then when it's red, we ask you to please stop so another person can have an opportunity. We do ask, the governing body asks that you please, if somebody's already said it, please don't repeat it again, because we've already heard it, and then it will help on time. But if you'd like to say, "Ditto," or "I agree with what was said," that's fine, too, but just it'll help us on time.

????: Is there, do we have public comment forms?

Mayor Olsen: Do we have public comment forms? Has anyone had an opportunity to fill out public comment forms? Those that would like to make public comment, we would like you to fill out a form and then hand it to the City Recorder. Jerry, go ahead.

Mr. Kinghorn: Mayor, I think this is different than the public document at the beginning of most of our meetings. I think it's just asking the people to step to the microphone to give their comments.

Mayor Olsen: All right. Who would like to go first? Anyone? Come on up. And when you're ready I'll start this little light thing and you can go.

Ben Hardy. I have actually spoken to each of you last night. I had a chance to, there's a lot of things at this point, I have no intention of leveling opinion or any type of decision of mine based on whatever accusations have been made, because I feel I need more information on both sides to make that. However, based on conversations I've had with Council members, and with you, Mayor, I do feel there are some things to talk about. One of the most important, I think, is the fact that it's very obvious there is a big communication rift between the administration and the Council members. And that's something that I've heard collaborated by pretty much everyone. Any not just at this point, administration to Council, but Council themselves. The ability to communicate one with another and, instead of having that, that type of debate, the constructive debate and the ability to talk one to another, there's walls going

up. And there's personal agendas being leveled. And that is no way good for the city. It accomplishes nothing. And that is the issue of mine that I feel is most pressing, that I hope can be solved. And it's something that needs to happen on both sides. The administration needs to open up its ability to communicate. It should not take Council members, scheduling weeks in advance, to talk to the Mayor. And that is my personal opinion. With regards to specifically Council members, some of whom are not here, and the land issue we have with Eagle Park and different areas, I've had several explanations given to me, as to why that was put on a six-month hold, and I understand logically the explanation of, "We don't have the manpower." That the city is completely covered up with new construction, and I understand that there is a lot of new construction, and there's some significant concerns and that is a legitimate explanation. However, having said that, we're the constituents that voted you into office, not the people moving in, and we believe we should also have some say in what happens, and we feel like we should be represented, not put on hold or set out to pasture for six months while things are figured out. And we feel we should have that right. And on the alternate level with regards to the most recent newsworthy item, with regards to the ongoing investigation into pornographic material, and Mayor in particular, the item, your statement that you sent out, your specific statement . . .

Mayor Olsen: I don't mean to . . .

Ben Hardy: Yes, I'm done, I'm done with it, the specific statement you sent out, I don't care whose names were on it, it's as close to slander as you can get, because something that could have and should have been handled privately, to single people out and make a statement in a press release, to me was mismanagement. And that's all I have to say.

Mayor Olsen: Please, everybody that comments, please do not exceed your three minutes. It is out of order. So, sir, are you ready?

Yes, I'm ready.

Mayor Olsen: All right, go ahead.

I've been in the town prior to it being established . . .

Ms. Peterson: Can I get a name, please?

Bill Chipman. Uh, I'm sort of proud now to have three Council members willing to stand up for their rights and the rights of the people. I've seen too much baloney, too much maneuvering of the of the budgets and the money, too much money going to Walden, and us the people paying for it, and it's about time somebody did something about it. I'm tired of certain Council members turning around and blaming other people. I think you should stand up for what you're doing, stand for your rights. And I think that's an important thing. And I'm proud of you guys. Thank you.

[Applause from audience]

Mayor Olsen: Please, folks, although we appreciate your, um, that is out of order and it won't be tolerated. Please, if you can refrain from your comments, maybe talk to the person afterwards, pat him on the back, but this is a government meeting. Please refrain from that. It would help us keep order. Thanks. Who's next? All right, sir, come on up. Tell me when you're ready and I'll give you the . . .

I'm ready.

Mayor Olsen: Go ahead.

Joe McCaul. As far as that being inappropriate, I was here at a Council meeting when you praised yourself on the fuel issue, and everybody clapped and you didn't tell everybody that that was inappropriate. So, apparently, it's appropriate to praise, but it's inappropriate to go against. Okay? First of all, thank you, Council men and women. Fantastic. We've got your back. It's great to have you guys standing up for the city and take it back. As far as the budget, my question is, as far as that \$8,000 travel expense, if that is tied to the grouping of funds and how things are being separated, and also, as far as that \$8,000 travel expense, was proper procedure followed when that expense account was created within the budget? That would be a question I would have. In addition to that, as far as using a budget in, and keeping it within certain departments, the company I work for, we work with the government nationwide and I deal with the government on a daily basis, and every single one of them appropriate the funds for each department and you cannot separate it between the two. It's standard procedure. In addition to that, I've been to this Council meeting several times, calling for an independent audit of the budget. Has that happened? It's been called for numerous times, Mayor Olsen. Step up and do it. If you have nothing to hide, step up and do it. In addition to that, the division within the city that's being created does not help it. Let's bring it back together, and the actions of the Council men and women tonight is doing that. The other thing I want to say: I have every reason in this world to back your actions, Mayor Olsen. I don't think you know this, but through extension I'm related to you, and so I would have every reason in this world to be on your side, but you know what, you're making mistakes and it's time to either fix those mistakes or step down. Thank you.

[Applause from audience]

Mayor Olsen: Who would like to go next? Just tell me when to start this.

Finnoula Kofoed, resident of Ruby Valley. Can you hear me now? With all due respect, Mayor Olsen, I respect your position. I have never supported the full-time, paid mayor's position. I think it gets in the way of the functioning of the city. I don't support it now. I would like to see a change in that to where we would have a qualified City Administrator or management position. It upsets me to think that there is the actions that are taking place right now with the Council members. They don't only impact you guys, but they also impact the employees and gives the city bad name. And I'm tired, I've been here for eight years and we continually have our names in the paper. We look like a bunch of crazies out here and it's embarrassing. And so I would hope that we would have the opportunity to reconsider, look at what's going on in our city, and reevaluate where we are. I think this is a perfect example of why a full-time, paid mayor's position, it doesn't work. You see it in other cities and it doesn't work here, either. That's all I have to say.

Mayor Olsen: All right. Thank you. Let's see, who's our next, who'd like to be next? Just tell me when you're ready.

Kurry Lewis, Eagle Mountain City employee. The problem is, while you guys, like you trying to speak up for us, you don't know the whole story. These guys are trying to push the people around, too. The thing is, they had control when Hillman was here. Everybody would roll over, die, do whatever they say, I mean, it was, everybody scratch each other's backs. We have a person that says no to them, they get irritated, things start going. So the fact is, I mean, the Mayor is doing an awesome job. Yes, he has problems, just like anybody else. You start in a position, you learn, you grow. The thing is, the best thing he ever did was bring Mike Wren in. I mean, he's awesome. These guys are trying to put him into

a different position, you know, I mean, he's perfect where he is. The things are, things are going the right way right now.

Audience member: Do you live here?

Kurry Lewis: Yes, I do.

Mayor Olsen: No, no, let's not engage with each other. Just address me.

Kurry Lewis: I'm just saying, I live here, I work here. I love this community. That's why I moved out here. The fact is, things are starting to get better and it's going to take time. Everything's been messed up 'til now, and it's actually starting going uphill. He's getting the bum rap for most of it. The last commission and stuff, they messed up a lot of stuff. You guys don't get to see it. As an employee, I get to see a little bit more, and that's as far as it's going to go. I'm just saying it's already on the up and up right now. Thank you.

[Applause from audience]

Mayor Olsen: Please, please, we've got to really try hard, folks, and it's fair for everybody. OK, tell me when you're ready.

Michelle LeBaron, I live in the City Center. The problem with what that gentleman just said, and I will refer, I handed out some copies of *The Proper Role Of Government*, by Ezra Taft Benson, and if any of you have that and want to turn to page 3, the very top paragraph, starting towards the end of the paragraph, it says: "It is obvious that a government is nothing more or less than a relatively small group of citizens who have been hired, in a sense, by the rest of us to perform certain functions and discharge certain responsibilities which have been authorized. It stands to reason that a government itself has no innate power or privilege to do anything. It's only source of authority and power is from the people who have created it. This is made clear in the Preamble to the Constitution of the United States, which reads, 'We, the People, do ordain and establish this Constitution for the United States of America.'" So I think what my issue is, is that I would expect our city government to represent "we, the people" out here. And I don't feel like that's happening. I feel like you're making all kinds of decisions without using the greatest resource you have, which is the citizens of this city.

Mayor Olsen: Thank you. All right. Come on up. Just tell me when you're ready.

My name is Leonard Whitney. I live here in Eagle Mountain. I have for some seven years. I've been around here 70 years. Pretty quick in the next couple of months I'll be 70 years old. And I thought the American way of doing things was through election. The majority of the people in this community, everyone in this community who was a registered voter had a chance to vote. The majority voted for Mayor Olsen. It is my understanding that his wage or salary was set and agreed upon by the Council. He didn't come up with this on his own, and say arbitrarily, "This is what I'm going to get." This was all decided. And as far as a full-time mayor is concerned, that was decided, and that's what we elected for. That's what the election was for and we voted for it. The majority rules in the United States of America, regardless. And that's the way it should be, and I don't want to repeat myself, because we were told not to, but I think it's high time that all of you, you Council men and women, and the two that aren't here, you can pass this on to them. It's high time you got together for the good of all of us and stop your personal innuendos and accusations. It's sending out letters like this, did everyone have an opportunity to see this before the public did? Before the public was stirred up against the Mayor. The

Mayor also made statement a moment ago, and he asked us not to clap. I'm from the old school of New England, where my mom and dad taught me to respect what is asked of us. And we grew up respecting this country and the great land we have and the freedom we enjoy. The Mayor has asked us not to clap. Is that so hard to understand? Show some respect, gentlemen and ladies, show some respect. That's what we're lacking today in this country, and I see it in people's driving habits and I see it in all the things we do. Let's get together as a community. The Mayor was elected by the majority of people and his salary was set by the majority of the people, and I don't think it's fair to pull the legs out from underneath him at this time or anybody he's set forth to work with him to satisfy any personal innuendos or personal axes you're trying to grind. Thank you.

Mayor: OK. Please, come on up. When you're ready, we'll just hit this light.

I'm Ila Short. I just say ditto to that comment.

Mayor Olsen: OK. Thank you. Anyone else? Sir, come on up. Just tell me when you're ready.

McKay Bodily, Eagle Mountain. The only thing I have to say to that gentleman's comments is, you were elected under false precepts.

[Applause from audience]

Mayor Olsen: Please, please, please, be fair to everybody. When you're ready.

Chris Strouse. I just want to let you guys know that this is directed at the office of Mayor, not Brian Olsen. In New England, does the City Council need GRAMA requests to get information about City business? That's what's going on in this city. Talk about a communication problem. Yeah, the problem is the City Council can't get needed information to represent the people of the city. I'm a resident of the city, and I voted for the current person in the office of Mayor. I'd like to see things improve, and the way it's going to improve is by the City Council being allowed to do their job by being provided the appropriate and accurate in information, and by the transparency of government in this city. And also honest government. It's tough what these guys are doing here, and it's probably going to be ugly but, unfortunately it's necessary when people who are elected to represent people are impeded. Thank you.

Mayor Olsen: OK, who would like to go next? All right, sir. Like I've been telling everybody else: when you're ready.

Go ahead. Chris Kofoed. For the record, Mayor, just to address what the City employee had to say back there, making statements and turning toward my wife, saying she doesn't know anything and, or at least that's the inference I got. I don't know how long he's worked for the city, but my wife worked for the city for five years. I think she knows, and had he worked here longer than that, he would have known that she worked here for five years under various administrations. And she knows what the actions of the Council and other types of problems that go beyond the bureaucracy, what kind of an impact they can have on the people who work here on a daily basis. She made a very small comment, Mayor. I don't think she deserved to be attacked by a city employee like that. Maybe I misunderstood what was going on here, but the city employee also threw out things that he cannot support and prove, for example, to wit, Mike Wren's the best thing that's happened here. I don't know, but can he make that statement? Can you back that up?

Mayor Olsen: We're not going to engage in an argument. You can make your statement.

Chris Kofoed: No, I'm making a statement. It was a rhetorical question.

Mayor Olsen: Go ahead.

Chris Kofoed: OK.

Mayor Olsen: I'm just letting you go . . .

Chris Kofoed: I just don't appreciate, you know, "Let's all be nice, let's all be nice. By the way, you don't know what you're talking about." And I just want to make that statement. Thank you.

Mayor Olsen: All right, sir. Got this reset.

Neil Jeppson, I live in The Ranches. To be sure, there's two different sides of this, and I don't think there's a wrong and a right. I think one person could argue and make it look very clear that they're right and another person could argue just the exact opposite way and they would be right. I think this is what it comes down to. I think we need to stop worrying about personal attacks. Just drop that. If somebody, for example, makes a decision that we don't agree with, for example, Councilman, what is it, Liddard? OK, if he made a bad decision, you would need to tell us about it, and you would need to be very up front with it. And you would need to say, "I made a bad decision." Or, "This is why I made the decision." And, just everybody come clean. Like, Mayor, you sent a letter out. Our family reads them every time they send out. The month before that big scandal, and let's be honest, that's what that's about. That's what we're all wondering about. You sent a letter out that was, you wanted a public official not to be honest and not be very forthcoming with everything, Well, I agree with you and I think that's how, I think you agree, too, and I think that everybody here agrees, so do it. Just come clean. Shoot. Call one of these things and just explain the whole ordeal to the whole city. Because I'm sure that you, that the Mayor feels like he is totally right, and I bet if you were to tell us, we might agree with you. Just come clean. There's no reason to attack each other and no reason to argue with each other. Six people can work together. Make it happen.

Mayor Olsen: Let me see. I've reset this. Is there anyone else who would like to make public comment? We have a lady coming up there. Come on up. Just tell me when you're ready.

Go ahead, thank you. My name is Kristine Hull, I'm also a citizen of Eagle Mountain. I have actually brought this up before but, obviously, there is a communication issue. I would now like to bring to attention of the City Council and to the Mayor: I have previously requested that information on the city's web site be corrected. I am happy to report that the city's web site has been in the process of changing. I understand that it is still under construction. However, I would like to point out that I specifically called the office of the Mayor and specifically asked if emails that I addressed to the City Council department on the website would reach these individuals, and I was told yes. I have now reason to believe that that is not the case, because none of them received an email that I sent. In fact, I sent two and they didn't get either one. I'm also really dismayed that the response that I got was not from any of these people, who said that they didn't receive my email, but from the City Recorder. I think that is a huge violation of my privacy. If I send an email to the City Council, I expect it to go to the City Council members and not to your office or the office of the City Recorder. I'd like to point out that I have reviewed a number of cities' web sites, and all of them enable the users to contact separate and individual members of the council individually, either via phone and most of them, additionally, the

email. That is not the case on our web site. You can only collectively, theoretically, send an email to them and, apparently, it is not going to them. I will follow up with the other two Council members who are not here. I think is unacceptable that the city does not allow that and I encourage you to make those changes. I would also like to point out that the city's phone directory and the phone system is problematic. Again, when I called I was looped repeatedly through the directory system and no one picked up and no one was able to, obviously, answer my questions. I didn't get voice mail. I was looped repeatedly. When I finally did get through to someone, she made that change. Subsequently, I then had a problem that I was only able to get to through the receptionist, her voice mail. So there are definitely problems with the phone system, there are definitely problems with the email system, and there are definitely problems with the internet site. I don't know how the citizens of this city are supposed to communicate with anyone when there apparently is no way to do that unless we personally come in and find you. Thank you.

Mayor Olsen: Thanks. All right. Let me reset this. Is there anyone else who'd like to make comment? I'll just hit this when you're ready to go.

OK, I'm ready. My name is Lance Freeman, I'm a city employee. I actually, I'm the Parks Technician, if you guys want to know who I am. I have a really good relationship with the city employees. I mean, we work our butts off. Personally, I know the Mayor. He's actually given me a ticket a long time ago. So, you know, I kind of had a hesitation when I actually met him again. But I mean, citizens attacking employees, you know, Council attacking the Mayor. I mean, you guys are fighting over a sandbox. I mean, we hear complaints all the time. You know, I get yelled at constantly. The citizens say something is wrong, we go and fix it. Yeah, I mean, yeah, you guys, all of you make mistakes, everybody does. It's the way life is. But I mean, work together. I mean, it's really not that hard. I mean, honestly, I enjoy going to work every day. I enjoy making this city as beautiful as I can, doing everything I can. I mean, I work twelve hours a day, most days. I mean, the city is my life. I've been here for about six months, but I've actually come here for about six years because my brother lives here. But I mean, we can make this city the best place. Because if we don't stop fighting amongst ourselves, who wants to live here? I mean, honestly. I mean, people won't vote you in, people won't say, "We want you guys to represent us" when you guys are still fighting. I mean, yes, people have said this before, and we hear it all the time, but, I mean, start working together. I mean, that's all I can say. I mean, the city is actually, we are moving in the right direction, because I've heard some things before, and I've known some things before about the city before I moved here, that, yeah, there's been a lot of problems with other mayors and everything, and he's doing the right job. You guys are doing your right job, too, but you need to help each other. I mean, it's kind of like a marriage. Help each other out. Strengths and weaknesses. Work together on everything. And, you know, if they ask for something, we should help them. If he asks for something, you should help him, with the way we do in our job. I mean, personally, if the city keeps going this way and if people want to call and complain on me, go ahead. Jeff Weber, he's my boss. I personally don't care if I get fired over this, because personally I would rather get fired that work for a city, work for people, that don't get along, because I'm sick and tired of the complaints, and people saying, "Why isn't the city working?" I mean, it should work. There's no problem in us working together. Thanks.

[Inaudible]

Mayor Olsen: Well, let's let all the other folks go, and . . . Probably to be fair, probably not. Are you ready?

Lisa Rasband. I just moved to the City Center. I was renting in The Ranches. We decided to make it permanent. First of all, I want to say that, on behalf of probably most of the citizens, we appreciate the work that the city employees do. We know that there's a great number of people that are in this project together in running Eagle Mountain and we appreciate all those efforts and the honest and hard work that's given on behalf of everyone. I am personally grateful for the Council who decided to come and call this meeting. I appreciate that people are doing everything they can to the best of their ability to be able to pull together what's right. I think that's imperative. Also, I don't believe that Eagle Mountain should be a city run by a totalitarian government. I don't believe that there should be one person appointed who should act as judge, jury and executioner. I believe that there needs to be the balance of power. That's why there is a City Council. I appreciate the members who take upon themselves that they will get all of the facts together, that they will present an argument in a rational and factual manner and put it out here for the citizens. It's been difficult for us in the past to get the information we'd like from the City. I've talked to several people who have had GRAMA requests that have gone unfulfilled. I've personally tried to get information from the previously-awful web site to the not-so-awful web site which is currently up now and I hope that that will continue to improve. I also hope that people will continue to move forward, because I would rather have a free-running city, an appropriately-run city, and a city that is not the laughing stock or always awarded cow pies or buffalo chips in the daily paper for doing asinine things in local and county government. I would rather have some contention that is the means to a positive end than a poorly-run city to run into the ground. I believe that Eagle Mountain has the potential to be a great city. My husband and I have bet a mortgage amount on it. We're hoping this will be a great place to raise our children. We want to move forward in a positive direction. We need to appoint the Council to be able to do their job. We need to support the vote which we made and give them all the information. We need a transparent government, and I hope that's facilitated by the Mayor's Office. Thank you.

Mayor Olsen: Thanks. OK, anyone else? We've got a couple there.

I'm Teresa Edwards. I'm from The Ranches. Mayor Olsen, I campaigned hard for you. I went out and I took all my kids out, handed them flyers, told them what you stood for. You stood on my doorstep and told me what you believed in and what you stood for. I think that you've kind of gone away from that. You seem like a different person. I would like you to think back and remember the promises that you gave me and the other people who helped fight for you to become the mayor, and remember those things that you were standing for and the things you wanted, the vision you had for us. And I would like everybody to let go of their pride and just work together. You shouldn't feel like you should have to have lawyers working against each other, attorneys. It's just sad that we are embarrassed again and again. This is a beautiful place to live. I've lived several places, and this is, I love Eagle Mountain, I want to live here for the rest of my life, but I want it to be a place where people are able to let go of their pride and work together and not have something like this bring us into the news again. Thank you.

Mayor Olsen: Thanks. OK, I think there was a gentleman that, there you go. Just tell me when you're ready.

Go. My name is Jay Horrocks. I'm from the Eagle Park subdivision and the one thing I've noticed as a six-year resident of this town is that there is an outside perception issue. Every time that something comes out, that usually as City Council and Mayor as a full group, there is a little bickering session going on, it hits the newspapers and completely gets blown statewide. So when I travel out of town or even out of state, in some cases, a someone sees that I'm from Eagle Mountain, the first words out of their mouth is, "Well, what's going on with this crazy thing or this drama or this latest charade going on? We get something in the news earlier this week about petroglyphs, something positive, and then

two days later this latest controversy spreads all over the media. Hence, why we have media here today. If it hadn't been for this sort of drama, we wouldn't have the perception we have outside of this city, and I'd like to see that change. Thank you.

Mayor Olsen: Let me see, anyone? It looks like you're after him. All right, sir, tell me when you're ready.

I'm Clint Chidester, and I've been sitting back there debating whether I should get up and say anything, because I don't know any of you any further than where you're sitting right now. I think we've all kind of been beating around one specific point and I'm gonna put it into words. It's my understanding, as I understand it, that at least a significant portion of your campaigning was based upon a lie on your education. And so I think the point that we're all kind of beating around now is, "Why should I trust you now?" If we have history of someone being dishonest in their qualifications, I don't know you personally, I'm just asking. I, as a resident, expect something other than, "I'm a good guy, or you should just trust me," smile, whatever. I need to have some answers as to why I should continue to support you as a mayor or why I shouldn't. And from where I'm standing, I haven't heard anything. You know, it's just, you know, we'll just push it off and push it off and sooner or later the smoke will clear. We all have short-term memory. Everyone will forget about it and we'll move on, just like with the previous mayor. I think it's important that when issues are brought up that people step up to the plate. I mean, I believe there was some issues when Mr. Liddiard was acting as the Mayor Pro Tem. I personally have had some issues with Ms. Strouse when I was involved with the Sports Board. And so it's not any one, particular individual, but I feel like as Council members and mayors, you want to stand back and be aloof, and not own your actions, not own your decisions, and I find that to be very frustrating as a resident. If you are acting in the best interests of the city, and you can come to me with a valid argument, I may not agree with it, but I at least have to acknowledge that there has been legitimate thought given to it. If you cannot and will not stand up and own what you say or what you decide, I'm at a loss as to how to interpret it.

Mayor Olsen: Let me see, you are, OK, we'll [inaudible]

OK, the first thing I'd like to say, is the majority has no . . .

Ms. Peterson: Could I get your name?

Oh, excuse me. Jonathan Davidson. Majority has no unique moral authority, and, which it, meaning that if we have a majority of people who vote into office a mayor and the mayor, it turns out that, that he lied about something, we, then the majority still agrees that it's OK to have this mayor in office, that does not say that it is OK to have lied. There is no moral authority there. We are giving the Mayor a second chance, so to speak, at voicing our opinions that, yes, let's keep this mayor in office and let's have him do what's right. Let's have him help us. So, the second thing that I want to say is that I've heard a lot of assumptions made and me, personally. I don't know a whole lot of what you guys are doing. I don't even know what his job is specifically for. And that is hard to admit, because it is a government by the people and for the people. And I don't know who here has voted for the people in office, but I would make the assumption that later I will research and find out, did the majority even vote? So, that's something for us in the audience to think about. Get more involved, and stop making assumptions, just because the majority voted a mayor into office does not mean that we don't have checks and balances, does not mean that we, you know, let him loose on, without a leash or a long leash, because if you give a man in high power enough rope, then he'll hang himself. And so, it's proven, you

put a king in place, that king eventually, the more power we give him, the more corrupt he'll get. And so keep the checks and balances. That's all I have to say.

Mayor Olsen: OK, there was some, I saw you kept getting, OK, go ahead whenever you're ready.

Kenneth Hixon, Meadow Ranch, Eagle Mountain. Vincent, Brian, Linn, David, in absentia: David, Heather, how did we get to this point? I know there's a lot of bridges that have been harmed, burned, destroyed. My encouragement and hope is that, whatever's happened in the past, that you meet somehow, legally in closed session or whatever, so that you can deal with it together, as individuals, without public attention and put an end to it and get on with business. I do have a hope and an opinion that it would be a tremendously great precedence to, during the term of a sitting, elected official to take action against their pre-approved salary because of disagreement, regardless of any improprieties, power struggle, ego, whatever, because you're dealing with a person's livelihood. It doesn't mean to excuse the behavior, but I think it would be a very bad precedent to set, to deal with somebody that you have a disagreement with, for whatever reason, in that form. So I would hope that that item does not take place during the current term.

Mayor Olsen: OK, I've reset this. Is there anyone else that would like to . . . OK, got a couple coming up. We'll make sure that other gentleman goes next, so when you're ready.

Adam Ferre, 2133 Shadow Drive. I'm a resident, come up here as a resident and an and employee. I respect each and every one of you. Anybody that puts forth service to the city, or to any other organization in this world, it takes a lot of guts. A lot of people don't volunteer time. I see each and every one of you come to these meetings, go to different city functions, and in my heart, it would be a shame to see organizations break up, see the city break up. I have saw, I've been a city employee for, since '99, I've saw mismanagement of money way before now, if that is the accusation. If it takes proper training, whatever it takes. You know, if we need to sit down in closed session, have training sessions, to make sure, because in the past, you know, I don't know if there's been proper training done, whatever it takes, I think it would be great thing on your part. Staff, they want to get on with their job. They want to do their jobs with the best ability they can. My job is to keep the lights and gas on in this City, and I want to keep the lights and gas on, and I want to get on with the business. If it takes you guys sitting down, beating heads, and at the end . . . I love my brothers, I gave them a few black eyes, they've cut my eye open, but at the end of the day we all got along and went home together and stuck up for each other. Let's do it, let's do it as a team, as a city, and let's give these taxpayers, like me, the city that we come here for, and let's give them our dream, why you guys are on Council. Let me get on with my job. Let me enjoy the city I live in, and let's do it. If it takes, I'm available, if there's questions, twenty-four-seven. Twenty-four hours a day, seven days a week. Let's hack through it. We can do it. I know we can. That's all I have to say.

Mayor Olsen: All right, sir. Come on up. When you're ready.

My name is Blaine Hadfield, I've been a resident here in Town Center. I haven't been particularly involved in the local politics, to be quite honest with you. I don't know exactly what all the disputes are about. I have read what's written in here, but that's essentially the extent of my knowledge. Having come here, though, this being my first city council meeting that I've attended, I would like to say that my household voted for you, Mayor Olsen. For what it's worth, we voted for you, and I hope Mr. Liddiard doesn't mind me saying this, we voted for you on the explicit recommendation of Mr. Liddiard. He held you in great regard. I'm quite sure that esteem was reciprocated by you, as well. And so, being here to my first City Council meeting, I must say that I'm shocked that there's been such a regress in the

esteem among those that should working closely together and should have close relationships one with another. So, for what it's worth, if I just may say, as I guess a bit of testimony, that Mr. Liddiard held you in great regard, and because of his esteem I voted for you, and having a full time mayor position, it's really my interest to see this city work as a well-oiled machine, because that's what I expected. It was that that I thought would justify the position of a full time mayor more than anything else, so, that's my comment. Thank you.

Mayor Olsen: OK, is there anyone else? Come on up. When you're ready.

Brigham Morgan. I'd like to start by saying something I've wanted to say for a long, long time. Thank you. Thank you for having the courage to stand up and take control of the City that belongs to the residents. Thank you for having the courage to stand up and put in place measures that will check the balances that have been so recently tipped in the wrong scale. To address the budget hearing, I heartily endorse the opinion of creating departments specifically codified that prevent such maneuvers and machinations that have recently occurred in the budget, of moving monies from one area to the other without approval of the Council. I heartily abhor the idea of paying \$400,000 for a park that a developer is contractually obligated to build. I heartily endorse the idea of the balance of power. I made it an issue of my campaign. I was assured that there was no intention for a power grab. I was assured that there was an intention for open, clear and see-through government. And all I have seen since has been power mongering and grabbing and shielding and protecting and hiding. I would also like to point out, I have serious reservations about an \$8,000 mileage reimbursement account, that could cost the city either \$3500 on a per diem or a car expense account or, at most, \$4000 to \$5000 with other venues. However, the \$8000 option was taken because that allowed the mayor to get \$8000 without having to go to an additional budget hearing. Mileage reimbursement is not subject to budget hearings. I am also disheartened to see many discrepancies in the existing mileage reimbursements of the current mayor. Therefore, I call again for an independent, third-party audit of all financials of this city. And just to clarify, an independent, third-party audit is not the mayor, is not the City attorney, it is someone who is not affiliated at all with this City but whose job is solely to be objective and not to just do a job. So, Council, thank you. I heartily endorse your budget proposals, the modifications that you are suggesting. I appreciate and I, again, thank you.

[Applause]

Mayor Olsen: OK, when you're ready.

Robert DeKorver, a resident of Eagle Point, Plat B. I stand up here as a resident, although I was a former employee of the city from '99 until 2005, in which I served as the Fire Chief. It's been interesting over the number of years that I've attended Council meetings to watch how Council meetings work. I never attended a Council meeting prior to being the Fire Chief out here. I learned an awful lot. I learned a lot about our government. I learned an awful lot about our city's government, about the state government, the federal government. And one of the biggest things learned is that our government was set up on a checks and balance system. Mayor, we voted for you as a majority to take the spot of mayor. Likewise, we voted for each of you as Council members to take your spots as Council members. I've been disheartened over the last year to watch as that checks and balance system has seemed to have fallen away from our own city government. What Councilmember Strouse mentioned at the forefront, that she had questions: I attended a lot of Council meetings at the very beginning, when the budget was being talked about. I attended the special Council budget hearings considering public safety, especially since I had an interest in public safety. And I found that there were questions being asked by Councilman Blackburn, by Councilmember Strouse, by Councilman Liddiard, Councilman Jackson,

Councilman Liffereth, and several times they were cut off and told not appropriate, not the right place. Is that really the way checks and balances work? I venture to say no. Because the five years previous to that, the Council was allowed to know what was going on. The Council could ask the questions and receive the answers so they could make an informative decision on the budget, as it stood before them, before July 1st. I think that what I've listened to tonight really, we need to step back and take a look at how the government of Eagle Mountain is supposed to run, so that you guys can set the example for the rest of us, as residents, who may eventually, one day, want to be in your seat and help to continue to move this City forward. Thank you.

Mayor Olsen: OK, who has not had an opportunity, that would like to? All right. I'll just start it when you're ready.

Donna Burnham, and I live in Eagle Park subdivision. I want to talk about just a few of the issues on the budget. Specifically, first of all, I want to say that I do support the city employees and I understand why you chose not to pass that budget at the time, but I would hope that you would look at some of those positions seriously, and it sounds like you are, and that you would consider some of those positions because I do think that they're needed to help our city employees. So that's the first thing. The second thing I want to talk about trust. I think that a lot of this boils down to a lack of trust. I feel that limiting the budget transfers between departments is a good way for the City Council to show, to have a little more control, because there is a lack of trust right now, and that trust needs to be built. And I've talked to the mayor about this before, about how trust can't be regained in one day. It takes time, and so, until we get to a point where we have that trust built, I think that we do need to limit those budget transfers to the departments that they were approved in. Maybe not the whole thirty-whatever, there's a lot, I know. Maybe a smaller amount, but still that , , I would also like to say that in terms of the laptop issue, I think that's a trust issue, as well. I don't think that Councilman Liddiard and Councilman Blackburn have been using their laptops for pornography. I do believe they do not trust that the information on their laptops would be safe in the hands of the Mayor, and that's because of a relationship issue that they have now. So I would just like that issue to be clear, that I really don't think this is an issue of pornography, I think it's an issue of trust. Also, City Council needs access to city employees. They need to be able to have their questions answered in a timely fashion. Mr. Mayor, it's really hard to get hold of you. You're a very busy man. And so I would like to see the Council to be able to get access again to city employees and be able to get the information that they need so that they can make the decisions that they have to make, which are important to me and important to all the residents of this city. I challenge you, all of you, to work together to build the trust again amongst you, to build your friendships again, and to be able to work together and not against one another. All of you I call my friends, and I know that you can work together.

Mayor Olsen: OK, anyone else that has a desire to speak to the Council? OK. Sir.

[Inaudible]

Mayor Olsen: Well, if I let you have a chance, then everyone else is gonna want to talk.

[Inaudible]

Mayor Olsen: OK, OK, well, there we go. That'll work

[Inaudible]

Yeah, OK. Chris Kofoed, again. I got up before as a little bit of a jilted husband, but I do want to just make a couple of comments about this. I do also thank the Council for what they're doing, and I do want to emphasize that a \$20,000,000 budget is not a sandbox issue. This is a very serious issue for this town, OK? I also want people to understand that it is nice for everybody to get along, but it's also the duty of our elected officials to stand up and to take a stand when they are, when they see something that is out of kilter. Even a cursory study of American government shows that our system is built very much on an adversarial system. Look at the Constitutional Convention. It was an adversarial system, but they were wise enough and they were capable of compromising. Not everybody was happy but they compromised, and our system has never been a friendly system. It's always been very much an adversarial system when it needs to be to get business done. It's nice to think everybody can get along, but that reminds me more of Stalinism than it does anything else. One thing I do want to encourage the Council to do: my understanding is, is that one of the issues that has led us here tonight is that the fact that the only person, and I could be wrong. If I am wrong, please correct me, but the only person that can approve an agenda item is the Mayor. Somehow our Council needs to work in some type of an override system. That's true checks and balances. If a president makes a veto, Congress can override that veto. When there's enough of them that realize that, no, we want this on the agenda, there's gotta be an override. One person should not be able to say conclusively what's on the agenda and what's not on the agenda. There's no way, then, that our representatives can put something on there that they feel is very important, if you can do that. Now maybe I'm misunderstanding the situation. But that is not democratic, that is wrong. They need to, I encourage the Council to pass some type of a procedural, of a procedure where they can, I would assume that five people, three of you could override that to, I don't know, however you want to set it up, but there's got to be an override procedure to get things on the agenda to get work done. And, sorry, but sometimes government is adversarial, and that's the way it's always been. Thanks.

Mayor Olsen: OK, anyone else that . . . Come on up.

I'm Melinda Hunsaker from the City Center. I haven't lived here for very long, but I've listened to a lot of the comments and there are a lot of comments that I agree with and a lot of comments that I'm not sure about, because I don't have information for it. But, the one thing that I did want to say is that we're all adults and that's what we need to start acting like. Whether we are as Council members or whether we are city members, we are all adults. We need to start taking the responsibility as the adult. And I don't know a person in here that doesn't have a job, whether we've elected that job or whether we have been hired for that job. But, regardless, it's a job and, as adults, we need to do that job. Thank you.

Mayor Olsen: Anyone else?

I've been trying to stay sitting down. My name is Bea Tweedy, from The Ranches. I had written a letter to all Council members after the initial story of the lie had come out, and simply asked what was the next procedure. An ordinance, a city ordinance, to find out whether there was guilt or innocence and what does the city do instead of kind of floundering, saying, do we have special meetings, do we have this? And I would also ask the Council to, in conjunction with Mr. Kofoed's comment, consider making an ordinance or developing an ordinance into the city, if it's not already there, on proper procedure, in case this does happen to our City again. Thank you.

Mayor Olsen: Anyone else? Come on up.

My name's Jennifer Webb. You'll forgive me, I'm ill and I'm feeling terrible, and I had no intention of speaking tonight, but I would like to thank the three City Council members who are sitting here who are

questioning things and are looking out for our interests. And I would like to express to Mayor that we are aware that you are all here to represent us, we would like to be sure that our City Council members, who we also elected, have access to you, have access to the agenda, have access to information on the budget. Regardless of what laws are in place or what technicalities may exist, hopefully there is a feeling that will come about, where they can come and they can get the agenda items that they need to be there. I would really, I don't understand why you would have a Council and not use it to give, to get advice from. These are difficult matters to handle. Everybody has a difficult time. Nobody can know everything. I'd encourage you to use your Council. They're there for a reason and we voted them in. We know that they can represent us and I appreciate all of you being here, and I do appreciate you being here. This can't be fun. Thank you.

Mayor Olsen: Any further comments? I'll just start it when you start.

OK, I won't be long. I didn't want to talk tonight, but I just felt like I needed to say that I'm just here, as I listen to all these comments, it just sounds like there's a choice to be made tonight, and I think it's you that needs to take the lead. And as I hear everybody, it sounds like there are many changes that can take place that will help the Council members, that will help all of us, but it sounds like it's you that needs to take the lead in that, and make those changes that can help us all to feel like we can trust you, that we know what's going on, that's in the best interest of our city, and we would hope, and I would hope, that we can see those changes from here on out.

Ms. Peterson: Can I get your name?

Andria McCaul.

Mayor Olsen: Is there anyone else, before the Council closes their public hearing? The gentleman coming up there.

Don Richardson, from Anthem. I think what's being said here is we just really want honesty and transparency in our city government. And we want it to run smoothly. I get questions every day about our city, and sometimes it's very embarrassing. We have a wonderful place here, a beautiful city, and we've moved here because we believe in that City. We believe in the growth, the potential, a great place for our children to be raised. City government can ruin that. Our children and our future is in your hands. Thank you to the Council for calling the meeting and making sure that there are checks and balances, for this is what we were founded on. All voices must be heard. We appreciate your hearing our voices today. We're just asking for honesty, transparency in the government. There's nothing to hide if we do it right.

Mayor Olsen: Anyone else? OK, Council, if there's no one else that would like to make public comment, then I'll entertain a motion to close the public hearing. Who'd like to make that motion?

Councilmember Liddiard: I actually have some other comments to make as part of the discussion corresponding to the public hearing. I'm not going to be able to address all the comments of the 120 people in the last hour and a half of comments, but, essentially, I want to hit on a couple of things that were mentioned. In part, because we had called another special session to take place on Monday evening at 7:00 p.m., with the express purpose of the following: That the Mayor shall add items to the general session agenda when requested by at least two Council members, and to consider and enact an ordinance to be able to provide the Council to retain and seek legal counsel specifically for Council members, separate from the Mayor's legal counsel. There's some other things appertaining to that. If

you want information, I suggest you get that from the City Recorder, who has a copy of the agenda for Monday's meeting at 7:00 p.m. And also, in regards to the budget, communication for the budget is extremely important. I feel that that communication's been directly hampered by the Mayor. After our last budget amendment failed due to lack of a majority vote, city staff was held in a meeting and essentially pitted against the council. Employees were asked to pick sides. Mike Wren's job is not at stake here. He is the Public Works Director and we're not attempting to change his role as Public Works Director. A training session was held and the mayor did not participate in most of that. We had met earlier, in fact we met an hour earlier, for our work session, and quite frankly, the meeting covered forms of government and a variety of things, but not how actual council meetings are held. Those were, I guess, a few highlights of things to consider. I greatly appreciate each of you taking the time, on a Friday evening, to come and spend some time with us. I think the things that I have heard give me an opportunity to reflect and think about where we're at with that budget amendment, and if you wanted to send me an email, vliddiard@gmail.com, and I'd be glad to hear from you. I don't get any email, haven't gotten any email, from our city web site for ages. So, vliddiard@gmail.com, and I'd love to hear from you but, I would really appreciate it, and I've made notes and will contemplate these things and work through them as it pertains to budget, so I appreciate you coming today, and if you want to come back, or have other thoughts, on September 30 at 1:00 we will be able to meet and entertain and actually vote to create an amendment to the budget by ordinance, which is a significant thing, and hope to push forward on that. I think, personally, hearing your words about roles of government, how budget and fiduciary rules are significant, is a good thing, so I appreciate each of you coming.

Mayor Olsen: Is there a motion from the Council to close the public hearing?

Councilmember Blackburn: I move that we close the public hearing.

Mayor Olsen: Thank you. Is there a second?

Councilmember Strouse: I'll second that.

Mayor Olsen: OK. Any discussion? I guess we'll call a vote. All those in favor of closing the budget hearing, the public hearing, please say yes.

Councilmembers Blackburn, Liddiard and Strouse: yes

Mayor Olsen: Any opposed? OK, hearing none. [Hearing closed at 8:26 p.m.] OK, that moves us into, I'll entertain a motion for the ordinance that's before the Council tonight, which is consideration and adoption of the fiscal year 2007 budget amendments. Is there a motion?

Councilmember Liddiard: Mr. Mayor, I **move** that that be tabled until September the 30th, at 1:00 p.m., so that we can comply with all the notification rules of the budget amendment.

Mayor Olsen: Thank you. Is there a second?

Councilmember Blackburn: I'll **second** that.

Mayor Olsen: Thank you. Is there any discussion?

Councilmember Blackburn: Does everyone understand why this is being, excuse me, for public's information, this is being delayed because of notification time frames, and so these items that we thought we'd be able to pass tonight will be on the meeting as noted.

???: Mr. Blackburn, would you allow Mr. Kinghorn to talk about that?

Councilmember Blackburn: Sure.

???? Mr. Kinghorn, would you respond to the notification rules?

Mr. Kinghorn: Sure. We have, under the fiscal procedures act for cities, there are a series of statutes that apply to this, and the one that is really troublesome in terms of notice for tonight is the provision in section 10-6-112 that provides that the budget that is proposed to be changed needs to be on display for public inspection for a period of ten days prior to the adoption of the budget. It's fine to go ahead with the public hearing tonight, because that only requires a seven-day notice, but to adopt the budget, it requires a ten-day, ten days of being on display at the City Recorder's office, and that won't be accomplished until the 30th, until Tuesday. Well, I understood the meeting was called for the 30th.

Councilmember Liddiard: Yes, the meeting is called for the 30th, because ten days would be Tuesday.

Mr. Kinghorn: I understood that it was gonna be for next, for the 30th.

Councilmember Liddiard: For the 30th, yeah.

Councilmember Blackburn: Jerry, we talked about this in our last meeting. What is the definition of tentative budget vs. amended budget, because we have already approved a budget and this is not a tentative budget, it's an actual amendment, which would actually, I think, again go under the section 114.

Mr. Kinghorn: Yes, section 114 refers to the tentative budget. Let's see, section 113 applies, talks about the tentative budget and 112. The problem with this statute is that the Legislature has not, has incorporated by reference the budget procedures for adopting an original budget in their provisions for amending the budget. So, when you go back and you take that incorporation by reference, which is in 10-6-127, you wind up in 113, 114 and back up to 112 for the definition of the tentative budget.

Councilmember Blackburn: Well, right. That's why I'm asking. 127 does not mention section 112, and so you . . .

Mr. Kinghorn: Right. It refers you to 113 and 114, and those are the sections that refer you back up to the tentative budget section, which is in 112. This thing is convoluted, and if I were to write the statute, I would probably write it in a simple, one-two-three step fashion, but I didn't write it, so we need to follow what we have.

???: Are you volunteering?

Mr. Kinghorn: No, I've been drafted into doing some legislation last year and this year on some water issues, and I frankly don't like to work with the Legislature very much. It's too stressful. More stressful than this.

Mayor Olsen: All right. Any other discussion amongst the Council regarding the motion? OK, hearing no further discussion, all those in favor of tabling this until September 30th, please say yes.

Councilmembers voting yes: David Blackburn, Vincent Liddiard, Linn Strouse. The motion **passed**.

Mayor Olsen: Any opposed? Hearing none, I'm sorry, the motion passes. Any other items? I'll entertain a motion to adjourn.

Councilmember Blackburn: Actually, I would like to make a comment. I've really been impressed by the people who were here tonight, all of you. Whether for or against the action that's here, it's nice to see involvement. I'm sorry that it's come to this point where it's Hatfields/McCoys, us/them, whatever, because we are a community and that's how we should act. I know that what has been said is going to be taken to heart by everybody. Speaking to each of you, I hope that the perception that's come across is we like working with each other. It's just the actions have come to this point or led us to this point have caused a need for legal paperwork, legal words, to get us to work more conducive with each other. But I'm very thankful that each of you are here to support your opinion, and that's what we always, hopefully, try to do as a Council and Mayor, as well. Thank you.

Mayor Olsen: If the Council doesn't mind, I'd like to suggest that I'd like to take this back, absorb what was said tonight. There was a packet of information given to me. I'd like to look at that, as well, and as I said at the beginning of the meeting, I would like to respond, but I would like to reserve that for the regular meeting on October 3rd, when I have my, by procedure, that I can respond, and so I would ask that you give me the time to take this in and move on from there. Is there anything else from the Council that needs to be brought up at this time?

Councilmember Strouse: I just would like to reiterate, for those that came late, how much I appreciate people coming out. Again, it's a Friday, it's supposed to be date night, and it saddens me that this had to take place. Somebody brought up the issue of, do we need to change procedure if there's not a procedure, it requires two City Council members to put something on the agenda? There are State statutes that are confusing and a little conflicting, so I would very much like to see us lobby the State government so they would make things clearer for the average citizen. We shouldn't have to have doctorate degrees to understand the government that we live under. And so, as Councilman Liddiard pointed out, we will be addressing and creating those ordinances for our own city, so that we can have, facilitate the balance of powers, not have to come to a meeting, not have to require a special meeting, which takes extra time for us, extra time for you, and so that we can facilitate doing our duty and working for the people that elected us, the people's business. That's why we're here. Thank you again. Oh, I did want to comment about the web site. I still am having problems. It's disappointing to me that my emails are going to the City Recorder, so I also would like people to just send emails directly to me, lrs@emcity.net. I'm frankly dismayed and very disappointed that back in the fall, the issues with the web site were brought up and it's been a continual problem. Many residents have voiced concerns and made phone calls, not being able to get minutes of our meetings on our City web site. So, I'm hoping beyond hope the new city web site that's being worked on, that these things will be addressed and in a more timely manner. So, I'm looking forward to getting my emails and not finding out that there were sixty that I didn't know about until I discovered I wasn't getting my City web site emails on the old web site. So, some of this comes from growth, some of this comes from change, but we can all do better, and that's what we all are trying to do, to better serve the community and the citizens that put us here in office. Thank you.

Mayor Olsen: Anything else?

Councilmember Liddiard: No, I've got some mints and I'll talk to you if you want and give you a mint. I'll stick around for a little while, but I'm prepared to make a motion to adjourn if the other Council members are completed. [Inaudible] Move to adjourn.

ADJOURNMENT

Mayor Olsen: OK, thank you. This meeting is now adjourned. [8:36 p.m.]