

**MINUTES  
ENOCH CITY COUNCIL  
April 15, 2020 at 5:00pm  
City Council Chambers  
City Offices, 900 E. Midvalley Road**

**Members present:**

Mayor Geoffrey Chesnut  
Council Member David Harris  
Council Member Jolene Lee  
Council Member West Harris  
Council Member Katherine Ross  
Council Member Shawn Stoor

**Staff present:**

Julie Watson, Recorder  
Ashley Horton, Treasurer  
Justin Wayment, Atty.-absent  
Earl Gibson, PW Dir.-absent  
Robert Dotson, City Mgr.  
Jackson Ames, PD Chief

**Public present:** Sam Grimshaw, Kevin Krzyminski, Lisa Beck, Nathaniel Pugh and George Lutterman

**1. CALL TO ORDER OF REGULAR COUNCIL MEETING-**By Mayor Chesnut at 6:03 pm. Mayor Chesnut recapped electronic meeting protocol. He verified roll call to proceed via video conference and that each Council Member could hear and understand what is being said. He asked for a motion to begin the video meeting. **Council Member Lee made a motion to begin the City Council meeting via Zoom. The motion was seconded by Council Member West Harris and a roll call was held. All voted yes and verified each could hear and understand.**

- a. **Approval of amended Agenda for April 15, 2020-Council Member Lee made a motion to approve the amended agenda. The motion was seconded by Council Member Stoor and a roll call vote was held. All voted yes.**
- b. **Approval of Minutes for March 18, 2020-Council Member Stoor made a motion to approve the minutes. The motion was seconded by Council Member Lee and roll call vote was held. All voted yes.**
- c. **Conflict of Interest Declaration for this agenda-none stated**

**2. PUBLIC COMMENTS-**none

**3. UDOT UPDATE-Sam Grimshaw**

Mayor Chesnut invited Sam Grimshaw to give the City Council an update on the SR-130 UDOT project. Sam said the status update is they are currently at between 90-100% of the design work being complete. They added to the scope of the project by creating a four-foot wide shoulder because SR-130 is designated as a National Bike Route. The added cost is 1.6 million to widen the shoulders on SR-130 to four feet from 3000 North to Midvalley Road. He said they typically don't add to projects at this point but felt it was appropriate. They are seeking the funding approval and are moving forward with the design work. They appreciated the feedback and support and propose to add that to the project. Obtaining the rights-of-way is taking longer than thought. It may take another three months. They are trying to negotiate with owners and that will push construction into next year. Their time predictions were not realistic on acquiring the rights-of-way for the widened shoulder from Midvalley Road to the Maverik.

Council Member Lee said the City did say they wanted a trail too and they want it included with the bike lane if it can be. Sam said the wider shoulders will create a better access for all bikers and walkers. 1.6 million is a lot of money for the wider shoulders. Council Member

West Harris asked if just one person is holding out on the rights-of-way. Sam said it is a legal process and is a legal right. They try to honor that and it takes time. They offer fair market value and the appraisal has started. He is not sure it is just one person and couldn't say. They need to do this legally to pursue the rights-of-way. Unfortunately that will delay the project into next year. Utilities will be moved like gas lines and electric poles. That part can start now and is necessary and will happen this summer. Construction of the roundabout will not start this year unless maybe by November they could do a little but it is too cold to do any paving then. He hates to bring bad news on the delay.

Council Member Lee said the Open House led residents to think this will happen this summer and that will make waves. Lisa Beck of Harmony Public Involvement who is doing the public PR for the project said it is kind of indicative of the process. She noted there was concern about the bike lane expressed. They listened to the public and they wanted the bike lane so that could justify the delay and the public would know they were heard. The safety is such a big issue Council Member Lee said. She said she is grateful to have the scope broadened and it is good. Sam said they are going to start trying to reduce the speed to 45 mph to get people used to it now. Council Member Lee thought that was good. They have done speed studies and think it is fine to do that now. There was more discussion of where the speed would be lowered and ways to enforce that. It would start on SR-130 north of Family Dollar and go down to 3000 N. for the slower speed area. It was noted we could use our speed sign there. City Manager Dotson showed the map of where this would be for the slow down. Sam asked for questions. Mayor Chesnut thanked him for the update and said to let us know how we can help during the process. We have anxious people but they did want the wider bike lane so the delay is justified.

#### **4. FIREWORKS PRESENTATION-Kevin Krzyminski**

Mayor Chesnut turned the time over to Kevin. City Manager Dotson took a minute to say Kevin is a certified pyrotechnic expert who contacted him through email and conversations. They also talked to Chief Phillips. The offer is to increase the capacity of our fireworks display in two ways. When we purchase fireworks it is through the Cedar City FD. They have a vendor and get a package not based on location but based on an amount of money. They put a show together based on what they get for the money. Kevin has come to say he could do a better show that could be built for our location. Kevin noted much of the ground show cannot be seen from the park. He could design something that would be far superior to what we have had and would last about 15 minutes. He gave many more details of the possibilities. He has a supplier that can build a show that would do better in that same location and would save us some money. He approached Cedar City and they did not want to change.

City Manager Dotson said we wanted Kevin to explain what he can provide and see what the City Council thinks. One challenge is liability. We could have him get insurance or another option is to hire him as a temporary employee and the City would cover insurance through the Trust or purchase event insurance for this. That is the only issue from the administrative standpoint. It was asked how this show would be different and what he can bring to the table. How do we benefit and what is the cost. Kevin said he would create a custom show. He knows how to make a larger impact and he could make different effects. He knows some of the latest techniques and he can get a better price on the fireworks for the money. They could be seen from all directions and have more impact so it is not a waste of money.

Council Member Stoor asked about the budget. Kevin said the insurance is one issue and could eat up whole budget so trying to find a better way on that like the temp employee idea might be a good way to go. Council Member Stoor asked about the temp employee concept. City Manager Dotson said there is no extra cost to us. Our cost is if we pay him to do this. Kevin offered to do this at no cost. There was more discussion of the possibilities of what the show could be like. It was noted the 4<sup>th</sup> Celebration line item in the budget is for everything and about

\$7,000 are for the fireworks. His goal is to design something special for Enoch doing things that are unique to our area and our location. His goal is not to make money but to make this really good for Enoch. His supplier has a container boat on the way here now from China. He needs a commitment from Cedar City for the storage of the goods when they arrive. City Manager Dotson said Chief Phillips would do that for us.

Council Member Stoor said this sounds good to him if the insurance is mitigated. He is open for a new opportunity and this gentleman has experience and could give us a good show. Council Member Harris said he is good too as long as insurance is covered. Council Member West Harris agreed too. Council Member Lee and Council Member Ross said this is a good opportunity to try to something better than before. They thanked Kevin for presentation. There was more discussion about safety and Kevin told about the protocols in the industry. Mayor Chesnut said lets have official guidance from the City Council for administration to move forward. The money is budgeted. He asked for a motion to give instruction to administration.

**Council Member Stoor made a motion to have the staff move forward based on this discussion within the \$7000 range to put on the show and bring Kevin on as a temporary employee or whatever is the best way to do it. The motion was seconded by Council Member West Harris and a roll call vote was held as follows:**

<b>Council Member David Harris-Yes</b>	<b>Council Member Stoor-Yes</b>
<b>Council Member Ross-Yes</b>	<b>Council Member West Harris-Yes</b>
<b>Council Member Lee-Yes</b>	<b>Motion passed</b>

#### **5. DISCUSS/VOTE ON SURPLUS PROPERTY LIST**

Mayor Chesnut asked City Manager Dotson to tell them about this. He said he is submitting the list for City Council approval because from time to time we need to sell some property off. They approve it and then they choose the best method to dispose of things. We have done an auction. We are also part of the surplus property website that is a national website and takes bids. This is list at this time. Public Works has not given anything for the list yet. The office put together some things left from the last auction. The main issues are the two items #21 and #22 and he wanted to explain. He said we own these two lots in Parkview Subdivision. They are surrounded by lots owned by Iron County that are on their list for disposal. He showed the map of where they are located. They have had an individual request to purchase these lots to use as storage for dirt. The correct process for being able to dispose of these lots by selling them is to put them on this list and go through the process of auction or taking bids or whatever we decide to do. He noted he does not have an offer. Iron County is selling their lots at \$350 each. That is not much but the fissure goes through there and there are not any utilities there that are active. Most of the other lots are owned by Iron County and they have an offer. There was more discussion of possible plans for the lots and how the roads would be affected. It was noted our drainage area flows nearby and that would not be affected. This individual wants to purchase these two lots but they have to be on the list to be sold and City Council has to approve of the list. There was more brief discussion of the processes that could be used to sell the lots and the possible price and time frame. The bottom line is the lots are of no use to Enoch City and we want to vacate that old Parkview area anyway. It was noted it has to be open for public to offer on them so it is fair to all and this is the process. Council Member David Harris said they are not that valuable because of the fissure and it is appropriate to put the lots on the list. Mayor Chesnut asked for a motion.

**Council Member Harris made a motion to approve the surplus property list. The motion was seconded by Council Member Stoor and a roll call vote was held as follows:**

<b>Council Member David Harris-Yes</b>	<b>Council Member Stoor-Yes</b>
<b>Council Member Ross-Yes</b>	<b>Council Member West Harris-Yes</b>
<b>Council Member Lee-Yes</b>	<b>Motion passed</b>

**6. DISCUSS/VOTE ON ZONE CHANGE FROM SINGLE FAMILY RESIDENTIAL (R-1-18) TO RESEARCH INDUSTRIAL PARK (R/IP) FOR PROPERTY OWNED BY ENOCH CITY, TOO UNIQUE PROPERTIES, LLC, ADAM B. PUGH AND NANCY REID COLLIER**

**SEE ORDINANCE NO. 2020-04-15**

Council Member Ross said this came to Planning Commission last night and they sent it forward with a favorable recommendation. Council Member Harris said this is appropriate for this area. He confirmed there is no residential in there. City Manager Dotson gave more details adding the other side of SR-130 is industrial now. We sent out the notice as required by code. When the Colliers received their letter they wanted to join in on the zone change so we sent out a new notice to all the adjoining property owners with the time frame being right for doing that. Council Member Harris said industrial is a good change and this area is perfect for that use. The rest of the properties adjoining to the east are in the County. Mayor Chesnut asked if there were any other questions and asked for a motion on the ordinance

**Council Member Harris made motion to approve Ordinance No. 2020-04-15, an ordinance amending the General Plan Land Use Map and the Enoch Zoning Ordinance Zoning Map by changing the zoning of approximately 156.6 acres of property owned by Enoch City, Too Unique Properties, LLC, Adam B. Pugh and Nancy Reid Collier from Single Family Residential R-1-18 to Research/Industrial Park R/IP. The motion was seconded by Council Member Stoor and a roll call vote was held as follows:**

<b>Council Member David Harris-Yes</b>	<b>Council Member Stoor-Yes</b>
<b>Council Member Ross-Yes</b>	<b>Council Member West Harris-Yes</b>
<b>Council Member Lee-Yes</b>	<b>Motion passed</b>

**7. DISCUSS PRELIMINARY BUDGET AND SET A PUBLIC HEARING FOR MAY 6, 2020-Ashley Horton**

Mayor Chesnut asked Ashley to tell them about the tentative 2020-2021 budget. It did not go out to the Council until tonight so he realizes they have not had much time to review it. City Manager Dotson said for the record someone entered the meeting and they did not respond when he inquired for identity so he thinks it may have been a zoom bomber and he did not let them into the meeting.

Ashley said a lot of what Chief Ames, Earl Gibson and City Manager Dotson met and talked about for the upcoming year has a lot of uncertainty with the economy but they decided to leave it much the same as last year. She will keep a close eye on it for any major changes and we may need to adjust more often than we usually do. For now we will leave it the same. She said she adjusted for trends she saw in revenue. This will be a general overview with highlights of things that may be a little different. It was noted there are no major changes in most line items. Salaries and wages did not figure any increase or cost of living raise this year due to the uncertainty in the economy. We have a deficit in the General Fund and she will explain options for fixing that. Employee benefits from PEHP went up about 6% so she adjusted for that. We have tightened expenses as much as we can due to uncertainty. Ashley went through each line item and noted below are only the things that were changed for various reasons.

- PD adjusted software and computer services by \$3,000. Costs have gone up and we have more officers so it costs more. Also a few companies offer investigative tools that we have put off but they would really help us. That is about \$1500 each per year so that is the \$3000 extra.
- Animal control brought in donations they have been saving to use them to care for the animals.

- In Building and Zoning she lowered employee benefits because it is lower than we budgeted due to the fact our Inspector does not take the insurance because he is on his spouse's policy.
- Class "C" road funds are uncertain so we reduced the amount of resurfacing because of that.
- In equipment purchase we put \$150,000 but decided that because of potential budget shortfalls we took that completely out.
- We reduced trail development to \$10,000 to complete the remainder of the project for trails for next year.
- Manholes need to be fixed and we added funds for that.
- Parks are about the same except we lowered development.
- Recreation is the same. Sports programs whether they happen or not, are a pass through.
- There is a deficit in the General Fund of \$59,055. We can take it from savings or from police benefits. The reason police benefits are available to use is that one officer does not take the insurance although we budget for it. He is covered on his spouse's insurance. Ashley asked how they feel about that. We are not reducing PD benefits. We just over budgeted in that line item. She feels we are safe to say it will stay the same so those funds are an overage we could use to cover the shortfall in the General Fund or we could use savings. Chief Ames confirmed only one officer takes "in lieu of" payment because they are not on the insurance so the funds are available. Mayor Chesnut confirmed the Council was good to take from that PD benefits line item and they agreed that would work instead of using savings. That will balance the General Fund.
- In capital improvements money we have has a portion to do some work on the landscaping of the roundabout but that is off for this year with the delays explained earlier. Council Member Lee said she still wants the roundabout presentation given at the May 6<sup>th</sup> City Council meeting and wants to leave the money in place even though it is put off. \$125,000 was proposed and was left in place.
- Another capital improvement is we would like to use \$10,000 for landscape improvements at the City Office for taking out some grass and continuing the driveway out to the next street instead of going around the building.
- Water fund is in good shape. Most things stayed about the same. Repair & Maintenance of wells was \$310,000 and is \$0 because projects got done. There are funds for well parts as needed. We are adding some impact fees for new wells. We are working with one owner to lease their well to see the potential for that well. It could be a great well we want to test it out. We have been talking to others about buying wells. Also on the CIB list we may get some funding from them to add to that. Adding the water storage tank on Horseshoe Drive and other things are on the CIB list for grants. City Manager Dotson said. That takes time to get that money.
- Sewer fund is the same as current year. A secondary clarifier is being installed at the wastewater treatment plant. We will have to pay 10% of the cost of any enhancements because we use 10% of the plant for our sewage. It increases the capacity of the plant. It is not included on the impact fees list and we can take from savings and we have it for that expense. The line item shows bringing that in from savings.

- Storm drain fund had one change. \$425,000 is for the environmental assessment for USDA grant for the east side of I-15 for proposed sediment basins. Mayor Chesnut signed the agreements for 100% grant and that is good deal. The credit will go to the local NRCS office for that funding. We got the money for the environmental assessment because it is federal money and we have to follow their requirements.
- \$130,000 is to do other major storm drain projects we have had in the plans. That can come from savings or impact fees and we took those funds from impact fees.
- Refuse fund is lower in benefits because we over budgeted last year so we adjusted that. All else is the same. We may need to buy more trash cans so we left that in there.

Ashley said when she finalizes this we will balance the budget. In the General Fund the one adjustment from the PD benefits will balance it. Mayor Chesnut and the City Council thanked her for her hard work on the budget.

**Council Member Harris made motion to set a public hearing for May 6, 2020 for the 2020-2021 tentative budget. The motion was seconded by Council Member Lee and a roll call vote was held. All voted yes.**

City Manager Dotson said on May 6<sup>th</sup> after the public hearing we will approve the tentative budget. Then next month the final budget will be presented with another public hearing being held. We hope to have our Certified Tax Rate by then so they can approve the final budget with the tax rate known. If they decide they want to raise property taxes they do not accept the Certified Tax Rate and the Truth in Taxation process kicks in and adds another month and half to the time frame. We will know by the first meeting in June if they want to accept the tax rate. At the next meeting will be discussing budget revisions for the 2019-2020 budget unless Ashley wants that discussion on the second meeting in May.

**9. ADJOURN-Council Member Harris made a motion to adjourn. The motion was seconded by Council Member Lee and a roll call vote was held. All voted yes. Mayor Chesnut verified everyone could hear and participate in the electronic meeting by roll call. All voted yes.** Council Member Harris noted he was late due to technical difficulties but was present for the majority of the meeting. The meeting ended at 8:05 pm.

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**Julie Watson, Recorder**

**Date**