

MINUTES
ENOCH CITY COUNCIL
April 6, 2022 at 6:00pm
City Council Chambers
City Offices, 900 E. Midvalley Road
Meeting ID: 871 9946 8087

Members present:

Mayor Geoffrey Chesnut - absent
Council Member David Harris
Member Richard Jensen
Council Member West Harris
Council Member Katherine Ross
Member Shawn Stoor

Staff present:

Julie Watson, Recorder-Zoom
Ashley Horton, Treasurer Council
J. Wayment, City Attorney - absent
Hayden White, Public Works Director
Robert Dotson, City Manager Council
Jackson Ames, PD Chief
Lindsay Hildebrand, Deputy Recorder

Public Present: Leonard Correa, Brent Rodriguez, Mike Mestas, Mike Platt, Delaine Finlay, Rhett Taintor, and Cassie Easley, Marcus Keller -Zoom

1. CALL TO ORDER OF REGULAR COUNCIL MEETING - By Mayor Pro-tem D. Harris at 6:00 pm.

Council Member Jensen made a motion to appoint Council Member D. Harris as Mayor pro tem. Council Member W. Harris seconded and all voted in favor.

a. Pledge of Allegiance - Led by Council Member Jensen

b. Invocation (2 min.) - Audience invited to participate - Given by Council Member Stoor

c. Inspirational thought - Given by Council Member Ross

d. Approval of Agenda for April 6, 2022 – A motion was made by Council Member Jensen to approve the agenda. Council Member Ross seconded and all voted in favor.

e. Approval of Minutes for March 16, 2022 – A motion was by Council Member Jensen to approve the minutes. Council Member W. Harris seconded and all voted in favor.

f. Ratification of Expenditures - none

g. Conflict of Interest Declaration for this agenda - none

2. PUBLIC COMMENTS – There were no public comments.

3. REAPPOINT TWO (2) PLANNING COMMISSION MEMBERS-CM Ross

Council Member Ross explained that Commissioner Ley and Chairman Tingey have served a two- year term and would like to be reappointed to the Planning Commission.

Council Member Ross made a motion to reappoint both Commissioner Ley and Chairman Tingey to the Planning Commission. Council Member Stoor seconded and all voted in favor.

4. RESOLUTION NO. 2022-04-06-A A RESOLUTION PROCLAIMING SATURDAY APRIL 30, 2022 AS ARBOR DAY-CM Stoor

Council Member Stoor said that Arbor Day is set for April 30th at Iron Mountain Park from 10am-noon. The Tree Committee is developing the park and is planting about 20 trees. They have received recognition from Tree City USA. They were given a flag and a plaque to mount. Mayor Pro-tem D. Harris explained for the public that they are accepting more members to the Tree Committee. They need help in general and would love involvement. Council Member Stoor also mentioned that there will be some giveaways and a tree-planting demonstration during Arbor Day.

Council Member Jensen made a motion to pass the Resolution No. 2022-04-06-A A resolution proclaiming Saturday April 30, 2022 as Arbor Day. Council Member W. Harris seconded and a roll call vote was held as follows:

Council Member Ross-Yes	Council Member David Harris-Yes
Council Member West Harris-Yes	Council Member Jensen-Yes
Council Member Stoor-Yes	Motion passed

5. RESOLUTION NO. 2022-04-06-B A RESOLUTION GRANTING APPROVAL OF THE FINAL PLAT OF PINE VIEW SUBDIVISION, PH. 1-Platt & Platt-See Planning Commission Rec.

Council Member Ross said this came forward from the Planning Commission with a favorable recommendation. Mike Platt asked if there were any questions. Council Member Ross wondered where the retention/detention basin was going to be. Mike Platt said it will be in phase 2.

Council Member Jensen made a motion to pass Resolution No. 2022-04-06-B A Resolution granting approval of the Final Plat of Pine View subdivision. Council Member Ross seconded and a roll call vote was held as follows:

Council Member Ross-Yes	Council Member David Harris-Yes
Council Member West Harris-Yes	Council Member Jensen-Yes
Council Member Stoor-Yes	Motion passed

6. ORDINANCE NO. 2022-04-06 AN ORDINANCE AMENDING THE ENOCH CITY ORDINANCE 8.200.201- DEFINITIONS AND 8.200.251 SALE

Mayor Pro-tem D. Harris explained why the ordinance needs to be amended. We maintain our cemetery for our residents and want to preserve it for them. If someone is a heritage non-resident, then we are making that more accessible. We have defined resident, non-resident and heritage non-resident. City manager Dotson said it also defines how many plots people can buy. Council Member Ross noted that in the fee schedule, there were four categories, but in the definitions section, there are only three definitions. She wondered if the annexation declaration area needed to be defined. Mayor Pro-tem D. Harris and Council Member Jensen agreed that it should be defined.

Council Member Ross made a motion to approve Ordinance No. 2022-04-06 An Ordinance amending the Enoch City Ordinance Cemetery Section as noted with the added amendment of adding an "F". Council W. Harris seconded and a roll call vote was held as follows.

Council Member Ross-Yes	Council Member David Harris-Yes
Council Member West Harris-Yes	Council Member Jensen-Yes
Council Member Stoor-Yes	Motion passed

7. RESOLUTION NO. 2022-04-06-C A RESOLUTION TO AMEND THE ENOCH CITY FEE SCHEDULE

Mayor Pro-tem D. Harris said this increases the fee for non-residents to purchase plots and the open/close graves. Also, regarding hydrant meters, when people are doing construction they rent a meter to put on a fire hydrant for settling soil and compacting, etc. The City has been charging \$29 per month and we would like to increase that to \$39. There is a \$1,000 deposit; however, sometimes they don't bring the meter in to be read. They had previously discussed adding a penalty to those people that don't bring them in to be read. It was suggested that they forfeit the cash deposit. Mayor Pro-tem D. Harris was worried that they may keep the meter. He asked the Council if they had any thoughts regarding a penalty fee for not bringing it in. He also made a suggestion to let people rent the hydrant meter for up to six months. Hayden White, Public Works Director, said it's about \$1900 to replace the meter. Mayor Pro-tem D. Harris suggested a penalty of \$100 if they don't bring it in within 45 days. Council Member Ross asked when they would lose the deposit. City Manager Dotson suggested that they would lose it if they don't pay their bill after the six months. There is more discussion on needing to read the meter. Council Member Stoor said it makes sense to charge the deposit for the price of the meter. Mayor Pro-tem D. Harris said we should give them enough incentive to come in. Council Member Ross asked if those renting the meters are using more than \$100 in water. Carrie Horton, Utility Clerk, said that people are calling into the office with the meter reading. Council Member Ross suggested drawing on the cash deposit. Mayor Pro-tem D. Harris thought a solution would be to surrender the deposit if they don't bring the meter back after eight months, increase the deposit to \$2,000 to cover the cost of the meter, and add a late fee of \$100 per month. Council Member Ross suggested a seven-day day grace period on the reading. She also thought the resident of the Enoch City Annexation Area needs to be the same as the heritage non-resident and increased to \$400 for both of them. Mayor Pro-tem D. Harris agreed and re-capped.

Council Member Jensen made a motion to pass Resolution No. 2022-04-06-C A Resolution to amend the Enoch City Fee Schedule with the following changes: For Sale of plots both Heritage Non-Resident and Resident of Enoch Annexation area will be \$400 per plot and for Hydrant Meter there will be a \$2,000 cash deposit and an additional \$100 penalty fee for failing to bring hydrant back to be read each month after a seven- day grace period. Council Member Stoor seconded and a roll call vote was held as follows:

Council Member Ross-Yes	Council Member David Harris-Yes
Council Member West Harris-Yes	Council Member Jensen-Yes
Council Member Stoor-Yes	Motion passed

**8. CONSIDER THE PRELIMINARY PLAT OF CINNAMON HILLS SUBDIVISION
Bulloch Brothers Eng.-See Planning Commission Rec.**

Brent Rodriguez came forward and noted that the Planning Commission gave a favorable recommendation. There was an issue regarding offsite drainage on the north east side in the Ridge subdivision. After communication with the City engineer, Brent said they will take care of drainage issues during construction. There wasn't a drainage study done in the Ridge subdivision, so they will do that during the design process. City Manager Dotson explained how they will divert water from the detention basin and shoot it north. He showed the plans on a map. Spencer Jones noted that he is a lienholder so they need to be a signer on the plat and it's a vesting application. On lots 14-16 the easement that they have recorded has not been shown or respected. So, the City needs to be properly noticed. The easements that have been recorded need to be assimilated and if the drainage corridor is altered and goes to minimum a requirement then it will cause more problems upstream. Mayor Pro-tem D. Harris said there is a lot of water that flows onto that road. The Council can approve it contingent on those requirements.

Mayor Pro-tem D. Harris made a motion to approve the preliminary plat of Cinnamon Hills subdivision contingent on the construction drawings correctly reflecting the existing easements, specifically about drainage and that the drainage is not reduced from its current capacity. Council Member Ross seconded and a roll call vote was held as follows:

Council Member Ross-Yes	Council Member David Harris-Yes
Council Member West Harris-Yes	Council Member Jensen-Yes
Council Member Stoor-Yes	Motion passed

9. CONSIDER VACATING A PORTION OF VILLAGE GREEN SUBDIVISION AND SET A PUBLIC HEARING FOR APRIL 20, 2022-Platt & Platt –See Planning Commission Rec.

Mike Platt presented the map to vacate a portion of Village Green Subdivision. Council Member Ross noted that this came forward with a favorable recommendation from the Planning Commission. There were members of the public that spoke against it and had concerns about access to mailboxes and roads. City Manager Dotson said there are three processes happening. They are vacating a portion of the subdivision. There will be a vacation of the street, which doesn't require a public hearing. The vacating of the street cannot reduce access to property owners. City Manager Dotson explained how this works. Then there will be a road dedication to give access to that property owner which will connect some of those streets back together. What happens when you vacate a subdivision is proper lines of existing lots become parcels but they aren't limited to what the subdivision was designed for. They become parcels. Everyone will still have access to their properties.

Council Member Jensen made a motion to set a public hearing for April 20, 2022 to consider vacation a portion of Village Green Subdivision. Council Member Ross seconded and all voted in favor.

10. RESOLUTION NO. 2022-04-06-D A RESOLUTION TO APPROVE AMENDING THE ENOCH CITY PERSONNEL POLICY, ARTICLE IV, SELECTION, SECTION III, TYPE OF EMPLOYEES AND ARTICLE X COMPENSATION, SECTION VI-CELL PHONE STIPEND

Mayor Pro-tem D. Harris said this was after an audit by URS and need to make the change. Ashley Horton said the portion talking about types of employees is related to the appointed employees and being more clear on which funds that they belong to. They have to specify other employees and whether they are eligible. The section related to cell phone stipend is related to employees that are eligible for cell phones. They had talked about offering them a stipend for using their personal phone. There would be something that they sign to say that they would be accessible by their phone. It would be \$50 p/m. It would help with the cost of the City buying the phone.

Council Member Jensen made a motion to accept Resolution No. 2022-04-06-D A Resolution to approve amending the Enoch City Personnel Policy, Article IV, Selection, Section III, Type of Employees and Article X Compensation, Section VI-Cell Phone Stipend Council Member Ross seconded and a roll call voted was held as follows:

Council Member Ross-Yes	Council Member David Harris-Yes
Council Member West Harris-Yes	Council Member Jensen-Yes
Council Member Stoor-Yes	Motion passed

11. CONSIDER THE ANNUAL DRINKING WATER QUALITY REPORT-ENOCH CITY WATER SYSTEM 2021-Voice Vote- Hayden White

Hayden White explained that this report is the annual drinking water and whether they sampled badly. Once it is approved through the City Council, it will be made available to the public in various ways. He samples twice a month from residential taps. Last year's report was his first year here and a lot of the workers were doing things differently. Council Member Stoor asked if there were any violations. Hayden replied no.

Council Member Jensen made a motion to accept the Annual Drinking Water Report. Council Member Ross seconded and all voted in favor.

12. CONSIDERATION FOR AND ADOPTION OF PARAMETERS RESOLUTION AUTHORIZING THE ISSUANCE OF PARITY WATER REVENUE BONDS OF ENOCH CITY AND CALLING OF A PUBLIC HEARING TO RECEIVE INPUT WITH RESPECT TO THE ISSUANCE OF SUCH BONDS AND ANY POTENTIAL IMPACT TO THE PRIVATE SECTOR FROM THE CONSTRUCTION OF THE PROJECT- (Motion to set a public hearing for 5-4-22.)

Mayor Pro-tem D. Harris explained this is a bonding project to get water tanks. The terms are extremely favorable. The amount borrowed is \$625,000 at a 1% interest rate. Marcus Keller with Zion's Public Finance was on Zoom and said these are amazing terms from the Utah Drinking Water Board. This is approving bonds up to a certain amount, which is \$1,000,000 not to exceed 3% overage. This is the first step in the bonding procedure. There will need to be a public hearing in May. City Manager Dotson said we have word that the funding will not be federal. It was decided that the state would do it. This reduces the amount of work by between 20%-30%.

Council Member Jensen made a motion to set a public hearing for May 4, 2022 to accept the adoption of the Parameters Resolution authorizing the issuance of parity water revenue bonds of Enoch City. Council Member Ross seconded and all voted in favor.

13. COUNCIL/STAFF REPORT

Hayden White noted the secondary water was turned on Tuesday. It will be off by November 1st and back on again in April 2023. He sold one of the tractors. He wanted to put it in the refuse fund. Arbor Day is the 30th. He wondered if they wanted to give comp time or over time regarding opening the dumpsters on a weekend. Three Peaks subdivision was wondering if this was going to happen because they have a service project. It would be open all day Thursday, Friday, and all day Saturday the weekend on April 30th from 7am to 7pm. Council Member W. Harris asked how far out the power company is on the new Well. Hayden said there are a few things he needs to finish first.

Chief Ames said they had autism awareness training. They are required to do 16 hours of mental health training. He and Officer Roy went to a lead homicide investigation. He also had the Chief's Conference last week in St. George. They did a legislative update. They also learned about the mental health of officers. A bill was passed for 5,000,000 to start a mental health program. The idea is having the officers' check in with a therapist at least twice per year. They also discussed that police officers are significantly more likely to die of heart attacks and suicide. One of the part time shelter techs turned in her notice, so he is looking for a replacement. The Easter Egg Hunt this Monday the 11th at 6pm.

Ashley Horton said she got the URS audit and the policy change on the agenda was a recommendation. She has been working on next year's budget. There was discussion about adding Juneteenth as a paid holiday to the budget. The Council agreed. Ashley also explained the overall cost to run the City Dump. One of the garbage trucks needs to be fixed or replaced. A used one would last about 10 yrs. They are almost in need of new dumpsters as well. A new one is \$10,000. They are spending about 53,000 a year to run the dump. They would like the City Council to consider two options. The first is to charge \$3 per month on the utility bill whether they use it or not. The other option is to just charge those that use the dump and pay an amount

every time that they went. Mayor Pro-tem D. Harris liked the user-based fee. He mentioned that the Council wanted it as a service to keep Enoch cleaner. Council Member Jensen said he liked the dump but not making every resident pay for it. City Manager Dotson said the other issue is this is a business. It pays just for that service. There isn't any other revenue to tie into it. It needs to make money to buy another truck. This item will be brought back for consideration. City Manager Dotson said the Southwest Wildlife Foundation is underway. They have ordered the building and fencing for their property. A gentleman came into the City office and requested a Hydrant Meter to water his property and is now irrigating his alfalfa. City Manager Dotson met with our attorney and found out that it's not illegal. It doesn't have to have water rights. However, is this a policy that the Council wants to create? His intent is he is already on the irrigation system but it's unreliable. He does have water rights, but they are tied to surface water. Do we want to create a policy to make that unavailable? Mayor Pro-tem D. Harris said the Water Board has been talking about changing the water rates. It could get pricey for him. There is discussion on the implications of using culinary water on a field of alfalfa. It was decided that the Water Board will discuss this issue. City Manager Dotson requested \$200,000 to purchase property for storm drainage. This is in conjunction with a submission from appropriation from the Federal Government. There is discussion on the dollar amount needed. The Council agreed to allow City Manager Dotson to move forward. Iron County gets together and puts together a priority list. He would like to apply for a grant to complete the Little Eden Well. The City Council agreed. Also, City Manager Dotson explained a mistake in assigning water rights to the Homestead Subdivision that was developed in the 90's. There weren't enough water rights given at the time. He wanted to take the City's surplus rights and assign them to those properties that didn't have enough. The Council discussed and agreed to allow it.

Council Member Ross said there will be three public hearings at the next Planning Commission. Council Member W. Harris said there is a 4th of July committee that will be meeting. Mayor Pro-tem D. Harris said the Water Board will meet next week.

Council Member Jensen made a motion to move into closed meeting. Council Member W. Harris seconded and all voted in favor. Time of motion 8:25 pm

14. CLOSED SESSION TO DISCUSS ONE OR MORE OF THE FOLLOWING: ^{THE}
CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL, COLLECTIVE BARGAINING; PENDING OR REASONABLY IMMINENT LITIGATION, THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY, INCLUDING ANY FORM OF WATER RIGHTS OR WATER SHARES; DEPLOYMENT OF SECURITY PERSONNEL, DEVICES OR SYSTEMS; INVESTIGATIVE PROCEEDINGS REGARDING ALLEGATIONS OF CRIMINAL MISCONDUCT. (Requires a roll call vote with a 2/3 majority)

15. ACTION FROM CLOSED MEETING

16. ADJOURN

 4/20/22
Lindsay Hildebrand, Deputy Recorder **Date**