

MINUTES
ENOCH CITY COUNCIL
April 7, 2021 at 6:00pm
City Council Chambers
City Offices, 900 E. Midvalley Road

Members present:

Mayor Geoffrey Chesnut-absent
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-Zoom
Ashley Horton, Treas.
JustinWayment, City Atty.
Hayden White, PW Dir.
Robert Dotson, City Mgr.
Jackson Ames, PD Chief

PUBLIC PRESENT: Steve Woolsey, Yvonne Simonds, Kaleigh Bronson-Cook, George Lutterman and Richard Jensen

1. **CALL TO ORDER OF REGULAR COUNCIL MEETING-By Mayor Pro-Tem Stoor at 6:00 pm conducting for Mayor Chesnut who was absent.**
 - a. **Pledge of Allegiance-Led by Council Member David Harris**
 - b. **Invocation-Audience invited to participate-Given by Council Member Ross**
 - c. **Inspirational thought-Given by Council Member West Harris**
 - d. **Approval of Agenda for April 7, 2021-Council Member David Harris made a motion to approve the agenda. Motion was seconded by Council Member West Harris and all voted in favor.**
 - e. **Approval of Minutes for March 17, 2021-Council Member David Harris made a motion to approve the minutes. Motion was seconded by Council Member Ross and all voted in favor.**
 - f. **Ratification of Expenditures-none**
 - g. **Conflict of Interest Declaration for this agenda-none stated**
2. **PUBLIC COMMENTS-none**
3. **CONSIDER PROCLAMATION FOR THE MAYOR TO SIGN REGARDING SEXUAL ASSAULT AWARENESS MONTH-Kaleigh Bronson-Cook, Canyon Creek Services-The Council will hear a presentation and consider supporting this proclamation.**

Kaleigh said she was there in October for another awareness event and now April is Sexual Assault Awareness Month to raise awareness of the problems in Iron County and the services provided for victims at the Canyon Creek Center. She said she is with Canyon Creek Services as the Awareness & Prevention Director and she explained what they do to support the community in different ways. As a prevention coalition they put together a proclamation for local municipalities to get their support to raise awareness of the problems in our community. She read the Proclamation saying she is asking the Council for their support by voting for the Mayor to sign it. Mayor Pro-Tem Stoor asked how this problem is trending. Not the right way, she said. They have seen an increase in people they serve. It may just mean more are reaching out for help as they are able to promote their services and make them known to people. Also more people have moved here and Covid with its issues could be a part of the problem. It is hard to tell exactly

but they serve more people each year. That does not necessarily mean more is happening however. Mayor Pro-Tem Stoor asked more about the preventive programs. She explained how they try to minimize the risk factors. Unemployment and low economic factors add to it. Access to mental health services helps. Education in the schools helps too and those are priorities. Council Member Lee complemented their community outreach. Mayor Pro-Tem Stoor asked for a motion.

Council Member David Harris made a motion to approve the SAAM Proclamation for the Mayor to sign. The motion was seconded by Council Member Ross and all voted in favor.

4. RECOGNITION AND CERTIFICATES OF APPRCIATION FOR YVONNE SIMOND’S SERVICE ON CITY COMMITTEES-Council Member Stoor-The Council will award certificates of appreciation for service rendered on two committees.

Mayor Pro-Tem Stoor asked Yvonne to come up to receive the certificates and to thank her for her service on the Tree Committee and the Recreation Committee. He told about her efforts and enthusiasm. Yvonne said she is so busy now she can’t continue but has enjoyed it and will help again in the future.

5. ORDINANCE NO. 2021-04-07, AN ORDINANCE TO CHANGE THE ADDRESS OF 670 E. MIDVALLEY ROAD TO 694 E. MIDVALLEY ROAD-City Manager Dotson-The Council will consider an ordinance to correct an address for the Iron County Plat record.

Mayor Pro-Tem Stoor asked City Manager Dotson about this. He said when an address is wrong we change the county plat by this process of passing an ordinance and recording it. He explained the issue with the business and home currently having the same address and the need to separate them out.

Council Member David Harris made motion to approve Ordinance No. 2021 -04-07, an ordinance to change the address of 670 E. Midvalley Road to 694 E. Midvalley Road. The motion was seconded by Council Member Ross and a roll call vote was held as follows:

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|--|---------------------------------------|
| Council Member David Harris-Yes | Council Member Stoor-Yes |
| Council Member Ross-Yes | Council Member West Harris-Yes |
| Council Member Lee-Yes | Motion passed unanimously |

6. CONSIDER THE MINOR SUBDIVISION FOR TOO UNIQUE PROPERTIES, LLC-Woolsey Land Surveying-The Council will consider the Planning Commission recommendation for the minor subdivision.

Council Member Ross said this came with a favorable recommendation from the Planning Commission. Steve Woolsey of Woolsey Land Surveying came up to represent the owners and to submit this minor subdivision and Record of Survey. It is south and east of the animal shelter on Bark Avenue. He said the survey has five parcels shown here. Parcel 5 sits below Parcel 3 on the east side and that already exists on the record. They are doing a boundary line adjustment on this parcel that goes to the section line causing a triangle in there. That is why they are fixing parcel 5 but it is not part of this minor subdivision. The boundary line adjustment is part of this and part of the Record of Survey. He is creating parcels based on the clients request and cleaning things up for the future endeavors they are planning. Parcel 4 has two different legal descriptions and he explained about areas being vacated in the past and some issues it created. It meets requirements. He pointed out the legal descriptions and explained that parts of Parkview Subdivision sit in between and when vacated a piece reverted back to the owner that owns parcel 4 so it was physically split by other properties. As this is approved we will do a boundary line

adjustment to clean it all up in the near future. George Lutterman, the property owner, added they do not want curves in the roads and City Manager Dotson added we will talk more about it later. He explained this is a bit confusing but is correcting problems. City Manager Dotson said it went through Watson Engineering and it is all fine and in order with them.

Council Member David Harris made a motion to approve the Minor Subdivision and Record of Survey for Too Unique Properties, LLC. The motion was seconded by Council Member Ross and all voted in favor.

7. CONSIDER ITEMS TO BE ADDED TO THE SURPLUS PROPERTY LIST FOR SALE-Public Works Dir. Hayden White-The Council will consider approving additional items to be added to the surplus property list for sale.

Mayor Pro-Tem Stoor asked Hayden about the new list. Hayden said most of these items are things they don't need and want to get rid of because they can't just throw them out. It should have been on the last list. As they cleanup at the yard they find things. He explained much has not been used in many, many years. The equipment like the dump trucks, he would like to get rid of before they get expensive and hopes the new trucks will be approved in the next budget. City Manager Dotson explained the auction process and that is the mandated way things can be disposed of by cities. They have a source for the online auctions and the money has to go to the City so it can't be used for the fundraiser. Hayden asked for questions and there were none.

Council Member David Harris made motion to approve the items added to the surplus property list for auction or disposal. The motion was seconded by Council Member Lee and all voted in favor.

8. CONSIDER DEED OF DEDICATION OF A PORTION OF 5600 NORTH -City Manager Dotson-The Council will consider approval of the dedication of 5600 North through Parkview Subdivision Phase 4B

City Manager Dotson said we are making attempts to make changes to Parkview Subdivision by vacating it and this is part of the process. He explained how Parkview went bankrupt and was never developed. He gave more history about that and the attempts to dispose of the property and how this action came to be required. Some lots were sold in tax sales and became surplus properties of the County. George Lutterman has purchased most all of it in Phases 4A-4B and 4C and his partner owns some of it also. The intent with Enoch City and because of the fissure is to use the land for a drainage basin getting everything but a couple of roads vacated so Parkview Subdivision goes away. George purchased most of it and the City got some. Because three (3) phases went to final plat and were deeded to us although it was never recorded we are doing this process with the deeds. The land is unbuildable in the fissure area. He explained the 60 inch pipe that will go in for the drainage pond. It is now a ditch for storm water. Our plan is to use deeds to trade the property. What we need to do make this work out legally is with deeds and other means of conveyances to get this process done. He told about the couple of other owners who we have had no success getting in touch with though efforts have been made. He showed which land belongs to George Lutterman, what is Enoch City's and what will be vacated. We will keep Half Mile Road and 5600 North. At some point there will be some more rezoning done so it is all industrial.

Council Member David Harris made motion to approve Deed of Dedication of a portion of 5600 North. The motion was seconded by Council Member West Harris and all voted in favor.

9. CONSIDER PROPERTY TRADE OF LOTS AND PARCELS IN PARKVIEW SUBDIVISION PHASES 4A, 4B, 4C -City Manager Dotson-The Council will

consider the trading of certain parcels and lots preparatory to the vacation of some streets and all phases of Parkview Subdivision.

City Manager Dotson said this is in conjunction with the above and continues the process he just explained. He said Woolsey Land Surveying, LLC, has been helping us with this. This is the same situation as before with the odd shaped lots on these parcels. He gave more details of the three (3) parcels having the same parcel numbers even though they don't touch each other. He gave details of the confusing situation and the remedy which this is meant to be. Once this is all done and divided George Lutterman has the north area and we have the south area and then we will vacate what we own and it will be one big piece of property for each entity. Vacating the streets is part of it. George has been very willing to do things for his investment and has been very good to work with the City to clean this up and get it vacated. It also increases the size of the drainage basin.

Council Member David Harris made a motion to approve the property trade of parcels in Parkview Subdivision pending new parcel numbers. The motion was seconded by Council Member West Harris and all voted in favor.

10. DISCUSS THE TENTATIVE 2021-2022 BUDGET-Treasurer Ashley Horton-The Council will consider the tentative budget as presented by the City Treasurer

Mayor Pro-Tem Stoor asked Ashley to tell them about this. Ashley said every year she feels like she does not need to retell everything but usually does anyway. We have five businesses we run with revenue sources and expenses. She started with the General Fund and went through the entire tentative budget explaining minor changes. The overage showing in the General Fund now will be incorporated for three (3) seasonal workers in public works. Other major things were approval of two new dump trucks for public works. The PD entered some extra funds to hire a new officer to replace one we are losing that we may have to pay more to hire. She was instructed by the Council to add in the COLA raises as discussed before and calculate for a Deputy Recorder. Because this budget for 2021-2022 is still a tentative budget, no action was necessary tonight. Ashley will make adjustments as instructed and it will come back for another discussion at the first meeting in May when a public hearing will be set for the meeting after that. (See tentative 2021-2022 budget attached.)

12. COUNCIL/STAFF REPORTS

Chief Ames reported we have one officer on light duty so we are working with four officers. Two of our officers are going to SWAT training. Josh and Anders tested, were accepted and will go to special training for a week. He gave more details about special equipment needs for SWAT. Dustin is part of ICAC and they participate in State operations to stop crimes against underage kids. Due to that we received some grant money to get some computers and things specific to that job for Enoch. Dustin got certified for pepper ball weapons also. We have not had that before and he explained what it is. They purchased two rifles and five pistols for that and will do training. The push is to use non-lethal means to mitigate situations whenever possible. Our officers are well equipped and have the ability to use the new methods.

Hayden White reported the Church on Midvalley by the school will be hooked onto secondary irrigation soon as they received the meter today. They needed more pipe to tie in the Woolsey well and hope to have that done by next Monday. He has had three men out with Covid and one with back surgery so he is driving a trash truck lately. Churchill Road is punched through now. The paving contractor for Millard Lane failed to show up and it is ready to pave. Council Member Lee asked if we still give out the chemical for the noxious weeds and Hayden yes we do. It was noted the small dog park turf area is in and is half of the grass they put in irrigation lines for with the new RDI system. The dog park folks only put in grass they had enough money for and they

said they did not know Enoch would help with grass. They damaged some of the lines, Mayor Pro-Tem Stoor said. The dog park will go on the secondary system with the well there.

Ashley Horton reported open enrollment for PEHP is open until June 1st to make changes.

City Manager Dotson said he forwarded the Council a message from Heidi Baxley about smoke free parks. He asked if the Council wanted them to come to a meeting let them make their argument. We can't police it and or fine it. We can put up a sign. Another thing is water rights. He has an issue with an individual with an easement from 2015 where we waived one connection fee for an easement. The problem is their water rights are 1944 and they want to use the rights in our system. We don't have anyway to negotiate with the 1934 date that is in our Code. Do we want to talk about changing that or making a way for some exceptions? He gets a lot of pressure from developers to change that or charge a fee like Cedar City does. We are being blamed for holding back developers. Council Member David Harris said now we that we have the Groundwater Management Plan (GMP) in place we know when the newer water rights will be shut off which is in 15 years. Taking some newer rights may be okay for secondary only because we can shut that off if need be. We could also use taking newer rights as an incentive to put in secondary irrigation he suggested. It is not essential water and they go in knowing that. Council Member Lee thought we should talk about it because there are conditions where that would work. Development should not drive us on this. We did that 1934 date with a good reason. Council Member David Harris said the Conservancy District is looking at it too because we do have the west desert water coming. As a City we are committed financially to west desert water and will need to use it in the future. Council Member West Harris and Mayor Pro-Tem Stoor agreed too. The GMP encourages conservation also. Council Member Lee asked what City Manager Dotson hears from developers. He said the same as always; we are stifling development. It hurts some people and others say they are glad we are not in the pickle Cedar City is in. Council Member Lee said we are making decisions for the good of Enoch City not developers. Educating the public about the dire situation with water is starting to show up in the newspaper. Council Member David Harris said he not opposed to talking about it but does not want be like Cedar City is now. City Manager Dotson said he has to control it by water rights. In 50 years Enoch will be fine and Cedar City perhaps won't be as well off with water. We still need more resources. Council Member David Harris said we have 60 years to get a solution. We can look at it and be creative like taking newer rights for secondary use or charging a fee.

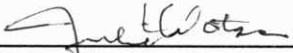
Council Member Ross reported the Planning Commission is discussing the RV Park ordinance and updating it to allow for transient trailer parks. She said Commissioner Correa had suggested we consider more curved roads than the straight grid system to slow traffic. She said she went to the Master Transportation Plan meeting and it was not positive on public comments. Her mother-in-law was dissed by one of the consultants when she made a comment. It was an unpleasant experience with the consultants and they left upset. It was not just them but others in front of them they heard also. City Manager Dotson said he would deal with it when he gets the comments back from the consultants.

Council Member Lee thanked City Manager Dotson for meeting with her grandson. She told about the conversation. She is sad about RV's that are being lived in on other's property. It is not an easy situation to deal with. We need a conclusion or decision about what to do. Her neighbor has two RV's in his backyard and people are living in them. There are situations where this has become necessary with Covid job losses and other things. We want to be compassionate but we can't let it go. One solution would be to have a temporary RV park in the City. City Manager Dotson told about what the Planning Commission is talking about that will allow for that soon.

Mayor Pro-Tem Stoor said Saturday is Arbor Day and part of it is a yard sale for the family who had the fire in the trailer park. He needs help and asked for volunteers at the yard sale which will be held at Ladybug Nursery. He told about the competitions and games for kids. Council Member

Lee noted the Garden Park Ward will be helping with the yard sale. The arborist demonstration will be at the City Office.

14. ADJOURN-Motion to adjourn by Council Member David Harris. The motion was seconded by Mayor Pro-Tem Stoor and all voted in favor. The meeting ended at 9:45 pm.

 4-21-21
Julie Watson, Recorder **Date**