

MINUTES
ENOCH CITY COUNCIL
December 2, 2020 at 6:00pm
City Council Chambers
City Offices, 900 E. Midvalley Road

Members present:

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

Staff present:

Julie Watson, Recorder-Zoom
Ashley Horton, Treas.
JustinWayment,CityAtty.-Zoom
Hayden White, PW Dir.
Robert Dotson, City Mgr.-Zoom
Jackson Ames, PD Chief-absent

Public present: Terry Palmer, Arlo Fawson and Lynn Nielson

1. **CALL TO ORDER OF REGULAR COUNCIL MEETING-By Council Member Stoor at 6:00 pm.**
 - a. **Pledge of Allegiance-Led by Council Member Ross**
 - b. **Invocation-Audience invited to participate-Given by Council Member West Harris**
 - c. **Inspirational thought-not given**
 - d. **Approval of Agenda for December 2, 2020-Council Member David Harris made a motion to approve the agenda. Motion was seconded by Council Member Ross and all voted in favor.**
 - e. **Approval of Minutes for November 18, 2020-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-Council Member David Harris made a motion to ratify the expenditures. Motion was seconded by Council Member Ross**
 - g. **Conflict of Interest Declaration for this agenda-none stated except Council Member Ross noted her husband is an inspector for the County on item #11 but there is no conflict.**

2. **PUBLIC COMMENTS-none**

3. **PUBLIC HEARING ON THE REVISED 2020-2021 BUDGET-The Council will hear comments from the public on the revised 2020-2021 budget.**

Mayor Chesnut took over conducting the meeting and asked for a motion to go into the public hearing.

Council Member David Harris made a motion to close the regular meeting and open the public hearing on the 2020-2021 budget. Motion was seconded Council Member West Harris and all voted in favor.

Mayor Chesnut invited public comments on the budget that has been posted. There were no comments.

Council Member David Harris made motion to close the public hearing and return to the regular meeting. Motion was seconded by Council Member Ross and all voted in favor.

4. RESOLUTION NO. 2020-12-02-B A RESOLUTION APPROVING THE REVISED 2020-2021 BUDGET AND CLOSING THE BUDGET-The Council will consider approving the revised budget and closing it.

Mayor Chesnut asked for comments from Ashley on the revisions. She said we have a few items to change. Hayden is going to move money from resurfacing in streets and roads to go to different places. He changed one thing to add \$55,000 to equipment purchase. Repair costs are as much buying new equipment. We are just moving money not asking for more money. Council Member West Harris asked if it is Class C road funds because they can't be moved from the road department. Ashley said it is all staying in the road department and can be used for equipment purchases. Ashley said another change is in the PD on page 4. Chief Ames needed more funds in supplies and materials and some additional money from Cares Act funds for training because they can't go to trainings out of town due to Covid.

Ashley said we left it open about raises and COLA. She said she created a spread sheet which she was not able to send out in advance but is being shown on the screen showing the difference in the budget to do the COLA and raises. Council Member Stoor said we can do it in this budget but going forward we need to make it more permanent in the budget so we do not have to bring it up each year. Ashley said we could use a little savings if we need to but she does not think we will. City Manager Dotson explained how the budget works and the overages we are allowed to retain in the budget per State law. Usually we have unspent funds and so we can cover this. Typically we have been hitting the top edge of what we are allowed to have on hand and that is saying we are being frugal. The situation came up about wages and part of why we are in that area. In our discussion we concluded we really do have room to move in that direction if the City Council wants to go that way and be more competitive for each of the departments. We believe we will be fine in this budget doing those specific raises to be more in line with the going rate to retain people with skill sets that are expected and needed. That is where we are and the budget shows it. It is not in the negative. Mayor Chesnut said we are trying to do this because it accompanies growth. Those things make it hard and when we get behind then we need to talk about raising taxes to our residents. We want to balance before we have to go to the Truth in Taxation process to ask for more tax money. We have room to move in this range and can do it with no pain this year. He does not want to keep up with old habits of figuring we will pay out of savings because that catches up to us. We want to be on the same page and be good stewards of public funds. At times costs do go up and we have to ask for more tax money. Council Member Stoor said he is in favor of being competitive in the City. We want to plan for this so it does not keep coming back to bite us. City Manager Dotson said raises are performance based and come when employees get certifications and keep up with industry standards. He commended Hayden on sticking to it with pushing his staff to get training to warrant the raises. He is sticking to his guns to be frugal and doing what is right but giving what is due and giving opportunity to grow with the job duties. Council Member Stoor said if employees are treated right they work harder. Also we want to retain people who are trained. Paying less makes hiring harder Mayor Chesnut said. Council Member Stoor said he is in favor for this year. Council Member David Harris and Council Member Ross agreed. This will start at the calendar year. Since we have the raises and COLA posted in the revised budget we are good to go in January. Mayor Chesnut asked for a motion.

Council Member David Harris made a motion to approve Resolution No. 2020-12-02-B, a resolution approving the revised 2020-2021 budget and closing the budget with changes as discussed. The motion was seconded by Council Member Stoor and a roll call vote was held as follows:

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

5. PUBLIC HEARING ON CAPITAL IMPROVEMENTS LISTS FOR 2021 AND 2022 THROUGH 2025-The Council will hear comments from the public on the Capital Improvement lists.

Mayor Chesnut asked for a motion.

Council Member West Harris made a motion to close the regular meeting and go into the public hearing on the Capital Improvement lists. Motion was seconded by Council Member Ross and all voted in favor.

Mayor Chesnut invited public comments.

There were no comments.

Council Member David Harris made a motion to close the public hearing and return to the regular meeting. Motion was seconded by Council Member Ross and all voted in favor.

6. RESOLUTION NO. 2020-12-02-A A RESOLUTION TO APPROVE THE ONE-YEAR AND TWO TO FIVE-YEAR CAPITAL IMPROVEMENT LISTS-The Council will consider approval of the Capital Improvement lists.

Mayor Chesnut asked for questions. Council Member Ross said her numbers don't add up in the 2022 to 2025 list. Council Member David Harris said that too. City Manager Dotson apologized saying he did not get the revised and corrected lists to Julie for the packet. He showed it on the screen and the numbers made more sense. Mayor Chesnut said he does not have a problem with correcting it in the motion. The point is the items and priorities are good. It was noted we do not show the entire cost of the North Fire Station as we will not be funding all of it. The public safety building numbers are off because there are many other factors involved. City Manager Dotson said those things, over time, correct and balance as new impact fees and other things are figured in. Mayor Chesnut asked for a motion.

Council Member David Harris made a motion to approve Resolution No. 2020-12-02-A, a resolution to approve the one year and two to five year Capital Improvement lists with corrections as noted. The motion was seconded by Council Member Ross and a roll call vote was held as follows:

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

7. RESOLUTION 2020-12-02-C A RESOLUTION APPROVING THE CIVIL PLANS AND FINAL PLAT OF SETTLERS SQUARE SUBDIVISION, PHASE 2-The Council will consider the final plat of Settlers Square, Phase 2.

Mayor Chesnut asked City Manager Dotson if this is all in order. Council Member Ross said this was sent from the Planning Commission with a favorable recommendation. Arlo Fawson, of Go Civil Engineering said this is all done and approved through the City process and all issues have been addressed. They have the signatures from every other utility and entity required to sign off. There was talk of the private irrigation line through the subdivision but the City is not involved in that. City Manager Dotson added the developer has provided us with the letter of credit and paid all fees due. He thinks the water rights are on his desk from the Title Company and we will be sure we have that. All standards were met and it is ready to go. There have been several discussions on the irrigation line between the private owner and the developer and we show where it goes on the plat map. City Manager Dotson explained a bit more saying the irrigation line owner and the developer have worked together and the developer has done more than anyone would require. It is already there and was brought to City standards. City Manager Dotson said at some point this will connect to other irrigation companies and water will

be piped in the winter to go north to recharge the aquifer instead of freezing and being wasted as it is now. The Conservancy District is working closely to potentially increase the size of that pipe to make that happen and replace the open ditch system now in use. He explained how it will work. This will allow the long term plan for surface water to go in pipes all the way out to north of Enoch and drop into the graben. It could change the underground water in the aquifer for this basin and change the Groundwater Management Plan for the better. It is another benefit of everyone working together. The City does not have any liability or oversight with this irrigation line.

Council Member David Harris made a motion to approve Resolution No. 2020-12-02-C, a resolution approving the Civil Plans and Final Plat of Settlers Square Subdivision, Phase 2. The motion was seconded by Council Member West Harris and a roll call vote was held as follows:

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

8. ORDINANCE NO. 2020-12-02-A AN ORDINANCE AMENDING THE ENOCH CITY ZONING ORDINANCE, CHAPTER 2, FENCE HEIGHTS-The Council will consider adopting changes to the fence height regulations in residential zones.

Mayor Chesnut asked City Manager Dotson to bring the Council up to speed. City Manager Dotson said this started with those who have built fences against our Code. As we looked at the Code we found it is really challenging to explain it and it did not make sense. We talked about this in Planning Commission for several meetings to make this work better for most people. We had to have some type of picture or example to help people understand the concept. This is the result of things that were considered for the changes. It gives dimensions for a clear view zone for safety. It has higher restrictions for corner lots. He gave more details of what is in it. We also allow higher fences between commercial zones and residential zones. Six foot was as high as you could go before but for commercial barriers it is different. It should be written in Code without subjectivity. This is what we came up with and it is better than what we had. Mayor Chesnut asked for questions. There was brief discussion of the higher fences and that they would require a building permit for footings to be correct and that they would be engineered for fences over 8 feet. There was more brief discussion of corner lots and the need to have clear view so fences to the front can be three feet high unless you can see through them then they can be four feet high. Mayor Chesnut asked for a motion.

Council Member David Harris made a motion to approve Ordinance No. 2020-12-02-A, an ordinance amending the Enoch City Zoning Ordinance, Chapter 2, Fence Heights. The motion was seconded by Council Member Ross and a roll call vote was held as follows:

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

9. ORDINANCE NO. 2020-12-02-B AN ORDINANCE AMENDING THE ENOCH CITY ZONING ORDINANCE, CHAPTER 2, SECTION 2-20, SINGLE FAMILY AND TWO FAMILY DWELLING STANDARDS-The Council will consider adopting changes to the ordinance regarding roof pitches.

Mayor Chesnut asked Council Member Ross or City Manager Dotson about this. Council Member Ross said the Planning Commission discussed this and were in favor of taking out the roof pitch requirement as long as it is engineered for snow load and other concerns. They sent a favorable recommendation. Council Member Ross said we talked about those who wanted lower roof pitches for new architectural styles and designs and our ordinance did not allow for that and

required a 5/12 roof pitch. We took that out to allow for other types of buildings being built now. City Manager Dotson said originally this ordinance was meant to keep manufactured homes out but they are still coming in although with the more expensive 5/12 roof pitches. Removing the roof pitch requirement allows for other types of building with engineering standards for snow load and materials needed to build particular styles with no pitch specified. Mayor Chesnut asked for a motion.

Council Member David Harris made a motion to approve Ordinance No. 2020-12-02-B, an ordinance amending the Enoch City Zoning Ordinance, Chapter 2, Section 2-10, Single Family and Two Family Dwelling Standards. The motion was seconded by Council Member Stoor and a roll call vote was held as follows:

10. CONSIDER AMENDING CHANGES TO THE CODE OF REVISED ORDINANCES TO REMOVE UNNEEDED CODES IN ORDER TO GET IT INTO LINE WITH THE PD SMOT LIST SENT TO THE STATE-The Council will review changes recommended by the committee to remove unneeded items from Code and to get it into line with the PD SMOT list on file with the State. (19 pgs.)

Mayor Chesnut said Council Member Lee and Council Member West Harris worked on this with Chief Ames and City Manager Dotson. The SMOT list was previously sent to the State and now we are making our Code match the list of things that can be enforced. They did a thorough job, Council Member Lee said. Council Member West Harris agreed saying they worked with City Manager Dotson and Chief Ames and cleaned it up quite a bit. Council Member David Harris said he was good with it. Council Member Stoor asked about infractions for parking vehicles on public rights-of-way and there was brief discussion. The main point was now we can give citations to have vehicles that are not drivable and are parked on the road removed. There are some that have been sitting for literally years. City Manager Dotson clarified that is to say it is immovable vehicles that can't readily be moved. There are some with the tires off and on blocks parked on the roadside. City Manager Dotson said the PD is not going around looking for this but if there is a situation where people are doing this and where we have had complaints then they will ticket that individual for that vehicle. The court will have a fine they didn't have before. We can also cite for vehicles parked on roadways in manner that is blocking the road. Council Member West Harris gave more detail about A, B and C misdemeanors. Now they can do something and they couldn't before. Mayor Chesnut said the PD can act on gross violations and be reasonable. City Manager Dotson said we also added a part about the Wildland Fire Interface that has not been in our Code and needed to be so we are in compliance with our agreements with the Cedar City Fire Dept. Council Member Stoor asked about advertising on signs and there was brief discussion of what is legal and what is not and where signs can be posted. Political signs are exempt from most rules. Everyone agreed yard sale signs that are not removed are a pet peeve of all. We removed the portion about signs from the Code. Moving on through the list, City Manager Dotson said going door-to-door is subjective and has potential issues. Vending and peddling are highly regulated in State Code. There was brief discussion of food trucks and those selling food items who may seek to get around food handlers requirements. We can deal with that now. Kids with lemonade stands will not be prosecuted. Certain things are legal and we have no control like political signs but advertising on roadsides for businesses is something we can give an infraction for. Our sign ordinance changed but this did not change with it. Mayor Chesnut said we need to remember we are not approving the changes tonight. This is to inform the Council of the proposed revisions and it will come back as an ordinance soon. This is just for discussion now. He asked the Council to let City Manager Dotson know of problems or issues that needs to be relooked at or changed. He thanked the committee for their hard work on this. No action was taken.

**11. APPROVE COOPERATIVE AGREEMENT FOR BUILDING INSPECTION SERVICES AND AUTHORIZE MAYOR CHESNUT TO SIGN AGREEMENT-
The Council will consider the agreement between Iron County and Enoch City for building inspection cooperative services and give Mayor Chesnut permission to sign agreement.**

Mayor Chesnut asked City Manager Dotson about this. City Manager Dotson said we previously had contracted with an individual to do inspections when our inspector was not available. We have had some realizations that we could be using other local inspectors who are also working doing the same things for Iron County. We talked to Terry Palmer and Lester Ross who are inspectors for Iron County and it became clear that if we set some standards it would benefit all involved in this resource. It says we will share building inspection duties within a four (4) mile radius of Enoch. We are both on the same software and so this came together well for this purpose. They can access our system and vice versa. When someone has to be absent, this will help everyone. City Manager Dotson asked Terry Palmer of Iron County or Lynn Nielson if they had any comments. Terry said they are glad to help out and Lynn will help them so this is good for all.

Council Member David Harris made a motion to approve the agreement for building inspection services with Iron County and authorize Mayor Chesnut to sign it. The motion was seconded by Council Member Ross and all voted in favor.

12. COUNCIL/STAFF REPORT

Hayden White reported they have been working on sewer laterals and water connections for those wanting to build. He is having online classes for staff. Cedar City came out to clean a sewer line for us. They got a 5 gallon bucket of rocks out and we couldn't do it. They did it as a courtesy to help us out. He said, for Council Member Lee, he did a street light inventory and submitted it to Rocky Mountain Power. We are ready to plow whenever it snows. We are running only one well now with irrigation season over.

City Attorney Wayment asked if the Grimshaw contract was signed and City Manager Dotson said it was and it is all recorded. A Memorandum of Understanding was recorded today along with the water rights. It is finally all done. We have to print a check to them. As of yesterday, the property is ours.

City Manager Dotson said we have the water rights recorded and transferred to us but there are still a few minor issues to work out. He has contacted Ensign Engineering to get the approvals to the State to run the pipes and put it into our system. There are a lot of physical things to be decided to get it done. The well is ours and that is the best part. The construction starts when the approvals come in. Other wells are coming up. We found a well in our park and we have permission to test it. We have another well we are starting conversations about on Friday. We are getting water sources as needed and planned. The Groundwater Management Plan will be in place in 30 to 60 days. That means he has had a conversation every two or three hours with new developers wanting to develop. One of them is proposing to do one minor subdivision after another instead of phasing a larger development as we normally do. He will put in infrastructure as required. Right now this is legal and you can do that but it runs into problems with infrastructure and roads and we may want to change that in the Code. He understands the piecemeal concept and that is not really the normal way. That is what phasing is for and this is an issue. City Manager Dotson said he needs to propose a closed meeting as something has come up on the purchase, exchange or lease of property. This is something different. He said he is out of the office for a while but is available.

Mayor Chesnut said he did sign the well agreement and excited it is done. He wants a lot happening with construction and approvals and everything so come spring we are up and running before watering season. We have "old" new conversations we are restoring in our push for

acquisition of more water sources. He said there will be no Christmas party due to Covid unfortunately.

Council Member Ross said the Wreaths Across America program is on the 19th at noon with a shortened program due to the need to social distance. Anyone can still donate to the DAR for wreaths.

Council Member West Harris said the EDC hasn't met for a while but is meeting tomorrow night. There were no other comments.

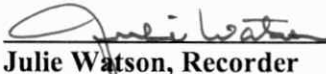
13. **CLOSED SESSION TO DISCUSS ONE OR MORE OF THE FOLLOWING: THE CHARACTER, PROFESSIONAL COMPETENCE OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL, COLLECTIVE BARGAINING; PENDING OR REASONABLY IMMINENT LITIGATION, THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY, INCLUDING ANY FORM OF WATER RIGHTS OR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

Council Member David Harris made a motion to go into a closed session regarding the purchase, exchange, or lease of real property, including any form of water rights or water shares. The motion was seconded by Council Member West Harris and a roll call vote was held as follows:

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

14. **ACTION FROM CLOSED MEETING**-none (or tell me if there was)

15. **ADJOURN**-The regular meeting ended at 7:30 pm.

 12-16-20
Julie Watson, Recorder Date

Enoch City is inviting you to a scheduled Zoom meeting.
Topic: Enoch City Council
Time: Dec 2, 2020 06:00 PM Mountain Time (US and Canada)
Join Zoom Meeting
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