

**MINUTES**  
**ENOCH CITY COUNCIL**  
**February 15, 2023 at 6:00pm**  
**City Council Chambers**  
**City Offices, 900 E. Midvalley Road**

**Members present:**

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

**Staff present:**

Robert Dotson, City Manager  
Ashley Horton, Treasurer  
Justin Wayment, City Attorney-Excused  
Hayden White, Public Works Director  
Lindsay Hildebrand, City Recorder  
Jackson Ames, PD Chief

**Public Present:** Leonard Correa, Bryce Poulson, Jeff Cowley, Andy Funderburk, Dan Roberts

**1. CALL TO ORDER OF REGULAR COUNCIL MEETING**

- a. **Pledge of Allegiance-** Led by Mayor Chesnut
- b. **Invocation (2 min.)-Audience invited to participate-** Given by Council Member Stoor
- c. **Inspirational thought-** Given by Council Member W. Harris
- d. **Approval of Agenda for February 15, 2023-** Council Member D. Harris said item #6 needs to be removed and item #8 needs to be moved to number #3. **Council Member D. Harris made a motion to approve the amended agenda. Council Member Jensen seconded and all voted in favor.**
- e. **Approval of Minutes for February 1, 2023-** Council Member D. Harris made a motion to approve the minutes. Council Member Ross seconded and all voted in favor.
- f. **Ratification of Expenditures-** None
- g. **Conflict of Interest Declaration for this agenda-** None

**2. PUBLIC COMMENTS**

Merlin Mitchel said he owns a five-acre lot in Little Eden. He met with City Manager Dotson and spoke about water rights. His shares are 1960s and valued at 13% of what 1934 shares of worth. He has 9 shares and is butted up to a well that the city has purchased and is converting to culinary. He asked if he could transfer to the Enoch 8 shares of water at 13%, which would be a tad over the \$20,000 for those 8 shares of water. He then would get one share of hookup. City Manager Dotson said we would have to change our ordinance to allow someone to use that % of valuation of the appraisal. Council Member D. Harris said we should evaluate it. Mayor Chesnut said the administration will bring this back as an agenda item.

**3. CONSIDER RESOLUTION NO. 2023-02-15-C A RESOLUTION ADOPTING A MEMORANDUM OF UNDERSTANDING WITH UTAH WARRIORS AND ENOCH CITY – Jeff Cowley**

Jeff Cowley said that last year he started a touch rugby program with about 20 kids. He is looking to continue to grow the program. The Utah Warriors is a professional rugby league with leagues in St. George. He reached out to them to partner in some way. They were pretty flexible and settled on them coming to do a free clinic and possibly getting some PE teachers involved in our local schools. They would get a 10% kickback from our fees. It helps us get a little more exposure. Council Member D. Harris asked what the ages for the program are. He said

6-12. Council Member Ross asked of this will be a pass-through account like soccer. She also mentioned that it does come up on their financials on their approvals. They need to be able to see where he will be spending money.

**Council Member D. Harris made a motion to approve Resolution No. 2023-02-15-C a resolution adopting a Memorandum of Understanding with Utah Warriors and Enoch City. Council Member W. Harris seconded and a roll call voted was held as follows.**

**Council Member Ross: Yea**

**Council Member W. Harris: Yea**

**Council Member D. Harris: Yea**

**Council Member Jensen: Yea**

**Council Member Stoor: Yea**

#### **4. PUBLIC HEARING REGARDING THE 2023 RECREATION IMPACT FEE FACILITIES PLAN & ANALYSIS**

City Manager Dotson said back in the 90's before the Impact Facilities Plan had much language in the state code, municipalities could come up with an impact fee without any data behind it. The Council back then decided that \$400 was good for parks. There has been a great demand. Impact fees can't be for maintenance. It can only be for construction. They analyze the inventory of users from existing facilities to figure how much it costs to keep a level of service. He went over the data. Then they analyze the demand based on projected growth of 3.5%. Sunrise Engineering has pulled information from different parks built in the area. We should re-do a Facilities Plan about every 6 years. Then they figure out what's eligible and give us a max allowable fee. We can't go over \$9, 671 per household.

**Council Member D. Harris made a motion to close the regularly scheduled City Council meeting and open a public hearing regarding the 2023 Recreation Impact Fee Facilities Plan & Analysis.**

Andy Funderburk said he is a board member of the Iron County Homebuilders Association. The board prepared a letter regarding park impact fees. He read the letter to the Council. He said this is part one of the analysis and there are multiple categories. He feels that it should be conservative. He has been less than satisfied of the final product of some of the projects that we have taken on as a city. He realizes the factors that have affected the outcome as he had worked on the roundabout and donated hundreds of hours of his time to make it beautiful. The City Office is the central point in the city and its important that it's a place to be proud of. There are probably more increases coming and some more important. Their estimations are \$3332,000 to build a park, but he can't imagine that cost being so high. He asked what standard would we want for our city. The improvements need to happen, but is there a standard that we expect? Is there a finished product that we are shooting for? He would like to projects to look clean and cared for. Are other trails going to be attached to highways and roads? Council Member Jensen said he got mixed messages. Andy said as a Homebuilders Association board member, the impact fees should be conservative. As a resident he feels that we don't have a set standard or plan for most projects. He looks at things that we have done and felt that we could do better, in the future, as far as accepting the quality of work. He said we do a lot of the work ourselves on a limited budget. He's not proposing to increase the impact fee to the highest amount. He's not opposed to growth, but he wants to know where we stand as a vision.

Leonard Correa said it's admirable that the city is conservative in its operations, but we see it in the quality. He used Iron Mountain Park as an example and said had the fees been higher, say \$2,500 for each house, the park may have been completed by now. Most people don't come to the meetings or go to the city yard and see the end result of running a tight ship. Enoch is our home and we need to look at it in a way that benefits all of us. Raising the fees is needed to an extent. As a home owner he is for an increase.

**Council Member D. Harris made a motion to close the public hearing and open the regularly scheduled City Council meeting. Council Member Stoor seconded and all voted in favor.**

Council Member D. Harris said he felt that there are areas of our impact fees more vital, such as drainage. When we raise impact fees, we expand political capital and this is of lesser importance. He wanted to take that into consideration. He suggested a smaller increase here and higher in other areas. He agreed with the Homebuilders Association and stated that we are going in to a recession with homebuilding because materials are going up. We have a huge range of what we can do. He preferred small increases and address it every year. He thinks we do a lot with a little bit and rely on volunteers. Council Member Ross said she would like to know what was put in Iron Mountain Par and what we spent on it. She wanted to compare it with Boebert Park. City Manager Dotson said Boebert was built around 2006. It was contracted and cost about \$200,000. The land was donated, but we hired it all out. Public Works Director, Hayden White, said we are into Iron Mountain Park about \$150,000 and it has a concrete walking trail, 10x10 sunshade and a pickle ball court. Council Member D. Harris asked about grants for playground equipment. City Manager Dotson said he has talked to reps and they give you a grant and sell it to you at a whole sell price. The playground at Boebert runs at about \$45,000 and they have to be installed by the manufacturer. There are grants available, but mostly for trails. Council Member Stoor agreed with Andy. We live in a place where recreation is available to us outside the city. Once we get the park or trail, how do we improve and maintain what we currently have? Is it possible to look at all of the potential impact fee increases together? Council Member Ross said it would be nice to look at the analysis of the impact fees studies that are completed to see what we are making. Council Member Jensen asked if we could set a schedule for the next five years. Council Member Stoor said there may not be a standard. Council Member Jensen said he was conflicted. He thought our level of service has been pretty low and the parks impact fee needs to be increased, but the maximum amount is too high. Regarding the other impact fees that are coming, those are things that will sustain life, but this is the only one that holds quality of life. Maybe we need to provide these quality-of-life options. He just didn't know how to fund them. Should it be the City or new residents?

Dan Roberts requested to speak. He said he has lived here for 50 years. He has been president of the Rotary Club for a portion of Veterans Memorial Park in Cedar City. What they did was decided that they wanted a memorial park and he was in charge of the Korean War part. He was the chairman to raise the money. With volunteers from the entire County, the committee had raised \$250,000 for the Korean and over a million dollars for the park. If Enoch had the vision, the Rotary Club would support it, there are different clubs as public service that could raise the money. None of the money used to create the Veterans Memorial Park came from the city. Council Member Stoor asked if the Veterans Park have conceptual drawings and a vision. Dan said he had 15 people on the committee and they ran their vision by the mayor and they liked it. He listed a few other clubs, such as, Lions Club, Elks Club, etc. He said we would need someone to lead it, make it exciting, and worth while to do. Council Member D. Harris said our recreation complex was all volunteer driven and people here would prefer to use sweat equity instead of cash donations. It is probably the way we need to do this. Dan asked what we could do here that is meaningful to Enoch? Council Member W. Harris said when we talking about the price of anything, if people want something bad enough, they would make it happen. D. Harris – No one person can tackle it by themselves.

Leonard asked if there was a way to base the fee on lot sizes. For example: moderate-income housing would likely be on smaller lots. City Manager Dotson said it's based on ERUs. Council Member D. Harris suggested increasing the parks impact fee to \$750 and readdress it every year. Council Member Ross said she was thinking of raising it to \$1,000, which is about 10% of the

max of what we could charge. Cedar City's is \$1,350. Council Member Jensen thought we should match them to keep it even across the county.

**5. SET A PUBLIC HEARING REGARDING THE 2023 RECREATION IMPACT FEE FACILITIES PLAN & ANALYSIS FOR MARCH 1, 2023**

**Council Member D. Harris made a motion to set a public hearing regarding the 2023 Recreation Impact Fee Facilities Plan & Analysis for March 1, 2023. Council Member Ross seconded and all voted in favor.**

**6. CONSIDER RESOLUTION NO. 2023-02-15-A A RESOLUTION ADOPTING A TRANSFER AGREEMENT WITH THE HATCH LIVING TRUST TO GIVE TO ENOCH CITY CORPORATION A PORTION OF PARCEL #A-0948-0000-0000 AND RECEIVE A PORTION OF 3600 NORTH RIGHT-OF-WAY ALONG PARCEL #A-0945-0000-0000**

**Council Member D. Harris made a motion to approve Resolution No. 2023-02-15-A a resolution adopting a transfer agreement with the Hatch Living Trust to give to Enoch City Corporation a portion of parcel #A-0948-0000-0000 and receive a portion of 3600 North right-of-way along parcel #A-0945-0000-0000. Council Member Jensen seconded and a roll call vote was held as follows:**

**Council Member Ross: Yea**

**Council Member W. Harris: Yea**

**Council Member D. Harris: Yea**

**Council Member Jensen: Yea**

**Council Member Stoor: Yea**

**7. CONSIDER THE PRELIMINARY PLAT FOR PIONEER VALLEY WEST ESTATES - Platt & Platt - See Planning Commission Rec.**

Council Member Ross said this came forward from the Planning Commission with a favorable recommendation. They had questions about lot 1 and the one next to it. Dan Roberts said explained that they wanted to do a lot line adjustment to be able to sell the property. The whole concept of the subdivision is to have larger lots. They are putting a 50 ft. road up the middle.

**Council Member Jensen made a motion to approve the preliminary plat of Pioneer Valley West Estates. Council Member D. Harris seconded and all voted in favor.**

**8. CONSIDER 2023 SURPLUS LIST – Hayden White**

Hayden said they have been doing a lot of cleaning. This list includes items around the shop that they would like to get rid of. They will use it for snow plow repair. Council Member Ross asked about the BBQs. City Manager Dotson said we had items from big events. The Leavitt Group donated about 56 chairs. There are a bunch of old folding chairs that they want to sell.

**Council Member Jensen made a motion to approve the 2023 Surplus List. Council Member D. Harris seconded and all voted in favor.**

**9. CONSIDER THE MODERATE-INCOME HOUSING ELEMENT OF THE GENERAL PLAN – See Planning Commission Rec.**

Council Member Ross said the Planning Commission is working on the General Plan and are required to have this element. After review, they found that the state requires certain wording in this specific element. City Manager Dotson went over each section of the Moderate-Income Housing Element. Council Member Ross said we need to talk to our state representatives so they know that this cant be a cookie cutter thing. The Planning Commission did a really good

job with this. City Manager Dotson went through and looked at things that we are already doing. Ideally, the legislature would meet with people who deal with General Plans and move this out of that General Plan.

**Council Member D. Harris made a motion to approve the Moderate-Income Housing Element of the General Plan. Council Member W. Harris seconded. Council Member Ross and Council Member Stoor voted in favor. Council Member Jensen voted against.**

**10. COUNCIL/STAFF REPORT**

Chief Ames reported that they haven't had a bunch of wrecks with all of the snow. However, the freeway has been bad. They have been helping where they can. Council Member Ross asked if the officers are still doing ok. Chief Ames said yes. Officer Kwiatkowski is still on administrative leave. He is in school to be certified to be a phlebotomist.

Hayden White reported that they fired up the Half Mile well.

City Manager Dotson got a call today to tell public works that they did a great job with snow removal.

City Manager Dotson reported that there is a committee putting together members/employees from the Children's Justice Center, Family Support Center, Utah Paiute Tribe, PB&J Consulting, Canyon Creek Services and bunch of therapists to help people with anxiety and process trauma. People can go free of charge. It is being paid through donations. Half of the donations are going to law enforcement. The other half is supposed to go to the Haight Family, but the trust wants some of that to go to the community. It's a big push. These group protocols work through these. There is one this Friday and Saturday. There is still a lot of media requesting GRAMA. Chief Ames gets the requests and the appeals go to City Manager Dotson.

Mayor Chesnut attended Cedar City Chamber of Commerce where Cedar City's mayor presented things that they are involved in.

Council Member Ross said the Planning Commission will have a public hearing on the revised General Plan at the next meeting, which is February 28<sup>th</sup> at 5:30 pm.

**13. ADJOURN – Council Member D. Harris made a motion to adjourn. Council Member Ross seconded and all voted in favor.**

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**Lindsay Hildebrand, Recorder**

**Date**