

MINUTES
ENOCH CITY COUNCIL
March 2, 2022 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:

Julie Watson, Recorder
Ashley Horton, Treas.
J. Wayment, City Atty.
Hayden White, PW Dir.
Robert Dotson, City Mgr.
Jackson Ames, PD Chief-absent
Lindsay Hildebrand-Dep.Rec.-absent

Public Present: Devon Kwiakowski, Travis Carter, Delaine Finlay, Bryce Poulson, Giani Julander and Lynn Nielson

1. **CALL TO ORDER OF REGULAR COUNCIL MEETING-**By Mayor Chesnut at 6:00 pm.
 - a. **Pledge of Allegiance-**Led by Julie Watson
 - b. **Invocation (2 min.)-**Audience invited to participate-Given by Council Member Stoor
 - c. **Inspirational thought-**Given by Mayor Chesnut
 - d. **Approval of Agenda for March 2, 2022-Motion to approve the agenda by Council Member David Harris. Motion was seconded by Council Member Ross and all voted in favor.**
 - e. **Approval of Minutes for February 16, 2022-Council Member Jensen noted the action from the last closed meeting needed to be added in. Council Member David Harris made a motion to approve the minutes with that change. 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**

Giani Julander from the Frontier Homestead State Park said she is here to invite the City Council to a special exhibit called H2O Today. It is open now thru May 31st. She gave more details and handed out a flyer.

Delaine Finlay commented on the ordinances for tonight. She said it seems like most people who moved to Enoch came for a simple life that includes less regulations and laws. She said the things covered in these two ordinances are covered by other laws in other places. She said she thought we should be more concerned with other nuisances in the neighborhoods such as excessive numbers of vehicles parked at some residences. If you want a pristine environment why move here? Keep it simple. Fewer regulations are a good thing.

3. **CONSIDER TWO VERSIONS OF AN ORDINANCE TO AMEND THE ENOCH CITY ZONING ORDINANCE, CHAPTER 12-1100, SECTION 12.1100.1107, RECREATIONAL VEHICLES/TRAVEL TRAILERS-TEMPORARY**

Mayor Chesnut noted this has been discussed extensively in past meetings. Tonight two versions are on the agenda and he asked for a motion on one or the other. Council Member Jensen said this came up because he questioned it. He talked to everyone on staff and others. The overwhelming majority thought the permit was not necessary and more burdensome than the good it would do. We are not getting anything by asking people to come in for a permit. We want the City to look a certain way but anyone can have a trailer parked at their home where they want to park it. Staff does not need the burden of trying to enforce anything.

Council Member Ross said the permit reminds the public this is a temporary situation and not a permanent housing solution and that they have to meet the set-back requirements of the zone. Council Member David Harris agreed saying other issues could come up and we can deny a permit if there are problems. He prefers version one. Council Member Stoor said he looked at other ordinances and tried to wade through the residential zoning ordinance. We talked about accessory dwelling units and what is allowed and the intended use. We do have an RV Park zone where trailers can be resided in legally and permanently. If we allow this to move into neighborhoods why have an RV Park. His feeling is option one allows people to do what they want but be on notice there are regulations for and this is to be only a temporary situation. Not a permanent living arrangement.

A. ORDINANCE NO. 2022-02-22-A AN ORDINANCE AMENDING THE ENOCH CITY CODE OF REVISED ORDINANCES, CHAPTER 12.1100.1107 RECREATIONAL VEHICLES/TRAVEL TRAILERS-TEMPORARY -(Version 1)

Council Member David Harris made a motion to approve Ordinance No. 2022-03-02-A an ordinance amending the Enoch City Code of Revised Ordinance, Chapter 12.1100.1107, Recreational Vehicles/Travel Trailers-Temporary-Version 1. The motion was seconded by Council Member Ross and a roll call vote was held as follows:

Council Member Ross-Yes	Council Member David Harris-Yes
Council Member West Harris-No	Council Member Jensen-No
Council Member Stoor-Yes	Motion passed 3-2

B. ORDINANCE NO. 2022-02-22-B AN ORDINANCE AMENDING THE ENOCH CITY CODE OF REVISED ORDINANCES, CHAPTER 12.1100.1107 RECREATIONAL VEHICLES/TRAVEL TRAILERS-TEMPORARY -(Version 2)

No action was taken on this version.

4. COUNCIL/STAFF REPORT

Hayden White reported on the status of various wells and problems they are having noting repairs will be done as required. The Settlers Square pond was cleaned out and graded as needed so as not to not cause problems in the future. The Public Works crew is in St. George for training for most of this week. Tomorrow there will be a State Drinking Water Board meeting regarding obtaining funding for the water tank and we hope for approval. The Ridge pond is ready for concrete to create an apron on that pond to avert flooding in the area.

Lynn Nielson reported building is busy. He attended training for the Utah Chapter of Building Inspectors and was updated on codes including new information for solar batteries at homes.

Travis Carter reported for the PD saying they are doing fine and have added three more officers. They now have seven and are at full staff. There was brief discussion of the speed sign and City Manager Dotson mentioned it may be moved to SR-130 in an attempt to slow speeds. Travis said they are doing more traffic enforcement now that they are fully staffed however it is more geared towards education than giving citations. The PD has double coverage from 4:00 pm to 10:00pm which is the busy time so that is an improvement.

City Attorney Justin Wayment noted that Enoch Road at the north end has access problems we need to work through. That road was never dedicated and now people want to do things and they have no legal access. It is an historic right-of-way that may require a Court of Law to rule it as such for City purposes. City Manager Dotson gave more details noting in the past landowners have argued about this road. We said as a City, we claim that as a “proscriptive easement” based on historical use but didn’t fix it. Maybe quit claim deeds or a court order will be required.

Ashley Horton reported she is busy and received the ARPA match grant funding. We are moving ahead with the purchase of a water tank.

City Manager Dotson reported on an issue across the street in Phase 1 of Valley Gate Estates and he showed a map. He gave details regarding the land ownership and about the challenge of putting in a sewer line. Due to the relative flatness of the land it has created a conflict with our Engineering Standards which require a .5 grade. In order to do this project on the flat land we need to make an adjustment to a .4 grade. Our City Engineer has been involved and has no issues with that change in certain circumstances such as this. Many details of what is involved were discussed. It was noted that Cedar City has had to do this for certain projects in flatland areas so this is not a particularly rare thing to change this standard. City Manager Dotson said one thing that could be done for this low lying area is a deed restriction that they can’t put in basements in this subdivision. He said we are now part of the National Flood Insurance Program and per their suggestions and requirements that is something we can institute in flood prone areas. That is a requirement although we do not have it in our Code yet. This subdivision phase has been through the preliminary plat process and is approved so they are vested as is. They are fine with this and are working towards a solution with the City. City Manager Dotson said this will be a mutually beneficial thing for all concerned. There was more discussion of the details and City Manager Dotson said we will work through the changes and bring it back on another agenda to institute this change to our Engineering Standards. City Manager Dotson reported on the Rural Planning Organization meeting held today regarding transportation. He said Mayor Chesnut chairs the Executive Committee. The Advisory Committee and then the Executive Committee lists are given to UDOT and they use it for their planning. Our roundabout, the SR-130 improvements and the overpass on Industrial Road are examples of projects from this list. Council Member Ross has a current list of RPO projects. He gave details of projects being moved around as things come up and/or funding or priorities change. The Parowan Bridge has now gone to the top and will be a benefit to Enoch in that this will enable workers from Enoch to more easily get to Parowan to work. On Monday the Advisory Board for UDOT passed it to the top of the list with 3.8 million in funding. He gave details of the plan to connect Enoch City by way of Auto Mall Drive through the culvert on Hwy. 91 coming underneath the box culvert and bypassing the Maverik. The new proposed jail #1 site is now on the old Auto Mall corner where the road will go. They will create a real underpass rather than the box culvert to connect to Canyon Ranch Drive. Because of what happens at Maverik in the mornings and evenings, that project has gone nearer to the top of the list. Iron County got on board with that today because of the proposed jail site. UDOT said the State is getting funding for bridges to the tune of \$40 million for 5 years. Anything over 20 feet is considered a bridge. The intent is that we would go with Cedar to cooperate on a joint application in order to actually to get traffic flowing in the other direction and away from the bottleneck at Maverik. Another project on the list is the South interchange at \$60 million to redo it. There was brief discussion of other pending projects in the area.

Julie Watson reported Lindsay is at UMCA training this week and is doing fine in preparing to take over the City Recorder job.

Mayor Chesnut said we need a closed meeting tonight to discuss a pending purchase. He also noted that every five years we have to renew the cooperative agreement regarding the Wildland Fire contract. He said he attended the ICCC meeting today where they did a big presentation. This is optional but we need this agreement so the City does not incur the costs of fighting a wildland

interface fire such as Brian Head endured a few years ago. He gave details of what our commitment is. This will come back on an agenda in the near future.

Council Member Ross reported the Planning Commission did not meet on 2-22-22 nor will they meet on 3-8-22 because they can't get a quorum that night. City Manager Dotson suggested we may need to hold a special meeting on another night so as not to put people off and make them wait. If so, it will be noticed per State law.

Council Member West Harris reported on March 31st is the training from the Deming Institute. City Manager Dotson will be speaking. He reported there is no EDC meeting tomorrow night.

Council Member David Harris said the Water Board meeting will be held on 3-10-22. They are discussing rates and tiered structures regarding landscape options for determining rates. On the 8th the political caucus meetings will be held.

Council Member Jensen reported the Legislature appropriated -0- dollars for water in Iron County. One of our representatives represents both Iron and Beaver Counties so he opted to take no action by saying he will not take a position. We are competing for water funding. There was brief discussion of State appropriations. Council Member Jensen said he filed to run for State School Board. There are no others running from our county. He will not pursue that office if someone else signs up to run.


5. **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 close the regular meeting and go into a closed meeting for the discussion of the purchase, exchange, or lease of real property, including any form of water rights or water shares. The motion was seconded by Council Member Ross 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 unanimously

6. **ACTION FROM CLOSED MEETING**-Proceed with purchase of property.
7. **ADJOURN**-The regular meeting ended at 7:15 pm.


Julie Watson, City Recorder

3-16-22
Date

Meeting ID: 864 4989 0748