

**MINUTES**  
**ENOCH CITY COUNCIL**  
**May 4, 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-Zoom  
Ashley Horton, Treasurer  
J. Wayment, City Attorney  
Hayden White, Public Works Director  
Robert Dotson, City Manager -Zoom  
Jackson Ames, PD Chief  
Lindsay Hildebrand, Deputy Recorder

**Public Present:** Delaine Finlay, Bryce Poulson, Christian Jensen, Megan Stead, and Debra Ley

1. **CALL TO ORDER OF REGULAR COUNCIL MEETING**-By Mayor Chesnut at 6:00 pm.
  - a. **Pledge of Allegiance**-Led by Council Member Jensen
  - b. **Invocation (2 min.)-Audience invited to participate**-Given by Spencer Jones
  - c. **Inspirational thought**-Given by council Member D. Harris
  - d. **Approval of Agenda for May 4, 2022- Council Member D. Harris made a motion to approve the agenda. Council Member W. Harris seconded and all voted in favor.**
  - e. **Approval of Minutes for April 20, 2022- 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 stated

2. **PUBLIC COMMENTS**

Delaine Finlay lives on Horseshoe Dr. She commented on the roundabout and everyone seems happy about it. She hasn't seen anyone signal while driving within the roundabout. She would like more education on how to drive on one. She also commented that she loves the convenience of using the City dump. She would rather pay a fee then see it go. Council Member Ross asked Mrs. Finlay how much she would be willing to pay to use the dump. She said about \$10 to \$15 depending on how often she went.

3. **PUBLIC HEARING FOR THE ANNEXATION OF PROPERTY OWNED BY MEGA RV STORAGE- Phillip Emerson**

**Council Member D. Harris made a motion to close the regularly scheduled City Council Meeting and open the public hearing for the annexation of property owned by Mega RV Storage. Council Member Jensen seconded and all voted in favor.**

Mayor Chesnut invited the public to stand up at the podium and comment. There were none.

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

4. **ORDINANCE NO. 2022-05-04-A AN ORDINANCE ANNEXING 5.48 ACRES OF LAND OWNED BY PHILLIP EMERSON, MEGA RV STORAGE INTO THE CORPORATE BOUNDARIES OF ENOCH CITY**

There was no discussion.

**Council Member D. Harris made a motion to approve Ordinance No. 2022-05-04-A an ordinance annexing 5.48 acres of land owned by Pjillip Emerson, Mega RV Storage into the corporate boundaries of Enoch City. Council Member W. Harris seconded and a roll call vote was held as follows:**

<b>Council Member Ross: yea</b>	<b>Council Member W. Harris: yea</b>
<b>Council Member D. Harris: yea</b>	<b>Council Member Jensen: yea</b>
<b>Council Member Stoor: yea</b>	<b>Motion passed</b>

**5. CONSIDER THE MINOR SUBDIVISION FOR GRIMSHAW**

**DRILLING-Woolsey Land Surveying-See Planning Commission rec.-Voice vote**

Council Member Ross said this came forward from the Planning Commission with a favorable recommendation from the Planning Commission. Mayor Chesnut asked if anyone had any comments or concerns. Council Member Jensen asked if this was one lot splitting into two. Mayor Chesnut said yes.

**Council Member D. Harris made a motion to approve the minor subdivision for Grimshaw Drilling. Council Member W. Harris seconded and all voted in favor.**

**6. PUBLIC HEARING TO VACATE A PORTION OF VILLAGE GREEN ROAD AND BLUEBERRY ROAD**

**Council Member D. Harris made a motion to close the regularly scheduled City Council Meeting and open a public hearing to vacate a portion of Village Green Road and Blueberry Road. Council Member Ross seconded and all voted in favor.**

Mayor Chesnut explained the reason why we hold public hearings. There were no public comments.

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

**7. ORDINANCE NO. 2022-05-04-B AN ORDINANCE TO VACATE PORTIONS OF VILLAGE GREEN ROAD AND BLUEBERRY ROAD**

Council Member D. Harris said the road will be changing and will not deny any access to residents. There will be dedication of road in other areas. Mayor Chesnut said this is to change the description of where the road will be.

**Council Member D. Harris made a motion to approve Ordinance No. 2022-05-04-B an ordinance to vacate portions of Village Green Road and Blueberry Road. Council Member Ross seconded and a roll call vote was held as follows:**

<b>Council Member Ross: yea</b>	<b>Council Member W. Harris: yea</b>
<b>Council Member D. Harris: yea</b>	<b>Council Member Jensen: yea</b>
<b>Council Member Stoor: yea</b>	<b>Motion passed</b>

**8. CONSIDER ORDINANCE NO. 2022-05-04-C AN ORDINANCE AMENDING THE ENOCH CITY RECREATIONAL VEHICLE PARK (RVP) ORDINANCE, CHAPTER 12.3000 - See Planning Commission rec.**

Council Member Ross said this came forward from the Planning Commission with a favorable recommendation from the Planning Commission. This changes the amount of acres that an RV park can be on and cleaned up other issues about animals and different things. The minimum acreage used to be two acres.

Meagan Stead said her property is 1.3 acres and they currently have a four month maximum stay. She wanted to get rid of that. The reasoning is that they want to be able to accommodate snow birds who would want to stay anywhere from March until October or people who are in the

process of building a house. Mayor Chesnut mentioned the RV park that will be opening in Parowan. They have a 90 day restriction. Council Member Ross said customers that switch lots or who pack up and drive around the block make it a temporary residence. She has seen some people build a deck off the side of their RV. Council Member D. Harris said if there is a problem this gives us a way to do something about it. There is more discussion on this. Council Member Ross said she would be ok with moving it up to 180 days which is about 6 months and that would cover the summer. Council Member D. Harris agreed. Council Member Stoor asked why it matter how long someone stays there. Council Member D. Harris said that its just to make sure the codes are enforced. Council Member Jensen agreed with Council Member Stoor. Mayor Chesnut said there is validity on both sides.

Debra Ley, from the Planning Commission, said the time restriction was her constraint. She did some research on RV parks and found that some in Arizona have continual snow birds that come back each year. However, Cedar City has a one acre RV park and only allow 16 units on their property. She thought they needed more time to talk through the changes.

**Council Member Ross made a motion to approve Ordinance No. 2022-05-04-C an ordinance amending the Enoch City Recreational Vehicle Park (RVP) Ordinance, Chapter 12.3000 with the adjustment of changing 122 days to 180 days. Council Member W. Harris seconded and a roll call vote was held as follows:**

<b>Council Member Ross: yea</b>	<b>Council Member W. Harris: yea</b>
<b>Council Member D. Harris: yea</b>	<b>Council Member Jensen: abstained</b>
<b>Council Member Stoor: yea</b>	<b>Motion passed</b>

Mayor Chesnut used the Chair to insert an item to recognize Christian Jensen. He has been working as an intern for the City and has completed his internship. Mayor Chesnut presented a card to Mr. Jensen on behalf of Enoch City to thank him for all of his efforts and hard work.

**9. ORDINANCE NO. 2022-05-04-D AN ORDINANCE AMENDING THE ENOCH CITY ORDINANCE, SECTION 12.2500.2502 MINOR SUBDIVISIONS AND SECTION 12.2600 MAJOR SUBDIVISIONS REGARDING IMPROVEMENTS- See Planning Commission rec.**

Council Member Ross said the Planning Commission sent a favorable recommendation on the changes. Council Member David Harris recapped some of the changes which were mostly to engineering studies regarding drainage. In regard to minor subdivisions we are making adjustments to what is actually being done already mainly the requirement to have all lots front onto a main road when they could be on a private road. This allows for that option. Detention and retention basin standards were expanded. We are clarifying standards because the floods changed our understanding of things we need in the requirements. City Manager Dotson commented on some ambiguous language such as the City Council being able to waive curb and gutter which is not something they can legally do, referring to Item I. Council Member Ross noted street lights in subdivisions have to be contracted from Rocky Mountain Power making it so the City doesn't have to own or maintain them.

Spencer Jones, a local developer, said he has concerns about the language regarding discharge of ponds that have to be in a drainage corridor. He said he is concerned because the retention ponds are meant to hold and discharge slowly and are required to hold "pre" and "post" development flows. Because that is being metered out slowly he is not sure why a corridor is needed as the natural land does that. He cited the extra cost incurred by a developer if easements to corridors are required to be obtained. There was considerable discussion of natural flows vs. drainage corridors that would result in the developer being required to calculate that for "mother nature". Ponds have to go in low spots anyway and accessing a drainage corridor is an extra burden on them for upstream water that is not from their own developments. City Attorney

Wayment said this is referring to water generated by hard surfaces only and “mother nature” handles water on the land. He said the language is not interpreted as Spencer thinks and corrected him saying there has to be a City plan for where the water goes. Spencer argued and gave examples of his subdivision with the Stake Center parking lot being all sized for the runoff. There was more back and forth from Spencer and counter points by City Attorney Wayment. Mayor Chesnut clarified what it says in the ordinance. City Attorney Wayment elaborated on what we look at saying the City can pay to upsize ponds if needed for the public good. There was more arguing by Spencer about other upstream water coming on him and details of if this passes tonight now developers are responsible for water all around them too and that is a financial burden.

City Manager Dotson said the detention basin code is the requirement to detain the water for a developer’s area for a 25 year post development event and restrict that water. It is not about what is coming from others but pre-development flows. It does not require the water from others to be dealt with, just his own water. The City does have the right to require compliance with a master plan for drainage. City Attorney Wayment clarified more details. If he holds all storm water he does not have to find an outflow area outside of his area as he detained all storm water. Mayor Chesnut said as City we need to direct where the overflow would go. There was more discussion of State Code and back and forth with examples of different cases from the past. Spencer maintained he can’t be required to do more than what the natural event would be and he should be able to put a pond where he wants it.

Mayor Chesnut cited how the flooding worked in Settlers Square and where the water went. It worked as planned and designed per Code. City Attorney Wayment said it is not a “taking” by requiring the developer to design for the good of the whole. If you want to develop the City can say you have to have the detention pond for your own water and that is not a “taking”. If the most logical place is not in a place where it is not possible to meter to a designated area then it becomes a retention basin instead. City Attorney Wayment said water has to go where it needs to go and is defined the two types of ponds. “Retain” is permanent hold and “detain” is metered out slowly. Mayor Chesnut said the City can say where it is metered to go in the case of the detention pond. We as a City have to dictate where water goes or it is impossible to do a plan for the City as a whole to institute a master plan. City Attorney Wayment clarified we are not putting extra requirements on one developer for the standards required. Safety issues are at play here. Mayor Chesnut said we can impose higher standards by State law if we see the need for that.

City Attorney Wayment suggested we have our City Engineer look at this ordinance and let them say what we can live with in this case. We can’t account for every contingency. Mayor Chesnut we have to do all we can to prevent flooding. There was discussion of various ways to pass this tonight by perhaps in the motion removing the contentious area in Part 3-Retention Basins for further review and pass the remainder of the ordinance to cover other pressing issues tonight. All agreed it is easier to exclude item C and pass it tonight for the other things. City Manager Dotson said regarding detention basins that it is already in our code. It is not an addition although it was underlined. The retention basins were added and copied from the Cedar City code.

**Council Member Jensen made a motion to approve Ordinance No. 2022-05-04-D, an ordinance amending the Enoch City Ordinance, Section 12.2500.2502, Minor Subdivisions and Section 12.2600 Major Subdivisions regarding improvements except for Section C item #3. The motion was seconded by Council Member Ross and a roll call vote was held as follows:**

**Council Member Ross-Yes  
Council Member W. Harris-Yes  
Council Member Stoor-Yes**

**Council Member D. Harris-Yes  
Council Member Jensen-Yes**



**10. CONSIDER RESOLUTION NO. 2022-05-04-A A RESOLUTION APPROVING THE COMPREHENSIVE MAINTENANCE AGREEMENT FOR COMPUTER EQUIPMENT –Mountain West Computers**

It was noted they are doing a great job for the City and this formalizes it.

**Council Member David Harris made a motion to approve Resolution No. 2022-05-04-A, as resolution approving the Comprehensive Maintenance Agreement for computer equipment. The motion was seconded by Council Member Westley Harris and a roll call vote was held as follows:**

<b>Council Member Ross-Yes</b>	<b>Council Member D. Harris-Yes</b>
<b>Council Member W. Harris-Yes</b>	<b>Council Member Jensen-Yes</b>
<b>Council Member Stoor-Yes</b>	

**11. CONSIDER RESOLUTION NO. 2022-05-04-B A RESOLUTION APPROVING THE CORRIDOR PRESERVATION AGREEMENT WITH THE UTAH DEPARTMENT OF TRANSPORTATION**

City Manager Dotson said we have been working on this since the Transportation Master Plan went into place. This document is UDOT's access agreement with us. It restricts us from allowing access on SR-130 to other than accesses that are on this list. They have identified locations for signals in the future and he gave details of the plans. This agreement is between the City and UDOT so it is in our development plans in order for us to direct developers. We will not allow what UDOT doesn't want. We work with them for accesses at their designated points for good reasons including widening the road, bike lanes, etc. This is not in our Code already so this is needed. We have to deal with it when developments come in. This puts their standards into our standards and is a good thing. It only affects SR-130. There was brief discussion of 6000 North which will not be a road at some point as it is a hazard onto SR-130. They want us to close it but there are problems with farmers etc. He showed the map and explained we are working with property owners to get it dedicated to us so we can deal with it. Their concern is we work together on this for evolving traffic needs. Council Member Jensen asked about the SITLA land and that has been considered for the needs of schools in the future. Council Member David Harris this is not restricting existing driveways and this is 55 mph road. Things need to improve and change.

**Council Member Jensen made a motion to approve Resolution No. 2022-0504-B, a resolution approving the Corridor Preservation Agreement with the Utah Department of Transportation. The motion was seconded by Council Member David Harris and roll call vote was held as follows:**

<b>Council Member Ross-Yes</b>	<b>Council Member D. Harris-Yes</b>
<b>Council Member W. Harris-Yes</b>	<b>Council Member Jensen-Yes</b>
<b>Council Member Stoor-Yes</b>	

**12. CONSIDER THE ENOCH CITY 2022-2023 TENTATIVE BUDGET AND SET A PUBLIC HEARING FOR MAY 18, 2022**

Every line item from the tentative budget was mentioned and/or discussed. Ashley Horton went over expenditures and revenues for the City. See changes as attached.

**Council Member D. Harris made a motion to set a public hearing for the 2022 – 2023 budget on May 18, 2022. Council Member Ross seconded and all voted in favor.**

**13. CONSIDER ENOCH CITY DUMP ISSUES (CONTINUATION WITH A FEE OR CLOSING) -Voice vote**

Council Member D. Harris said he would like to keep the dump and charge a fee. He suggested closing it when it's not used as often, such as January or February. Council Member

Jensen asked if the dump was limited to a couple of weekends a quarter would he still have to buy a new truck. Hayden said yes, along with new dumpsters and they are about \$10,000 each. He noted there are 1,022 people who have signed up for a pass. There was discussion on different dollar amounts to help fund the dump. Ashley said \$3.00 per month per household would help pay for the needed replacements. Council Member D. Harris asked about borrowing money for these items. Council Member Stoor said we either need to do it or give it up. Council Member Jensen said despite the fact that he likes having it, he recommended just stop doing it. Mayor Chesnut asked if it would be a benefit to make it more convenient and gave an example of cleaner neighborhoods. There could be less refuse and higher property values, even though some portion of the residents may not use it. The flip side is private property rights. Justin Wayment asked about impacting businesses. He gave an example about other people taking trash to the business dumpsters. Council Member Ross asked if money could be saved by having a trash company come in. Hayden said when the truck went down and someone came in to haul the trash off, they charged \$1200 for the week. There is discussion on monthly fees, including landfill fee and the refuse fee. Ashley said if we did charge the fee, we could have longer hours if we had employees to man it. Council Member Jensen suggested holding a public hearing. Ashley asked if the Council wanted to add it to the budget. Mayor Chesnut suggested putting it in and if they decided later to no longer operate it, and then they would can take it out.

**Council Member D. Harris motioned to continue running the City Dump with a fee as stated and put it in the budget for later approval. Council Member W. Harris seconded and all voted in favor.**

**14. CONSIDER RESOLUTION NO. 2022-05-40-C DELETION OF SUBMERSIBLE SEWER LIFT STATION FROM ENGINEERING STANDARDS**

Hayden White said we follow Cedar City's standards. We need to delete the submersible sewer lift station from engineering standards due to the amount of maintenance it requires. If we had our own we would need our own vector truck. It is also a safety hazard if a pump breaks down because someone would have to go deep down into the hole and work on it. Mayor Chesnut suggested delaying this item until the next meeting.

**Council Member Jensen made a motion to table the deletion of submersible sewer lift station from engineering standards for 2 weeks. Council Member W. Harris seconded and all voted in favor except Council member Jensen who voted no.**

**15. PUBLIC HEARING TO RECEIVE INPUT FROM THE PUBLIC WITH RESPECT TO THE ISSUANCE OF THE BONDS AND ANY POTENTIAL ECONOMIC IMPACT TO THE PRIVATE SECTOR FROM THE CONSTRUCTION OF THE CULINARY WATER SYSTEM IMPROVEMENTS, INCLUDING CONSTRUCTION OF A STORAGE TANK, TOGETHER WITH ALL RELATED WORK AND IMPROVEMENTS TO THE CITY'S CULINARY WATER SYSTEM.**

**Council Member Jensen made a motion to enter the public hearing with respect to the issuance of the bonds and any potential economic impact to the private sector from the construction of the culinary water system improvements, including construction of a storage tank, together with all related work and improvements to the City's culinary water system. The motion was seconded by Council Member Stoor and all voted in favor.**

Mayor Chesnut explained these infrastructure improvements for the public in attendance. He said we need this water tank to enhance our storage capacity. To fund it we require a bond. This hearing is for the purpose of taking comments because a bond a debt the City owes. Council Member David Harris said the terms are excellent for the City. Mayor Chesnut invited public comments.

Delaine Finlay asked if this was a tax.

*Mayor Chesnut said it will not result in a property tax increase but in a water rate fee increase. We project that to be about \$3 per house. He added those who use a lot of water will pay more and those who use less pay less. He elaborated to say this is a long term need like other things such as well acquisition. Our rate structure has been stagnant for several decades. We have water rights as a City but need to try to acquire more water sources in the form of wells. The City needs to get this tank and we have to borrow for it in the form of a bond.*

There were no other public comments.

**Council Member David Harris made a motion to close the public hearing and return to the regular meeting. Council Member Westley Harris seconded the motion and all voted in favor.**

## **16. COUNCIL/STAFF REPORT**

Hayden White said they are getting ready for asphalt and they should be chipping in June. They worked on a park and were out spraying weeds. The secondary system is pretty much maxed out. Council Member Ross asked about history signs and roundabout signs. Hayden said the history signs are done. He doesn't know about the roundabout signs.

Chief Ames said they are currently going through a BCI audit and Bailey is helping with that. They should have that completed in the next few weeks. Most of the drugs that they are seeing are meth and marijuana. Council Member W. Harris wondered where those drugs are coming from. Chief said typically they come from Mexico. They are also seeing fentanyl. A lot of that drug comes in a blue pill form and 40% are a lethal dose. The drug task force has seen it all over the place. They are really low on the task force, so we have Deven K. helping them out part time. He also mentioned that car windows are being shattered at the Rec. Center. They hired Brenda Pires recently, but she sold her house and now is moving out of state.

Ashley Horton said she has done a couple of audits and she is going to Treasure's Conference next week.

Mayor Chesnut said he went to the Iron County Coordinating Council meeting today and it was really instructive. They talked about setbacks of flood channels. Utah leagues of Cities and Towns did a presentation of what bills passed that were important. He had a discussion expressing desire for Enoch to work with Cedar City on corridor preservation.

Council Member Ross said the Planning Commission has been busy and had about a three hour meeting last Tuesday.

Council Member W. Harris said the Economic Development Committee will not meet tomorrow. They are excited about the business expo happening in June.

Council Member D. Harris said Cedar City is planning to compromise something with waste water. They want to do a deal with Bob Hope to pipe about 3,000 acre feet of water to the Enterprise Valley, put it on agriculture land, build a pipeline to pump about 1400 acre feet of water back and the water would be owned by Bob and leased to Cedar City. The Iron County Water Conservancy is opposed to exporting water out of our basin. He proposed that as a City we are not in favor of that plan. City Manager Dotson asked if the the water he's proposing to pump back to Cedar City curtailed in the future. Council Member D. Harris didn't know.

Council Member Jensen said he will not be running for the school board. He also had the annual meeting at the sewer treatment plant and despite all the growth, they are seeing the same amount of volume as last year.

Council Member Stoor said Arbor Day went pretty good last Saturday. There were about 15 to 20 people in attendance. They planted 15 trees with some bushes. The pump for the detention basin is working.

19. **ADJOURN**

**Council Member D. Harris made a motion to adjourn. Council Member W. Harris seconded and all voted in favor.**

 5/10/2022  
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Lindsay Hildebrand, Deputy Recorder    Date