

**MINUTES**  
**ENOCH CITY COUNCIL**  
**November 3, 2021 at 6:00pm**  
**City Council Chambers**  
**City Offices, 900 E. Midvalley Road**

**Members present:**

Mayor Geoffrey Chesnut  
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.  
J. Wayment, City Atty.  
Hayden White, PW Dir.-absent  
Robert Dotson, City Mgr.  
Jackson Ames, PD Chief  
Lindsay Hildebrand-Dep. Rec.

**Public Present:** Delaine Finlay, Robert Bromley, Richard Jensen, and Arlo Fawson

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

- a. **Pledge of Allegiance-** Ashley Horton
- b. **Invocation-Audience invited to participate-** Council Member D. Harris
- c. **Inspirational thought-** Attorney Justin Wayment
- d. **Approval of Agenda for November 3, 2021- Council Member D. Harris made a motion to approve the agenda. Council Member Ross seconded and all voted in favor.**
- e. **Approval of Minutes for October 20, 2021- Council member D. Harris made a motion to approve the minutes. Council Member W. Harris seconded and all voted in favor.**
- f. **Ratification of Expenditures- Council Member D. Harris made a motion to approve the ratification of expenditures. Council Member W. Harris seconded and all voted in favor.**
- g. **Conflict of Interest Declaration for this agenda-** None

Ashley Horton talked about wanting to raise points on the Fraud Assessment. She spoke with City Manager Dotson and they agreed on submitting an Ethics Policy that the Council Members will sign yearly. The Council Members agreed.

**2. PUBLIC COMMENTS**

Robert Bromley said he wanted to thank everyone during the election. He wished everyone well and congratulated the winners. There were no other comments

**3. REAPPOINT PLANNING COMMISSION MEMBER, ANDREW MEACHAM-  
Council Member Ross**

Council Member Ross said that Commissioner Meacham is up for his term on the Planning Commission and is willing to serve again. He is knowledgeable and she recommends reappointing him. **Council Member Ross made a motion to reappoint Planning Commission Member, Andrew Meacham. Council Member D. Harris seconded and all voted in favor.**

**4. CONSIDER MINOR LOT SUBDIVISION FOR MJB ENOCH, LLC-Go Civil Eng.**

Council Member Ross wanted to note that the Planning Commission sent a favorable recommendation. Arlo Fawson said it's pretty simple with just a few lots. The plan is to pull the water line off of old Hwy 91 and there will be a sewer easement. Council Member Ross wanted to know what is unique about lot number 1. Arlo said there is a Well there. There is discussion about having a PUD so others can use it. City Manager Dotson said there will be an HOA for irrigation. Arlo said there will be large lots.

**Council Member D. Harris made a motion to approve the Minor Lot Subdivision for MJB Enoch, LLC. Council Member Ross seconded and all voted in favor.**

**5. CONSIDER ORDINANCE NO. 2021-11-03, AN ORDINANCE AMENDING THE ENOCH CITY SUBDIVISION ORDINANCE REGARDING DEFINITIONS PERTAINING TO COMPLETION ASSURANCE IN MINOR AND MAJOR SUBDIVISIONS-City Mgr. Dotson**

City Manager Dotson said state code has changed and now has more specifications (what we called guarantees). City Manager Dotson explained what the guarantee is. It can be in a bond or a letter of credit. So, it guarantees that the infrastructure is put into the subdivision in case the contractor goes under. This came up because we have had builders say that they want a building permit but the subdivision is not done. The State says you can't deny the permit if there is Completion Insurance. As we researched this and talked to building officials and the state, we asked can the City comply and give someone a building permit.

Mayor Chesnut said this makes sense. City Manager Dotson said that we can reduce the amount that is held in a bond based upon how much of the subdivision is completed. In our current code it says that "it may be reduced proportionally" but it doesn't explain what that is. So, the wording is changed in the ordinance to reflect the details of this ordinance. We are changing some wording to match state code to 10%. We find that the challenge with the state code is that someone can go in and sell lots when there has been no construction done in the subdivision. If it's a developer, it's usually not a big deal. Our building inspector is not required to check road elevations, he does it, but how can he if the road isn't finished? We don't have to provide a Certificate of Occupancy. In the Parkview subdivision, the developer went bankrupt and the guy that built his house, then went bankrupt. We added the steps the developer can take.

Council Member Lee wanted clarification on the first line of the ordinance. City Manager Dotson Rob said that the current ordinance does not comply, so we are changing it.

**Council Member D. Harris made a motion to approve Ordinance No. 2021-11-03, an ordinance amending the Enoch City subdivision ordinance regarding definitions pertaining to Completion Assurance in minor and major subdivisions. Council Member W. Harris seconded and a roll call voted was held as follows:**

**Council Member Ross – Yes**

**Council Member W. Harris – Yes**

**Council Member Lee – Yes**

**Council Member D. Harris – Yes**

**Council Member Stoor – Yes**

**6. CONSIDER RESOLUTION NO. 2021-11-03, A RESOLUTION TO APPROVE AMENDING THE ENOCH CITY PERSONNEL POLICY, ARTICLE X, SECTION 11, OVERTIME BY ADDING LANGUAGE TO ITEM 7 REGARDING COMPENSATORY TIME-City Mgr. Dotson**

Ashley said that they usually pay out comp time in December and June. Some people want to use it on the holiday so they had the idea to carry some over to Dec. They discussed it and thought about carrying over 50 hours maximum and the first payroll in June could pay the rest of

it out. It doesn't affect the budget. City Manager Dotson said the reason they pay out when they do is because the comp time is owned. At the end of the year it pays out so that it doesn't go on the next year. It is budget neutral not man power neutral. Chief Ames and Public Works Director, Hayden, have the opportunity to say no. Council Member Lee asked if it was first come first serve. City Manager Dotson said yes. Mayor Chesnut wanted to consider that it impacts holiday scheduling. Hayden said it's a good idea. Mayor Chesnut said they don't have to use it in December, they can use it after. There are no issues with it.

**Council Member D. Harris made a motion to approve Resolution NO. 2021-11-03, a resolution to approve amending the Enoch City Personnel Policy, Article X, Section 11, Overtime, by adding language to item 7 regarding compensatory time. 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 Lee – Yes**

**Council Member D. Harris – Yes**

**Council Member Stoor – Yes**

**7. DISCUSS ANNUAL MODERATE-INCOME HOUSING REPORT AND SET A PUBLIC HEARING FOR NOVEMBER 17, 2021-City Mgr. Dotson**

City Manager Dotson said every year the City is required to report on this about the things being done to increase moderate housing in the community. It's a legislative requirement. It has always been a question of whether the state wants to see the City do more every year. There are 28 different tools that they can use and some of them can help create housing. Cedar City Housing Authority does this. The forms have to be filled out in order to receive transportation funding. Council Member Lee asked if we help develop active transportation would it help increase mobility. City Manager Dotson said it does help.

**Council Member D. Harris made a motion to set a public hearing for November 17, 2021. The motion was seconded by Council Member Ross and all voted in favor**

**8. DISCUSS THE PLANNED UNIT DEVELOPMENT (PUD) ORDINANCE**

Council Member D. Harris said that there is an ordinance that he wants to bring forward, but it hasn't been entirely proofread, so he made a motion to table this item until Nov. 17<sup>th</sup>. Council Member Lee said as they are editing, she wanted them to think about parking. That is one of the biggest frustrations. Some streets can be narrower than others. Council Member D. Harris said it is 0.85 parking spaces per bedroom in individual units. Council Member Ross asked if they would round up. Council Member D. Harris explained the math. He thinks that he got it so there would be adequate parking. Council Member W. Harris said that was a concern for him as well. Council Member Lee said that she doesn't think that Enoch City has an ordinance that allows an M-R-2 for complexes. Council Member D. Harris said multiple families will be allowed. It will only be allowed in the PUDs. Council Member Lee asked if that meant that we couldn't have a PUD. City Manager Dotson said there is a limitation on acres. It's 75 acres. Council Member Ross asked whether the garage and the driveway counts as 2 spots each, with a total of 4 parking spots. Council Member D. Harris said yes they can. City Manager Dotson said it talks about additional off-street parking. If they don't have enough room and the streets aren't wide enough, they can have street parking. Council Member Lee said private streets are not maintained by the city. She asked if all the streets in the PUD were private. City Manager Dotson said it's the choice of the developer and the City. Council Member Stoor asked what is the reason we would allow the PUD? Council Member D. Harris said it allows the developer to do more than he wants to do. It fulfills some demand in certain areas for smaller units and allows for building smaller units by busy streets. He liked that they talked about 150 acres developed over time. So, start with 10

acres and make them 20 lots or 8 lots, and develop as patch work. The PUD allows you to build the whole thing at the same time and have some commercial etc., transportation is planned out and the whole plan makes sense. City Manager Dotson said it's typically done in phases. Council Member D. Harris said yes, but the plan would be done first. 150 acres is the minimum. There are only a couple of places where that could happen. You can plan housing, churches, commercial, parks etc. so it all makes sense from the beginning. Council Member Lee asked about water shares. City Manager Dotson said that they are working on that. Attorney Justin Wayment said that 150 seems too large. Reid Erickson has some good examples. St. George has high and low density residential and they flow together especially with parking. He has pictures that the City Council can review. Council Member D. Harris said size has been the bigger topic discussed and he said he wouldn't mind changing it.

**Council Member D. Harris made a motion to table this item until November 17, 2021. Council Member Lee seconded and all voted in favor.**

**9. CONSIDER SUBMITTING AN RFP FOR A MASTER STORM DRAINAGE PLAN**

City Manager Dotson said that we discussed this last time. Mayor Chesnut said that in order to put a master plan together, we need to have an engineer and bid it out. City Manager Dotson said that his intention is to do this street by street. Mayor Chesnut said we need to have this in order to fill the gaps in the developments. You have an old part of Enoch that sat and now the growth has tripled in size in less than 10 years. City Manager Dotson said there are different plans that have been done over the years but they are so generalized. The City needs to have engineers detail every aspect of each neighborhood and take into account every street. There is no city that has a plan for every single street. This will take money and time. Council Member Lee asked if the City has money. City Manager Dotson said they don't know yet what this will cost. Once they figure out the scope and what the end result will be and fund it, then they can have a prioritized timeline for completion. This will help protect developers, the City, and the residents. Mayor Chesnut said that right now is probably the only time we will have the political will to fund it and not just the City Council, but the residents as well. Council Member Stoor said he liked the idea for a street by street sweep of the engineers and having everything prioritized. Mayor Chesnut said that they will work to put together what they want the plan to look like and take it to the engineers and get a bid for a plan.

**Council Member D. Harris made a motion to approve to submit an RFP for a master storm drainage plan. Council Member Ross seconded and all voted in favor.**

**10. COUNCIL/STAFF REPORTS**

Hayden White said they started putting pipe in on Half Mile. The Public Works Department also got the track hoe back from the shop and they should have the pipe tied in to Little Eden by Monday. They will tear up that intersection. They are starting a bunch of classes next week to renew licenses. They sold 2 dump trucks because they had 2 come in and were able to get \$12,000 for them. The department's pressure washer went out, which costs \$6,000, they need a new jumping jack, which costs \$3,000 and chop saw, which is \$1200. Hayden asked to use the money from the dump trucks to purchase these 3 items. The flag pole will be installed on Monday. They also gave out 500 passes for the sump so far. This weekend is the Dump Cleanup extended hours.

Chief Ames said that it has been nice to be fully staffed. The police department has been busy as usual. Last week they found a drug house. They also have a few fundraisers coming up, the Festival of Trees and Shop with a Cop, which will be on December 11<sup>th</sup>. Things are going well.

Attorney Justin Wayment said that he had nothing new to report. There is discussion about ballot counting.

Ashley Horton said she doesn't have anything new. She mentioned the Diaper Tree in the front foyer of the City office.

City Manager Dotson said that December 11<sup>th</sup> is when the newly elected officials training. The City pays for it. It's usually from 9 am to noon. Also, open burn is an issue because our residents have to get a permit. He is working with some people to give Enoch City residents online access to get a permit. The District Community Meeting is tomorrow night at 7pm.

Julie Watson said that there is going to be a special meeting on the 16<sup>th</sup> at 6 pm to canvass the election results. It will be about a 3 minute meeting.

Lindsay Hildebrand had nothing new to note.

Mayor Chesnut said there will be redistricting in the state legislature and there is a possibility that Enoch may be redistricted by a house member that covers Enoch, Beaver and Richfield. They also discussed that there will be a new Justice Center with a focus on a corrections facility. They have found a spot and it's under contract based upon Cedar City's Conditional Use Policy. There is a 40 acre parcel that they can use to move the sheriff's office, correctional facility, maybe the courts, and the Iron County Attorney's office. There was discussion about putting one across from the animal Shelter. They wanted something more centralized.

Council Member Ross said that Wreaths Across America is Saturday December 18<sup>th</sup> and are just under \$400 short of the yearly goal. They will have donation bins at the event to start next year.

Council Member W. Harris said that he didn't have anything to report.

Council Member D. Harris said he had nothing to report.

Council Member Lee said she missed the last meeting but was on a long road trip.

Council Member Stoor said during one of his meetings the members talked about Iron Mountain and putting most of the money in one thing to get it done. They talked about power for the pump in the Iron Mountain pond. The next meeting is the 3<sup>rd</sup> Thursday of the month.

**11. 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)

**12. ACTION FROM CLOSED MEETING-**

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

 11-17-21  
**Julie Watson, Recorder** **Date**