

**MINUTES**  
**ENOCH CITY COUNCIL**  
**September 2, 2020 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  
Ashley Horton, Treas.  
Justin Wayment, Atty.-Absent  
Hayden White, PW Dir.  
Robert Dotson, City Mgr.  
Jackson Ames, PD Chief

**Public present:** Derek Nelson, Cedar City Fire Chief Phillips, Aaron Tiede, Andy Funderburk and Lowell Sorenson

1. **CALL TO ORDER OF REGULAR COUNCIL MEETING-**By Mayor Chesnut at 6:00 pm in person and on Zoom.
  - a. **Pledge of Allegiance-**Led by Council Member West Harris
  - b. **Invocation-**Audience invited to participate-Given by Council Member Stoor
  - c. **Inspirational thought-**Given by Council Member Lee
  - d. **Approval of Agenda for September 2, 2020-Council Member David Harris made motion to approve the agenda. Motion was seconded by Council Member West Harris and all voted in favor.**
  - e. **Approval of Minutes for August 19, 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 as shown on the lists. Motion was seconded by Council Member Ross and all voted in favor.**
  - g. **Conflict of Interest Declaration for this agenda-none stated**

2. **PUBLIC COMMENTS-**

Aaron Tiede said he has an issue with the roof pitch on residential buildings in our ordinance. We require a 5/12 roof pitch which was intended for modular homes. There are many different building styles now with roof pitches that are engineered for snow loads and other things required. There are Spanish or adobe roofs which are flat and other types of roof styles. He would like to build a “barn de minium” and adding a 5/12 roof pitch would cause the cost to be about \$16,000 more. His roof for this home would be 4/12. The proper engineering covers all issues and 5/12 is not necessary. Aaron said the issue is timing and his finances. ***City Manager Dotson said he thinks our City Attorney would say the wording is not inclusive enough. This was put in place years ago with the main objective being esthetics for manufactured homes. As the ordinance is now written it does not allow someone to build other types of structures that can have lower roof pitches such as a “barndeminium”. If the Council wants to take it farther they can send it to the Planning Commission for review of the language and intent. We don’t change the code for one person to do something but if there is a problem we could look at changing the language to cover building style changes. This is subjective and it refers to architectural styles by saying “such as”. Council Member Stoor said he thinks we should send***

*it to the Planning Commission and let them go through it so people can build what they want. Architecture and times have changed. Prairie style, like ranch style have low pitched roofs but are engineered to be sufficient. City Manager Dotson said we could approve this and then we would want it to be clarified in the Code. He said right now we could allow him to do it. It is a style of architecture. If you are going to change it we want that direction from the Council. Mayor Chesnut said he thinks he is hearing the consensus is the City Council is leaning that way to have the Planning Commission look at it and make it less subjective. They don't see a problem with this request tonight. Council Member David Harris said he thinks it would be fine and he thinks we can adjust the ordinance but let him move ahead now. Council Member Lee thanked him for bringing this up. She said when we become aware of a problem we can have the Planning Commission update the language. There is no reason not to go ahead now. There was a consensus for him to go ahead and we will clean up the ordinance through the regular process.*

Andy Funderburk said he wants to build a home with a 3/12 roof pitch. He said it is engineered for snow load and all other requirements. Cost is the main thing. They want to get it going to beat winter. There are different types of buildings now and things have changed. If engineered properly it works. 5/12 does not fit anymore for many styles of homes. **The City Council agreed he could proceed also and we will take the necessary steps to make the ordinance reasonable for current building trends.**

**3. NORTH FIRE STATION PRESENTATION-Derek Nelson & Lowell Sorenson, CCFD-The Council will observe a presentation regarding the potential Cedar City North Fire Station.**

Derek Nelson came up to give the presentation. He showed the map of a recent fire and the time it took to get to Katie Court from the main fire station was about nine minutes. The idea is to have a station closer to Enoch. The land being considered is by the bowling alley and he showed the spot. With that location their response time would be reduced by two to three minutes. Chief Phillips said in 30 seconds a fire can grow exponentially and become much worse. Response time makes a big difference. Derek showed manpower and costs. He gave many details of how the Fire Dept. is scheduled and serves their shifts and the costs for the manpower. A new station would have two shifts of 12 hours each. The increased cost would be covered by an inter-local agreement between Cedar City, Enoch and Iron County. Mayor Chesnut asked Chief Phillips about his thoughts on this and how Cedar City feels about this now. Chief Phillips said currently the north station by the school bus yard is not designed or built to be staffed. It was for equipment storage and other things. Cedar City could repurpose that building for something else. This proposal is much better for faster response time. There was more discussion of other things Cedar City is considering, the pros and cons and political issues that have to be dealt with tactically. Funds are an issue. We currently don't pay for anything but manpower.

Mayor Chesnut said Cedar's concerns that have been expressed is whether or not Enoch would pay its way in this or are we asking Cedar to get it all for our benefit. We want to be a good partner with Cedar on this venture and need to let them know that is our intention. Mayor Chesnut said Chief Phillips is in a delicate position and needs to stay on good terms with Cedar City for political reasons regarding his budget needs. Potentially we could apply for CIB grants with Cedar City and Iron County to get some funds for this. The CIB board loves coordination of entities. Mayor Chesnut said to that end when the discussion came up we volunteered Enoch to take the lead in getting the money so it is a mutually good outcome for the northern end of Cedar City and for Enoch. What we want to do as administration is to revise the inter-local agreement. We put in a building fund for getting funds for this use. That way we show we have skin in the game. There needs to be something in place to make the northern area of Cedar City and Enoch

stronger. Also this impacts our ratings for insurance. We need to look at the long term to sustain what we need.

There was more discussion of ways to fund this venture with possible fees, grants or loans. The bottom line is the public needs to be educated about the actual costs of having a Fire Dept. What we pay now won't even buy half of a fire truck. Mayor Chesnut said the inter-local agreement used to be on a per call basis and now each entity is based on property values for their whole budget and how much they protect in Enoch and that is where our fee comes in. We have mostly residential and not so much commercial so there is not as much value and we pay a smaller portion. We can't begin to afford our own Fire Dept. City Manager Dotson said we are in the process of hiring a firm to do a new study on our Impact Fee Facilities Plan for public safety, parks and transportation. City Manager Dotson said he is going to suggest we look at including fire protection as part of public safety for the impact fee. We have to spend the PD impact fees for their new building. We need to message the community that we need this public safety as a basic function of government. We have to educate the public to realize this need to mitigate the risk to our community. To persuade Cedar City we have to come with more than what we have so far. We are working with Chief Phillips for a partnership with them and us bringing our share. If we could list all the things the Fire Dept. does for Enoch we would be amazed at the deal we are getting. We pay \$128,000 a year. There was more discussion of the costs of running and manning a fire station. Council Member David Harris suggested we could write a letter of intent to Cedar City to say we will do all we can to look at CIB and other funding sources and do better than what we pay now to make the north fire station happen. We could even look at borrowing. Mayor Chesnut and City Manager Dotson thought that would be a good place to start. They have talked to Cedar City several times but we need to have the whole City Council get on board with something saying we are willing to do the work. City Manager Dotson will write the letter and the Council Members will all sign it saying what we will do. Mayor Chesnut thanked everyone for their input. He said he is ready to go back to Cedar City with something positive.

4. **PUBLIC HEARING ON PROPOSED CHANGES TO THE ENOCH CITY FEE SCHEDULE**-The public will be able to state their issues or concerns with some fees being changed. The changes have been posted online for public review.

**Council Member David Harris made a motion to close the regular meeting and go into a public hearing on the changes to the fee schedule. The motion was seconded by Council Member Ross and all voted in favor.**

Mayor Chesnut said these changes are for other things and not the water fees. He cited some of the changes. There were no comments from the public.

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

5. **RESOLUTION NO. 2020-09-02 A RESOLUTION TO AMEND THE ENOCH CITY FEE SCHEDULE**- The Council will consider the proposed changes to the Enoch City Fee Schedule.

Mayor Chesnut asked if there was more discussion or a motion.

**Council Member David Harris made a motion to approve Resolution No. 2020-09-02, a resolution to amend the Enoch City Fee Schedule. The motion was seconded by Council Member Ross and a roll call vote was held as follows:**

<b>Council Member David Harris-Yes</b>	<b>Council Member Stoor-Yes</b>
<b>Council Member Ross-Yes</b>	<b>Council Member West Harris-Yes</b>
<b>Council Member Lee-Yes</b>	<b>Motion passed unanimously</b>

**6. ADDITIONS TO THE SURPLUS PROPERTY LIST-Rob Dotson, City Mgr.**

The Council will consider additions from the Public Works Dept. to the Surplus Property List

City Manager Dotson listed some changes that Hayden had submitted. Hayden explained his intent. He said in his first two weeks they cleaned the yard and the crew explained what all the “stuff” is. A lot of it has not been used in years. There is no point in keeping the generators that don’t work. Snow plows don’t fit on the trucks we have now. Many things are not worth the cost to fix. That is what he is getting rid of mostly to clean the yard up and maybe get a little money for it.

**Council Member David Harris made motion to approve the additions to the Surplus Property List. The motion was seconded by Council Member Lee and all voted in favor.**

**7. COUNCIL/STAFF REPORT**

Hayden White reported they passed the State water inspection today with some minor things to fix. They tested well sites. We are asphaltting roads starting at California Trail and working east. The Little Eden well came in pumping 500 GPM for 18 hours with 22 feet of drawdown. If we wanted to push it we could get 1200 gallons a minute. It is an irrigation well and we can use it to irrigate Old Enoch Park, the school, church and maybe the cemetery. That would get them off of the culinary system and save almost half a million gallons a day. They are assigned to go for it. City Manager Dotson added we were authorized by a landowner to put an easement through his property in an existing easement to run the pipe. It is right next to the well. City Manager Dotson said he wants to pay him for the easement but the owner did not ask for payment at this time. We will contact the school and church and get back to him on doing this water line for them to irrigate with.

Chief Ames weighed in on north fire station saying he thinks it is a great thing to have and it would reduce response times. School started and things are going fine so far. He asked if the Council Members had looked through the Code for things we need to change or get rid of. It was suggested a working group be formed to get something to bring back to the agenda later. Council Member Lee and Council Member West Harris said they would be on the working group. Chief Ames said he did submit the SMOT list and it is in the works.

City Manager Dotson said the CDBG workshop is coming up in October and if we are going to apply an elected official needs to attend with him. He asked for volunteers. Council Member David Harris said he could go. He reported he is working through the impact fee proposals to choose one of the firms to do the Impact Fee Facilities Plans and needs to schedule interviews. Council Member Ross said she could help Wednesday at 6:00 pm and on Tuesday after Planning Commission meeting. He reported Parkview Subdivision is changing drastically. There is a property trade in the works with someone. The County has sold a lot of it and Phase 3A was recently vacated. 4A, 4B and 4C are left. They have all been purchased by one person except for a few others. The person who bought most of it is negotiating to buy those other lots. One owner wants to trade us his lots for the lots the City owns. We have built a road through there so that is a good trade. When we vacate it all eventually we will take all of our property and make it all Enoch. When you vacate the lots go away and we adjust property lines. Council Member David Harris said it is worthless land so do the trade. No one had any issues with the trade. He will do the trade and George Lutterman will deal with the rest.

Mayor Chesnut reported he went to ICCC and RPO meetings today to coordinate with our partners for our needs. He talked about our water. The next meeting is in November and we will host it in Enoch. We need a closed meeting to discuss the purchase, exchange or lease of real property including any form of water rights or water shares. Also we need to get more aggressive on purchasing other wells in another meeting in the near future.

Council Member Ross reported the Planning Commission is still working on PUDS also they are fixing an ordinance where there was confusion on the amount of a lot an accessory building can occupy. She said the Boebert Park sign is wonderful.

Council Member David Harris reported they are still trying to give businesses money for their Covid losses and it is working better. They will meet again next Tuesday.

Council Member Lee reported she had a road meeting with City Manager Dotson and Hayden and they will go on a field trip tomorrow to view issues. 4200 North is getting double chip sealed. The roundabout committee had a meeting and they are a great committee and are doing some things with lighting. It is going well.

Council Member Stoor reported they haven't had parks meetings because there is not too much to talk about. If our water situation is improving he would like to push on with Iron Mountain Park. Hayden said they are working on it but it is not first on the list with so many other projects. Council Member Stoor reported the RDI system is using more water than the pop up system. He has been on phone with RDI and they are figuring out some things. He said he is still hopeful.

8. **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 to discuss the purchase, exchange or lease of real property, including any form of water rights or water shares. Motion was seconded by Council Member Ross and a roll call vote was held as follows:**

<b>Council Member David Harris-Yes</b>	<b>Council Member Stoor-Yes</b>
<b>Council Member Ross-Yes</b>	<b>Council Member West Harris-Yes</b>
<b>Council Member Lee-Yes</b>	<b>Motion passed unanimously</b>

9. **ACTION FROM CLOSED MEETING**-Agreement for well purchase was amended to change it from 20 years to 25 years and to move forward with purchase.

10. **ADJOURN**-The regular meeting ended at 8:18 pm.

	9-16-20
<b>Julie Watson, Recorder</b>	<b>Date</b>