

**MINUTES
ENOCH CITY COUNCIL
April 19, 2017 at 6:00pm
City Council Chambers
City Offices, 900 E. Midvalley Road**

Members present:

Mayor Geoffrey Chesnut
Council Member David Harris
Council Member Steve Johnson
Council Member Jolene Lee
Council Member Dave Owens
Council Member Shawn Stoor-by phone

Staff present:

Julie Watson, Recorder
Ashley Horton, Treasurer
Gary Kuhlmann, City Atty.
Robert Dotson, City Mgr.
Jackson Ames, PD Chief
Earl Gibson, Public Works

Public present: Dilworth Armstrong, Lynn Nielson, David Benkert, Judy Bolander, Greg & Allison Peterson, Scott Jolley, Brett Taylor, Cassie Easley, Ashley Howe and Carolyn Bauer

1. CALL TO ORDER OF REGULAR COUNCIL MEETING-By Mayor Chesnut at 6:00pm. He welcomed the audience.

- a. **Pledge of Allegiance-**Led by Council Member Owens
- b. **Invocation-**Audience invited to participate-Given by Judy Bolander
- c. **Inspirational thought-**Given by Council Member Harris
- d. **Approval of Agenda for April 19, 2017-Council Member Harris made a motion to approve the agenda. Motion was seconded by Council Member Owens and all voted in favor.**
- e. **Approval of Minutes for April 5, 2017-Council Member Owens made a motion to approve the minutes. Motion was seconded by Council Member Harris and all voted in favor.**
- f. **Conflict of Interest Declaration for this agenda-**none stated

2. APPROVE NEW MEMBERS TO THE RECREATION ADVISORY BOARD

Mayor Chesnut said we have had five applications come in for the reconstituted Recreation Advisory Board. They are from Andy Funderburk, Carolyn Jones, Jerry Womack, Roger Olcott and Dave Jacobsen. Mayor Chesnut said he knows all of them and would recommend them because they want to be involved. **Council Member Harris made motion to approve the five new members. Motion was seconded by Council Member Owens and all voted in favor except Council Member Johnson who said he is not in favor of having this committee because government should not be involved in providing recreation.**

3. ORDINANCE 2017-04-19-A AN ORDINANCE AMENDING THE ENOCH CITY ZONING ORDINANCE REGARDING ALLOWING GUEST HOUSES IN VARIOUS ZONES

Council Member Harris was asked to tell the Council about this from the Planning Commission discussion. He said this allows people to put a small home on their property which could be for a relative like a “mother-in-law” cottage. This has been done in other cities. Our provisions would be that the home would be 800 SF (square feet) or less and would be on a permanent foundation. Also the utilities would be metered together through the main home. As our population ages many are caring for older family members so this is a social need. We have had many residents ask for this use on their property. This does not increase density but gives the option for a separate space for a relative or others. **Council Member Lee made a motion to**

approve Ordinance No. 2017-04-19-A, an ordinance amending the Enoch City Zoning Ordinance regarding allowing guest houses in various zones. The motion was seconded by Council Member Harris and a roll call vote was held as follows:

Council Member Johnson-yes	Council Member Harris-yes
Council Member Stoor-yes	Council Member Lee-yes
Council Member Owens-yes	Motion passed

4. **ORDINANCE 2017-04-19-B AN ORDINANCE AMENDING THE ENOCH CITY ZONING ORDINANCE REGARDING AMENDING SIDE SET-BACKS ON CORNER LOTS**

Mayor Chesnut asked Council Member Harris to explain this from the Planning Commission discussion. Council Member Harris drew a picture on the board to show the example of why this is needed. It is only for corner lots in regard to accessory buildings like garages. After discussion we had no reason not to let the side set-backs be closer to the side yard fence. It is in the new ordinance that there is no ingress/egress allowed from the side yard unless there is a 20 foot set back. Some residents have asked for this to be allowed and we could find no reason why not with some provisions. **Council Member Owens made motion to approve Ordinance No. 2017-04-19-B, an ordinance amending the Enoch City Zoning Ordinance regarding amending side set-backs on corner lots. Motion was seconded by Council Member Harris and a roll call vote was held as follows:**

Council Member Johnson-yes	Council Member Harris-yes
Council Member Stoor-yes	Council Member Lee-yes
Council Member Owens-yes	Motion passed

5. **ORDINANCE 2017-04-19-C AN ORDINANCE AMENDING THE ENOCH CITY ZONING ORDINANCE REGARDING FENCE HEIGHTS ON CORNER LOTS**

Mayor Chesnut asked Council Member Harris again to explain. Council member Harris drew another picture to illustrate. We have instances where homes are placed diagonally on a corner lot. The current ordinance mandates fences are to be parallel to the house. With set-backs and side yards there is no reason not to put the fence in line with the diagonal house layout. Council Member Lee asked if this is a three foot fence from the front of the house to the property line and then six feet high in the back. That was confirmed. Mayor Chesnut asked for motion. **Council Member Owens made a motion to approve Ordinance No. 2017-94-19-C, an ordinance amending the Enoch City zoning Ordinance regarding fence heights on corner lots. Motion was seconded by Council Member Lee and a roll call vote was held as follows:**

Council Member Johnson-yes	Council Member Harris-yes
Council Member Stoor-yes	Council Member Lee-yes
Council Member Owens-yes	Motion passed

6. **PUBLIC HEARING ON ADDING A RESIDENTIAL ZONE ALLOWING 11,000 SQUARE FOOT LOTS (R-1-11) TO THE ENOCH CITY ZONING ORDINANCE**
Council Member Harris made a motion to close the regular meeting and go into a public hearing. Motion was seconded by Council Member Owens and all voted in favor.

Mayor Chesnut invited public comments asking those speaking to state their name for the record.

Scott Jolley with Home Smart Advantage Realty said he is here on behalf of the real estate industry. For full disclosure, he said he is in favor of this change. He wanted to give some information on why they are in favor of the change. The top three reasons are we have a housing

shortage in Utah and it is getting worse. The population will double by 2050. Jobs are coming into Utah because of good business practices. The types of buyers they see now don't want half acre lots. They want smaller lots and not a lot of yard work. The third reason is in Iron County we have almost no affordable housing. Smaller lots and homes will help that shortage because it gets the cost of the lot down. He gave more details about the number of households in the State. He added as they look at the market this is badly needed and will help Enoch to be prepared for a larger population to come. Also the aging population wants smaller lots. He is not proposing a development but said this will make the lots affordable by being smaller. He commended the City Council for being proactive on this issue.

Judy Bolander said they moved to Enoch because they like the half acre lot size. Her concern is if this lot size would be allowed anywhere. ***Mayor Chesnut said no. When someone has a tract of land they want to develop they would apply to get a zone change for that tract of land. It is not allowed for individual lots within platted subdivisions to be rezoned in a random manner.***

Council Member Harris made a motion to close the public hearing and return to the regular meeting. Motion was seconded by Council Member Owens and all voted in favor.

7. ORDINANCE 2017-04-19-D AN ORDINANCE AMENDING THE ENOCH CITY ZONING ORDINANCE TO ADD A RESIDENTIAL ZONE ALLOWING 11,000 SQUARE FOOT LOTS (R-1-11)

Council Member Johnson had a question about civic signs and why we are restricting them. He said he thought we changed the sign ordinance about that. City Attorney Kuhlmann said that change to the sign ordinance was on public property not private. A civic sign could be a comment on the government or a statement of some sort. He added we can regulate the size of the sign but not the content. It was noted this language is written in all of the residential zones.

Council Member Harris made a motion to adopt Ordinance No. 2017-04-19-D, an ordinance amending the Enoch City Zoning Ordinance to add a residential zone allowing 11,000 square foot lots (R-1-11). The motion was seconded by Council Member Owens and a roll call vote was held as follows:

**Council Member Johnson-yes
Council Member Stoor-yes
Council Member Owens-yes**

**Council Member Harris-yes
Council Member Lee-yes
Motion passed**

8. DISCUSSION AND SET A PUBLIC HEARING ON TENTATIVE BUDGET FOR MAY 3, 2017

Mayor Chesnut said we talked a lot last meeting and the discussion was productive. We also discussed the adjustments made. Ashley said the copy they were sent last night by email had some adjustments but she did not adjust anything for the Spillman license because she did not think the Council had decided. Ashley said one other line item we found out will change is home business licenses. City Manager Dotson said the new law passed by the State Legislature changes requirements for home based businesses. We cannot charge them for the business license unless they are causing an "off-site impact". If someone has a home based business and the street is impacted then we can charge a fee. We have to prove they are causing an "off-site impact". We can require home based businesses to be licensed but we cannot charge people for that license. That impacts the budget by \$3,120 based on the current list. We will have to adjust line 10-32-100 down by that amount. Council Member Harris said he is in favor of the Spillman license going for police pay raises. Council Member Owens agreed that should go to the PD raises. Council Member Stoor said he agrees with that change also. Ashley said she would make those adjustments.

Council Member Johnson said he would like to share his statement regarding wages. He read a prepared statement which is attached to these minutes. In essence he recommends that we

institute a fair step pay increase based on merit and a COLA (cost of living adjustment). Mayor Chesnut thanked Council Member Johnson for his work on stating his position. He asked for other comments and there were none. **Council Member Harris made a motion to set a public hearing on the tentative budget for May 3, 2017. Motion was seconded by Council Member Owens and all voted in favor.**

9. PUBLIC COMMENTS-Mayor Chesnut invited public comments.

Greg & Allison Peterson thanked the City Council for the changes made tonight for corner lots saying they appreciate being listened to. They saw the government process at work and they appreciate the public service given by the Planning Commission and City Council. **Council Member Lee added the Petersons came up with some of the solutions.**

Judy Bolander said she too appreciates the way this was handled and for the changes made.

Brett Taylor with the Iron County Board of Realtors and with Home Smart Advantage said he has looked at the ordinances and attended other area Council meetings. He said he can't thank this City Council enough for allowing people to use their land in ways best suited to them. We are inviting people to come to this community. He said we are the "crowning jewel" of the County and they are happy to support this municipality.

Cassie Easley said she has some ideas about the salaries and the fairness of that. She agrees with Council Member Johnson's comments. She applauded Chief Ames for finding a way to give raises to officers and stay within the budget. She said one thing that bothers her is the flag in Garden Park flies 24/7 without being lit at night and she thinks that is disrespect for the flag.

David Benkert said he has a lot of questions. He wants to know who is migrating to Enoch. With new ordinances where you reduced the lot size can he sell half of his lot? **No, he was told. Mayor Chesnut said they would have to seek a zone change for this new zone and it will not be "spot" zoned in platted subdivisions.** Mr. Benkert congratulated Council Member Johnson for his hard work on the pay increases for City workers. They both drive school buses. Anyone can leave and go somewhere else to work. We want a living wage for workers not extra money for them to go to Mesquite. **Mayor Chesnut said we do not judge people on how they spend their money. We don't determine what we pay based on how they spend it.** Mr. Benkert said he meant they should have a living wage and we should make them sign contracts to pay the City back for training costs if they leave early. **Mayor Chesnut said we have a lot of turnover and the issue is we have certain expectations of employees. His concern is that we compensate them appropriately so they can take care of their families. Council Member Harris said there has to be a line for the maximum they can get. He agreed with work contracts requiring they work here a certain amount of time when training is paid for by the City.**

10. COUNCIL/STAFF REPORT

Chief Ames reported the Easter Egg Hunt went well and thanked all who participated and helped. By way of note the two new officers do have contracts to stay for a certain period of time. Also with warm weather more kids are out on ATV's and we are talking to them about the rules.

Council Member Lee explained the Eagle project at Garden Park saying he put a solar light on the flagpole. She is not sure it works now. Garden Park residents have paid for this and the volunteer has not finished the work. Right now in Enoch City there is not even a budget for a new flag. The life span of flags is six months with this wind. The limited budget is why we don't have things like new flags and lighting.

Earl Gibson reported the crew put a new roof on the pavilion and snack shack at Old Enoch Park. They are working on getting ready for summer and will be turning on the secondary irrigation system soon.

Lynn Nielson said things are busy. Building is picking up and he has lots of calls each day with questions. Also there has been a lot of buzz about the new things passed tonight. He is grateful for the changes made to help residents use their property as they want to.

City Manager Dotson said we calculated Lynn does two inspections per hour. He also has to do plan reviews and tries to complete that work in two days all while taking lots of calls with questions. He is a great resource and the builders love him. City Manager Dotson reported the City clean-up is this weekend and next. Friday and Saturday the dumpsters will be open 8:00am to 5:00pm. No construction debris is allowed. Also a letter was sent to all of the churches inviting them to participate. On Thursday April 27th from 6:00pm to 8:00pm pm there will be an open house on the Capital Facilities Plan (CFP) put on by Sunrise Engineering to get public input. We have posted this event everywhere online and on the marquee. Arbor Day is April 29th at Cottonwood Park and a lot of work is being done there.

Council Member Johnson said to be clear on what City Manager Dotson said, he wants to confirm that Lynn does two inspections per hour so 16 per day. ***Lynn said it depends on the day. Some take longer than others. Plan reviews on average are three hours. 35 new homes are being built now plus he takes dozens of calls each day.***

Council Member Harris said tonight culminated the work of the Planning Commission who worked very hard on these changes to the Zoning Ordinance.

Council Member Stoor said Cottonwood Park is coming along. They gave away the sod that was pulled up. An Eagle project was worked on last weekend to modify the sprinkler system so it will work with their plan. They have sod to remove on the pathway area this Friday so more sod will be available if anyone wants it. On Arbor Day they will need volunteers to plant over 100 trees.

Council Member Lee said she has been working with the new Recreation Advisory Board and getting that running. These are great people and who want to do neat things. She asked why there is a delay on bringing anything to the City Council on the Howe annexation. Ashley Howe in the audience said it is lambing season going on now so that is all they are doing. ***City Manager Dotson said the annexation agreement has gone to our attorney and to Gary Howe who needs to respond. There are requirements to be met for this annexation before things can move ahead.***

Council Member Owens said the EDC has finalized their survey going out to the public via Facebook and mailing with the water bill. They hope to see some good response and information from that.

11. ADJOURN-Motion to adjourn by Council Member Harris. Motion was seconded by Council Member Owens and all voted in favor. The meeting ended at 7:25pm.

Julie Watson, Recorder

Date