

MINUTES
ENOCH CITY COUNCIL
April 19, 2023 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:

Robert Dotson, City Manager
Ashley Horton, Treasurer
Justin Wayment, City Attorney
Hayden White, Public Works Director
Lindsay Hildebrand, City Recorder
Jackson Ames, PD Chief

Public Present: Chad Fain, Alyssa Fain, Bryce Poulson, Andrea Poulson, Karen Thelin, Mallorie Thelin, James Thelin, Delaine Finlay, Seth Jessop, Mike Mestas, Ruddy Arroliga

1. CALL TO ORDER OF REGULAR COUNCIL MEETING

- a. **Pledge of Allegiance-** Led by Council Member D. Harris
- b. **Invocation (2 min.)-Audience invited to participate-** Given by Mike Mestas
- c. **Inspirational thought-** Given by Council Member Jensen
- d. **Approval of Agenda for April 19, 2023- Council Member D. Harris made a motion to approve the agenda. Council Member W. Haris seconded and all voted in favor.**
- e. **Approval of Minutes for April 5, 2023- Council Member D. Harris made a motion to approve the minutes. Council Member Jensen seconded and all voted in favor.**
- f. **Ratification of Expenditures-** None
- g. **Conflict of Interest Declaration for this agenda-** None

2. PUBLIC COMMENTS

Brian Tuttle said there was a drainage sump on the corner of Half Mile and 4375, which becomes overgrown with weeds. He had conversations with city employees in the past about taking care of it. The employees told him that they mow the weeds twice a year. He wondered if we could get slats and put them in the fence or something so that residents don't have to look at them. Mayor Chesnut said our budget is far leaner than most municipalities. The issue always comes down to manpower and money. He asked if he came up with the funding, could he put slats in. Mayor Chesnut said yes.

Rudy Arroliga said there was a water pond next to his residence and there are noxious weeds there. The pond needs to be maintained because of the mosquitos. It is a problem regarding health issues for children playing around, as well as, immediate neighbors. He asked if it was possible for the city to cover the net that surrounds it. He also asked that we let the construction developers know to contain dirt inside the lots where they are building. When it rains or when a car drives by, the dirt on or near the street goes to homes and it gives a bad aspect to the area and the city. He is asking to do something.

3. RECOGNITION OF PREVIOUS ECONOMIC DEVELOPMENT MEMBER -

Mayor Chesnut

Mayor Chesnut said they wanted to recognize Issac Askeroth for his time with the Economic Development Committee. However, he wasn't in attendance, so it will move to another meeting.

4. PUBLIC HEARING FOR THE PUBLIC SAFETY IMPACT FEE FACILITIES PLAN & IMPACT FEE ANALYSIS

Council Member D. Harris made a motion to close the regularly scheduled City Council Meeting and open a public hearing for the Public Safety Impact Fee Facilities Plan & Impact Fee Analysis.

There were no public comments.

City Manager Dotson explained what the impact fee was for, where the money goes, and how the fees are calculated. The study was completed by a third-party engineer. Right now, the police department is about 800 sq. feet. They go by a national standard is about 1,000 sq. feet per officer. Council Member Jensen asked what the maximum dollar amount was. Council Member Ross said it was \$1,353.91. There is a 90-day wait period after the approval.

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

5. CONSIDER SETTING AN ADOPTION DATE FOR ORDINANCE NO. 2023-04-19-A AN ORDINANCE APPROVING THE 2023 PUBLIC SAFETY IMPACT FEE FACILITIES PLAN & IMPACT FEE ANALYSIS

Council Member D. Harris clarified that the 90 days start today if passed. City Manager Dotson said yes and this would also go towards fire protection. We don't have an impact on fire and are currently contracting with Cedar City. They are paid based on property values. The impact fees collected would go to assist in creating a space in Enoch for a fire station. Council Member D. Harris said there were areas he'd rather raise impact fees that were more vital. He suggested not skimping on public safety and said we may want to be conservative in other impact fees but this was more important. Mayor Chesnut agreed and considered the increase in growth. Council Member Jensen asked about appropriate uses for this fee. He asked if these impact fees could go towards a new city hall, if the police department took over the current one. City Manager Dotson said it can only be used for public safety space.

Council Member D. Harris made a motion to approve Ordinance No. 2023-04-19-A an ordinance approving the 2023 Public Safety Impact Fee Facilities Plan & Impact Fee Analysis and increase the impact fee for public safety to \$1,353.91. Council Member Jensen seconded and a roll call vote was held as follows:

Council Member Ross: Yea

Council Member W. Harris: Yea

Council Member D. Harris: Yea

Council Member Jensen: Yea

Council Member Stoor: Yea

6. CONSIDER ORDINANCE NO. 2023-04-19-B AN ORDINANCE CHANGING THE ZONING OF APPROXIMATELY 1.07 ACRES OF PROPERTY OWNED BY KAREN THELIN, PARCEL #A-0779-0010-0007, LOCATED ON HIGHWAY 91 AND SAGEBRUSH DR., FROM SINGLE-FAMILY RESIDENTIAL (R-1-18) TO NEIGHBORHOOD COMMERCIAL (N-C) -Platt & Platt – See Planning Commission Rec.

Council Member Ross said this came forward from the Planning Commission with a favorable recommendation.

James Thelin said he wanted to build a restaurant/bakery/convenience store/ice cream parlor. He showed where the exit and entrance would be on a map and explained all details. His business is making and selling sourdough. By zoning commercial, they would have to follow regulations and city standards to keep the property safe. If people walked up, they would have a light system and parking. Their neighbor said he was on board. They kind of wanted the same kind of feel as the Hub. He talked about flood mitigation. As they build the turnoff, they would build a berm to help with traffic safety. Council Member D. Harris asked if they were already accessing his property from Highway 91. Mr. Thelin showed on the map where they are turning into his property. Council Member D. Harris said Neighborhood Commercial (N-C) in that spot is appropriate and great as long as the ingress/egress is safe. Mr. Thelin said it would be done to the city's standards. Council Member D. Harris asked if we could widen Highway 91. City Manager Dotson showed the easement in front of Thelin's property. He also mentioned that this is just a zone change and Mr. Thelin won't have to do anything that was talked about until he decides to build. Council Member Jensen asked about putting in a parking lot and a building. Mr. Thelin said they will take the garage and convert it to a small bakery for the bread. The next step would be building a small community center.

Council Member D. Harris made a motion to approve Ordinance No. 2023-04-19-B an ordinance changing the zoning of approximately 1.07 acres of property owned by Karen Thelin, Parcel #A-0779-0010-0007, located on Highway 91 and Sagebrush Dr., From Single-Family Residential (R-1-18) to Neighborhood Commercial (N-C). Council Member Jensen seconded and a roll call vote was held as follows:

Council Member Ross: Yea	Council Member W. Harris: Yea
Council Member D. Harris: Yea	Council Member Jensen: Yea
Council Member Stoor: Yea	

7. CONSIDER ORDINANCE NO. 2023-04-19-C AN ORDINANCE CHANGING THE ZONING OF APPROXIMATELY 4.15 ACRES OF PROPERTY OWNED BY IRON ICE, INC., PARCEL #A-1037-0024-0000, LOCATED EAST OF PINNACLE RIDGE SUBDIVISION, FROM COMMUNITY COMMERCIAL (C-C) TO SINGLE-FAMILY RESIDENTIAL (R-1-11) - See Planning Commission Rec.

Council Member Ross said this was just moving the ice rink over. It came forward from Planning Commissioner with a favorable recommendation.

Council Member W. Harris made a motion to approve ordinance no. 2023-04-19-C an ordinance changing the zoning of approximately 4.15 acres of property owned by Iron Ice, Inc., Parcel #A-1037-0024-0000, located east of Pinnacle Ridge Subdivision, from Community Commercial (C-C) to Single-Family Residential (R-1-11). Council Member D. Harris seconded and a roll call vote was held as follows:

Council Member Ross: Yea	Council Member W. Harris: Yea
Council Member D. Harris: Yea	Council Member Jensen: Yea
Council Member Stoor: Yea	

8. CONSIDER ORDINANCE NO. 2023-04-19-D AN ORDINANCE CHANGING THE ZONING OF APPROXIMATELY 3.28 ACRES OF PROPERTY OWNED BY VELOCITY DEVELOPMENT LLC, LOCATED EAST OF THE PINNACLE RIDGE SUBDIVISION, FROM SINGLE-FAMILY RESIDENTIAL (R-1-18) TO COMMUNITY COMMERCIAL (C-C) - See Planning Commission Rec.

Council Member Ross said this came forward from Planning Commission with a favorable recommendation. She also noted that it is moving closer to home.

Chad Fain part of Iron Ice Group explained the reasoning for the property change. There was a miscommunication regarding financing. They plan on putting up a nice fence to help mitigate noise and parking. They will be good neighbors and they plan on giving a pass to those homes near the ice rink. Council Member Jensen asked about Enoch Blvd. and where the access will be. Mr. Fain said most people should be coming from Highway 91. They have two entrances from the northern side.

Council Member Jensen made a motion to approve ordinance no. 2023-04-19-D an ordinance changing the zoning of approximately 3.28 acres of property owned by Velocity Development LLC, located east of the Pinnacle Ridge Subdivision, from Single-Family Residential (R-1-18) to Community Commercial (C-C). Council Member D. Harris seconded and a roll call vote was held as follows:

**Council Member Ross: Yea Council Member W. Harris: Yea
Council Member D. Harris: Yea Council Member Jensen: Yea
Council Member Stoor: Yea**

9. CONSIDER ORDINANCE NO. 2023-04-05-C AN ORDINANCE AMENDING ENOCH CITY CODE, SECTION 12.2500.2503 MAJOR SUBDIVISIONS, STEP 13 B. EXEMPTIONS - Multiple water rights in lieu of a water acquisition fee - See Planning Commission Rec.

Council Member Ross said this came forward from the Planning Commission with an unfavorable recommendation. Council Member D. Harris said their recommendation basically echoed the Water Board's recommendation. He explained their reasoning. There was no motion and no action was taken.

10. CONSIDER POLICE DEPARTMENT EXPANSION FOR JUNE 1, 2023 CIB GRANT APPLICATION AND SET A PUBLIC HEARING FOR MAY 3, 2023

City Manager Dotson said we have been collecting impact fees for the Police Department since 2001-2002 and are supposed to expend those funds within 6 years or extend the time limit, we had to use them. That limit expires at the end of this year. We have to do something with those funds or give them back to every person who paid them. There were options discussed, such as building a new building or expanding the one we have. Chief Ames had talked with City Manager Dotson about a new building, however, the cost to do that right now is extensive. City Manager Dotson explained what the Community Impact Board (CIB) could do for us. There was a short discussion about what dollar amount other cities have asked for. The impact fee of \$1300.00 for space is not very much. We have to keep that level of service the same. Do we go for a loan or a grant? He showed the plans for expansion. The Council will need to set a public hearing because the public needs to be involved in the discussion. Council Member D. Harris agreed with the grant, but because the money has to be spent this year, he suggested speaking with as a backup. City Manager Dotson explained the process.

Council Member Ross asked if the police department needed to have a basement. Are flooding issues a concern? Chief Ames said that there were several reasons for a basement, but mainly more potential space for future needs.

Council Member D. Harris made a motion to set a public hearing for May 3 2023 regarding the Police Department expansion for June 1, 2023 CIB grant application. The motion was seconded and all voted in favor.

11. COUNCIL/STAFF REPORT

Chief Ames said they have Officer Humphries at the school. They are graduating from the D.A.R.E. program. The kids had to write an essay about their experiences and what they learned. Council Member Jensen asked about the truck in evidence. He wondered what the officer was using in the meantime. Chief Ames said they are doubling up and sharing vehicles.

Hayden White said they will be ready for sod at the park for tomorrow afternoon. They have laid a water line in Little Eden. They had to remove the water meters in Eagle Valley Estates. They have been meter reading and waiting for the weather to warm up so they can asphalt. Council Member Jensen said he noticed a youth group filling sandbags at the Public Works building. He asked if we had a sandbagging machine for them, rather than hand-shoveling the sand. Hayden said yes, but we would have to train someone to use it. He was given the authority to allow others to use it.

Ashley Horton said she has been working on the budget.

City Manager Dotson said the sod for Iron Mountain Park had been donated. All of the amenities at that park have been paid for by impact fees.

Mayor Chesnut said there will be more things in the future for fire station-related items.

Justin Wayment said if we get a fire station, things will work a lot easier with local agreements. It's a one-way street if you don't have it. City Manager Dotson gave some background information about other counties with fire stations.

Council Member Ross said she went to the tourism meeting today. There wasn't enough housing for Shakespeare cast members. They did bring up the Enoch skate park and that it would be great for the community.

Council Member W. Harris said they couldn't get a quorum together for the last Economic Development Committee meeting.

Council Member D. Harris said he was in a phone meeting with several people regarding the turf-buy-back program last meeting. They spoke about concerns about the three restrictions. The woman he spoke with said there were no other municipalities that were concerned about those things and wanted to address them. She told him that we would pass out the rules for contractors or individuals with a building permit. Council Member D. Harris said in his opinion we would have 97% compliance with the rules. They also talked about our issue to enforce and penalize, but said there wouldn't be any pushback from them if we found people out of compliance. After the meeting, he felt like we could adopt that ordinance and give residents the benefit of the turf-buy-back without any significant issues. Or water rates themselves help in water conservation. Council Member Jensen asked if residents in the future will be limited to landscaping. City Manager Dotson explained. Council Member Jensen said he didn't agree with future residents being restricted.

Council Member Jensen told Hayden White that he wasn't able to attend the sewer treatment meeting and asked if he could talk about it.

Council Member Stoor reported about Arbor Day. The project scheduled is to lay sod and possibly plant trees. It will be a community cleanup day on April 29, 2023. There is information on the city website and in the office.

Mayor Chesnut mentioned that the 2023 election has been noticed on the city website and in a few other places.

- 14. ADJOURN – Council Member D. Harris made a motion to adjourn. Council Member Ross seconded and all voted in favor.**

Lindsay Hildebrand, Recorder **Date**