

MINUTES
ENOCH CITY COUNCIL
August 21, 2019 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 Dave Owens
Council Member Katherine Ross
Council Member Shawn Stoor

Staff present:

Julie Watson, Recorder
Ashley Horton, Treasurer
Justin Wayment, Atty.
Earl Gibson, PW Dir.
Robert Dotson, City Mgr.
Jackson Ames, PD Chief

Public present: West Harris, Bob Platt, Leonard Correa and Angela Pool-Funai

1. **CALL TO ORDER OF REGULAR COUNCIL MEETING-**By Mayor Chesnut at 6:00pm.

- a. **Pledge of Allegiance-**Led by City Manager Dotson
- b. **Invocation-**Audience invited to participate-Given by Council Member Lee
- c. **Inspirational thought-**Given by Council Member Harris
- d. **Approval of Agenda for August 21, 2019-Council Member Harris made a motion to approve the agenda. Motion was seconded by Council Member Stoor and all voted in favor.**
- e. **Approval of Minutes for August 7, 2019-Council Member Harris made a motion to approve the minutes. Motion was seconded by Council Member Stoor and all voted in favor.**
- f. **Conflict of Interest Declaration for this agenda-**none stated

2. Angela Pool-Funai said she is an SUU professor and involved in the Dark Sky Association. She is thrilled we are talking about a dark sky ordinance and supports that wholeheartedly.

3. **RESOLUTION NO. 2019-08-21-A A RESOLUTION APPROVING THE FINAL PLAT OF IRON MOUNTAIN SUBDIVISION, PHASE 4**

Council Member Ross said she was not at Planning Commission meeting. City Manager Dotson said they followed procedures and the final plat meets the standards according to our engineer. Everything is in line for this to be approved.

Council Member Harris made motion to approve Resolution No 2019-08-21-A, a resolution approving the final plat of Iron Mountain Subdivision, Phase 4. Motion was seconded by Council Member Lee and roll call vote was held as follows:

Council Member Harris-Yes	Council Member Stoor-Yes
Council Member Ross-Yes	Council Member Owens-Yes
Council Member Lee-Yes	Motion passed unanimously

4. **RESOLUTION NO 2019-08-21-B A RESOLUTION APPROVING THE AGREEMENT WITH SOUTH CENTRAL COMMUNICATIONS TO LEASE 1500 SQUARE FEET OF THE ANIMAL SHELTER BUILDING LOCATED AT 4918 NORTH 600 EAST**

Mayor Chesnut asked City Manager Dotson about this. City Manager Dotson said we have two sections of the old shelter building available. We also have an agreement with a tower company to place a cell tower there. The rest of it is about 60 feet by 50 feet of the yard and the east portion of the old shelter is what we are talking about. The PD will use west part of the old shelter for storage. We want someone there because of the PD storing things in the building and that will make it more secure. We don't need it for anything and we invited South Central to discuss leasing it. They already lease a shed there and need office space. They want to do the improvements and would like to use it. It is insured by us except their property. Our attorney made some revisions to the language in the packet. Council Member Harris confirmed they provide the City with internet service asking if we need more than that from them. We have free internet now at 100 mg speed. Council Member Harris said something could be said in the agreement to keep that as it is. They just give it to us on a handshake deal now. Council Member Harris said it is not a big thing but he might like to add that. Council Member Lee has issue personally with handshake agreements and wants thing to be more formal and consistent. City Manager Dotson said he would add "the current level of service will be maintained" to the agreement. The Lessee is responsible for upgrades. They pay utilities and obtain our approval for improvements. Mayor Chesnut said they have to have liability insurance.

Council Member Harris made a motion to approve Resolution No. 2019-08-21-B, a resolution approving the agreement with South Central Communications to lease 1500 square feet of the Animal Shelter building located at 4918 North 600 East with the addition as noted above. The motion was seconded by Council Member Stoor and a roll call vote was held as follows:

Council Member Harris-Yes	Council Member Stoor-Yes
Council Member Ross-Yes	Council Member Owens-Yes
Council Member Lee-Yes	Motion passed unanimously

5. ORDINANCE NO. 2019-08-21 AN ORDINANCE GRANTING AN EASEMENT TO NORTH SPRING RANCH, LLC

Mayor Chesnut asked City Manager Dotson about this. He said we discussed this last meeting and there were issues with the language reserving to the grantee everything in the easement and control of it. Now, that is reserved to us and them so we are not excluded and the issue is resolved. Our City Attorney had concerns with that. Mayor Chesnut said there was a minor concern with their infrastructure and our infrastructure. City Manager Dotson said we are involved in all of that and we will always be able to do what need to in that easement. The intention is to eventually deed it over to us and the utilities will be dedicated.

Council Member Harris made a motion to approve Ordinance No. 2019-08-21, an ordinance granting an easement to North Spring Ranch, LLC. The motion seconded by Council Member Stoor and a roll call vote was held as follows:

Council Member Harris-Yes	Council Member Stoor-Yes
Council Member Ross-Yes	Council Member Owens-Yes
Council Member Lee-Yes	Motion passed unanimously

6. DISCUSS DARK SKY ORDINANCE AND STREET LIGHTS IN SUBDIVISIONS

City Manager Dotson said the Council received an email with a model dark sky ordinance done by the International Dark Sky Association. Rocky Mountain Power (RMP) owns and maintains our streetlights and we pay a monthly fee. They can sell street lights to developers, although developers can buy from anyone. We have detailed drawing for lighting requirements for subdivisions done recently. There are local street light standards and commercial standards. Those are not the dark sky type at this time. The sellers of street lights do have the dark sky type and details are in the packet. There are different parameters in this discussion. Do we want to add

requirements for dark sky streetlights for future developments? We can change our standards to cover dark sky requirements. Also we could add requirements for new homes and commercial businesses for dark sky compliant fixtures. The discussion needs to be around what we will require of each. City Manager Dotson said he has contacted those starting new subdivisions now and requested they use this type of lighting even though it is not required right now. We asked them as a favor and they are looking at that.

Mayor Chesnut gave input more on dark sky issues and where the light is thrown out into the sky, dimming the view of the stars. Billboards point into the sky and it causes light pollution. He wants this discussion in part because many are living here for our rural atmosphere and seeing the stars is part of that. If we can figure a way to do this it can be as simple as a cap on top of the light to direct the light downward. Council Member Stoor asked about the cost for the City to go to LED. It was noted this can be the light fixture design and not just LED lights. City Manager Dotson said LED's use less power. The retrofitting is the cost. Changing to LEDs in the City Office saved about \$2,000 a year on electric costs. Over time you could get to the dark sky concept by requiring it and when fixtures are grandfathered but then are changed they must comply.

Council Member Lee asked if RMP has any incentives on this. City Manager Dotson said yes; electricity is a finite resource and they are trying to get people to conserve. He said he is in close contact with Tom Heaton, the RMP rep and they have talked about retrofitting. They also talked about if we took over our system and maintained it and owned it. If we can retrofit we would pay for that. When it comes to dark sky it is the lumens that make the difference. The shading is the design. He referred to the packet. Shading lights down to the ground is the key, Mayor Chesnut said. City Manager Dotson said there are no lenses on the dark sky lights. It goes downward and there is no lens to produce glare. Council Member Lee asked if we want to look at an ordinance on this. And then if we do are there advantages and costs on retrofitting City lighting. She noted the existing lights on homes are grandfathered in but education for citizens would be a part of this.

City Manager Dotson said the detail drawings are easy and we can approve that for subdivisions from here on out. We change the detail drawings by resolution and that is easy to do. Council Member Stoor said we are also talking about property owners who put lights outside. That is part of it. Mayor Chesnut said educating people to better uses of light and electrical cost savings can be a motivator. Council Member Stoor said if we went all in on this dark sky concept we should check costs and educate residents about potential savings for them too. Council Member Lee said she was never one for more government but if we have an ordinance in the City that is a good and meaningful it would be better for the future of the City. There is a political side to insisting on this or not for the future. Council Member Lee said let's do it right. Council Member Harris said he is interested for the City and for developers and talking about homes too. Council Member Owens said RMP has incentives for homeowners to change to LEDs. He is for it. Council Member Harris said cost is a thing if we force people to do this. Retrofitting the City is not a big deal. Before we require anything of homebuilders, we should see what the cost impact is. Mayor Chesnut said we can get that information from the Dark Sky Association. Energy is finite and we should decide what is best for us to do for the City, Council Member Lee said.

Mayor Chesnut said tonight this is to get a feel for our thoughts. We will get more information on costs and discuss it again and then decide. The easy part is for subdivisions on the detail drawings. We can set standard for fixtures and lumens. City Manager Dotson said he will ask new developers about cost differences and bring that to the Council. We know the value of dark sky. We need the cost benefit. This item will come back on the first meeting in October for more data and discussion.

7. RESOLUTION 2019-08-21-C A RESOLUTION ADOPTING A POLICY FOR USE OF PUBLIC PROPERTY

City Manager Dotson said this is self explanatory. The State Legislature passed a law and we have adapted it for ourselves. This addresses incidental use of public property and some things are ridiculous to disallow. Until there is abuse this is fine. Department heads can look at this with their employees. The legislature was reacting to some egregious instances and passed this legislation.

Council Member Harris made a motion to approve Resolution No. 2019-08-21-C, a resolution adopting a policy for use of public property. The motion was seconded by Council Member Owens and a roll call vote was held as follows:

Council Member Harris-Yes	Council Member Stoor-Yes
Council Member Ross-Yes	Council Member Owens-Yes
Council Member Lee-Yes	Motion passed unanimously

**8. CLOSE REGULAR MEETING AND GO INTO CDRA MEETING-See separate agenda
Council Member Harris made a motion to go into the CDRA meeting. The motion was seconded by Council Member Owens and all voted in favor.**

9. COUNCIL/STAFF REPORT

Earl Gibson reported they got the floor for the fire truck building poured and will put up the metal building. He said they got 300 new meters in and will be changing out the old bad ones. The water problem on Horseshoe is back. They have been working on it now for six weeks. We thought we had it and now it started up again. He said they will keep working on it. The velocity of the water in the pipes is causing the excessive air in the water. There was more explanation of what the issue is and what has been done. It only happens when we run the well on Horseshoe Drive and we need all of the wells running right now. When Ravine well is working we could turn this well down and that will help. The water table drops in the summer so more air comes in. More water sources will help. City Manager Dotson said we have plans so we don't have this issue next year.

Chief Ames reported the new animal shelter going well and they are all moved in. School is back in and so far so good. They are six full time officers and two part time officers so they are remodeling the office area to make room for everyone. We had one notable incident without naming names. Someone stole a big semi-water truck and got into a pursuit and ran an officer off the road. The pursuit continued to Hwy. 91 and two officers tried to spike him. This person was trying to get on the freeway and kill people he said when he was apprehended. Don't leave keys in vehicles. The kid was ten years old.

City Manager Dotson reported an individual of interest called him about short term rentals. We haven't done anything about prohibiting them. He wanted mitigation before we get problems. Do they want to deal with that? Julie said we have two short term rental Airbnb business licenses and no problems. Mayor Chesnut said he is not a fan of regulating things that are not problems. Council Member Ross said the nuisance ordinance will regulate it too. Council Member Lee said we went through a process on this regarding allowing a mobile home on a property to be lived in and that was not allowed. The people were good to go through the whole process. She does know of others who allow occupants in trailers on lots. It does not seem fair when that goes on. City Attorney Wayment said the issue is the sewer for the trailers. That is illegal. They cannot connect the trailer to the sewer. If they are dumping that is a violation of the law to use Cedar's sewer. You could see if they were dumping in our sewer line because there would be a hose or line of some kind. Council Member Lee said point is "be consistent" on this. City Manager Dotson said impact fees for police, parks and streets are in need of being reviewed and rewritten by an engineering firm as a CFP. He proposes we put out an RFP and start that process to update the

CFP on those three things. Also our water impact fee was only changed for one inch meters and we need to adopt the other size meters. It is an issue when a 2" meter comes in. We will put it on an agenda to do that. The Wreaths Across America committee needs to meet on that program. The road to the dog park needs to be named before the dog park grand opening on September 21st. It is on website on the homepage with a survey for names for the road. Bark Avenue is first so far. City Attorney Wayment said this is a land use item so we should name it by ordinance. We will put that on the agenda before 21st. The last thing is regulating cats. At the last City Council meeting we were asked to review that possibility. State code refers to feral cat colonies only which we really don't have power over. People can have them. We are working on that and a process to figure out what to do.

Council Member Ross encouraged others to be on the committee for Wreaths Across America with her.

Council Member Stoor said on Monday there is a meeting about the trailer. The RDI system is supposed to be installed in October at the Rec Complex.

Council Member Harris said the Water Board met and discussed water rates and some different structures and options. The goal is to try to encourage conservation but that may be challenging. He said he would miss the meeting on September 4th.

Council Member Lee a lot of road work is going on in Iron Mountain Subdivision which will connect to 4200 North.

10. ADJOURN-Motion to adjourn by Council Member Harris. Motion seconded by Council Member Owens and all voted in favor. The meeting ended at 8:15 pm.

 9-4-19
Julie Watson, Recorder Date