

**MINUTES**  
**ENOCH CITY COUNCIL**  
**August 2, 2023 at 6:00pm**  
**City Council Chambers**  
**City Offices, 900 E. Midvalley Road**

**Members present:**

Mayor Geoffrey Chesnut - Excused  
Council Member David Harris  
Council Member Richard Jensen  
Council Member West Harris  
Council Member Katherine Ross  
Mayor Pro-Tem 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 - Excused

**Public Present:** Bryce Poulson, Mike Mestas, Delaine Finlay, Dallas Buckner, and Ashton Naef

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

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

**2. PUBLIC COMMENTS**

There were no public comments.

**3. PUBLIC HEARING REGARDING THE TRANSPORTATION IMPACT FEE ANALYSIS**

**Council Member D. Harris made a motion to close the regularly scheduled City Council meeting and open a public hearing regarding the Transportation Impact Fee Analysis. Council Member W. Harris seconded and all voted in favor.**

City Manager Dotson informed the Council that Sunrise Engineering had been contracted to conduct the analysis. He highlighted that in the 1990s, no analysis had been conducted, but the City Council had established a \$400 impact fee. The current proposed impact fee is based on a 20-year projection of necessary infrastructure development. Over a 6-year span, the impact fees collected would contribute to those specific projects. Visual aids were displayed, including documents on the screen. Page 6 of the presentation displayed impact fee-eligible costs and outlined the relevant projects, all of which were identified as fully impact fee eligible. The analysis demonstrated that the City Council had the authority to set the maximum impact fee at \$20,865.05 per single-family dwelling, with the discretion to charge a lesser fee if desired. Mike Mestas asked where he could find the document. City Manager Dotson showed where people can find the document on the city website at [www.cityofenoch.org](http://www.cityofenoch.org).

**Council Member D. Harris made a motion to close the public hearing and resume the regularly scheduled City Council meeting. Council Member W. Harris seconded and all voted in favor.**

City Manager Dotson made sure the invitation for this public hearing was sent out to the Iron County Home Builders Association and Iron County Board of Realtors.

**4. CONSIDER AND SET AN ADOPTION DATE FOR ORDINANCE NO. 2023-08-02-A AN ORDINANCE ADOPTING THE TRANSPORTATION IMPACT FEE FACILITIES PLAN & POLICY AND AMENDING THE STREETS IMPACT FEE**

Council Member D. Harris addressed the projects justifying the suggested impact fee amount for the study. He emphasized Highway 91 as a significant priority and highlighted the involvement of UDOT in the tunnel project. He stressed his investment in increasing the public safety impact fee and recommended setting a streets impact fee of around \$1,000. He acknowledged the concerns of home builders regarding fee increases, which can discourage construction and affect the size of homes built. He favored an annual review with gradual increments to impact fees, recognizing that \$1,000 was considerably below the projected \$20,000 need. Council Member Jensen referred to the considerable increase in average home prices since 1990 and suggested raising the impact fee four to five times its current rate, equating to about \$2,000. Council Member Ross agreed and suggested \$2,000 which was 10% of the projection they were given. Council Member W. Harris also suggested \$2,000 and emphasized the importance of well-maintained roads for the community. Mayor Pro-Tem Stoor mentioned the core samples taken from Highway 91 and the lack of road base. City Manager Dotson provided historical context, noting that Old Highway 91 started as a trail and gradually evolved into a chip-sealed road with a dirt base. Mayor Pro-Tem Stoor said he also agreed with a \$2,000 street impact fee. City Manager Dotson explained that once the Council voted on the fee amount, it would take 90 days before implementation. Council Member W. Harris inquired about the duration of the analysis and the possibility of revisiting and adjusting the fee next year. City Manager Dotson clarified that the analysis was time-bound, starting with the current projects. Completion of projects could potentially alter the analysis and funding requirements. Justin informed the Council about the potential to waive impact fees and engaged in a discussion about reducing them. City Manager Dotson noted that ordinance verbiage would need to be adjusted to enable this. The criteria for fee reduction would be determined by the Council. The discussion revolved around the appropriate fee amount and the potential for fee waivers. Council Member D. Harris proposed increasing the fee to \$4,000 but only charging \$2,000, effectively waiving 50%. Council Member Ross requested a 90-day notice for any future changes. Justin outlined reasons for waiving fees, but noted that changes to the ordinance would be required for approval of this aspect.

**Council Member Jensen made a motion to table setting an adoption date for Ordinance No. 2023-08-02-A, an ordinance adopting the Transportation Impact Fee Facilities Plan & Policy and amending the streets impact fee. Council Member D. Harris seconded and all voted in favor.**

**5. CONSIDER ORDINANCE NO. 2023-08-02-B AN ORDINANCE AMENDING THE GENERAL PLAN LAND USE MAP AND THE ENOCH ZONING ORDINANCE MAP BY CHANGING THE ZONING OF APPROXIMATELY 21.80 ACRES OF PROPERTY OWNED BY PENNY LIVING TRUST, FROM SINGLE-FAMILY RESIDENTIAL (R-1-11) TO COMMUNITY COMMERCIAL (C-C) – Nelson Farm PUD – See Planning Commission Rec.**

Council Member Ross said this item came through Planning Commission with a favorable recommendation.

Dallas Buckner with Sunrise Engineering said they had a zone change approved for the Nelson Farm PUD in a previous meeting. This zone change was a follow-up. Council Member D. Harris said he was happy that there will still be commercial along Minersville Highway.

**Council Member W. Harris made a motion to approve Ordinance No. 2023-08-02-B, an ordinance amending the General Plan Land Use Map and the Enoch Zoning Ordinance Map by changing the zoning of approximately 21.80 acres of property owned by Penny Living Trust, from Single-Family Residential (R-1-11) to Community Commercial (C-C). Council Member Ross 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**

**Mayor Pro-Tem Stoor: Yea**

**6. CONSIDER RESOLUTION NO. 2023-08-02-A A RESOLUTION  
ADOPTING A DEVELOPMENT AGREEMENT BETWEEN NELSON FARM  
PUD AND ENOCH CITY**

Dallas Buckner said this agreement outlined how it will be developed. He was currently working on the roads and testing of the water. He felt more comfortable with getting the documents to the city engineer first before the Council approves it. City Manager Dotson said there was no problem with that. No action was taken.

**7. CONSIDER ORDINANCE NO. 2023-08-02-C AN ORDINANCE TO  
AMEND ENOCH CITY CODE 12.300 SUPPLEMENTARY AND  
QUALIFICATION REGULATIONS AND CODE 12.1900.1909 UTAH  
LANDSCAPE REBATE PROGRAM**

Council Member D. Harris had asked city staff to put this back on the agenda. Numerous individuals had expressed their desire for compliance with the Landscape Rebate Program's stipulations. He believed that as a council, their responsibility included water system management, anticipating potential water share reductions by the state. Some aspects of the plan didn't sit well with him, like the 50% grass restriction for new homeowners. However, recognizing the political importance of cooperating with the state for funding the water system, he deemed it necessary. Council Member W. Harris found that there are far more people that want it than don't. Council Member Ross noted that when you think 50% of your front yard, a lot of that is taken out with driveways, plants, etc. Council Member D. Harris noted that enforcement wouldn't be overly stringent. They would respond to complaints as needed. Mayor Pro-Tem Stoor raised concerns about the permanence of the ordinance once adopted and the mechanism for monitoring compliance. City Manager Dotson assured that state representatives would verify homeowner adherence, relieving the city of enforcement duties. The legislation never put an enforcement provision in.

Ashton Naef commented that she was concerned people would take out grass and basically install a waterless system then give up on taking care of the property. Council Member D. Harris said this ordinance won't change that. City Manager Dotson noted that when people take out grass they have to put in water-wise landscaping in on a drip system. Council Member Jensen criticized that way of governing, fearing it would establish a precedent of yielding to the state's demands. He argued that the ordinance wouldn't limit water consumption but would enable state intervention in local policies. Those new homeowners can't call in and complain because they aren't here yet. Council Member Ross believed the program would aid water conservation by decreasing grass usage, a current source of culinary water expenditure. Right now, we have the option to see if it works, if it doesn't then we can remove the ordinance. Justin anticipated stricter

amendments to the ordinance over time, considering the state's evolving water legislation. He questioned the benefits of voluntary adoption versus waiting for mandatory implementation. Council Member D. Harris defended the initiative, aiming to protect citizens' livelihoods by ensuring sustainable water management for community growth. He acknowledged the imperfect nature of the approach but stressed the need to avoid water scarcity.

**Council Member D. Harris made a motion to approve Ordinance No. 2023-08-02-C, an ordinance to amend Enoch City Code 12.300 Supplementary and Qualification Regulations and Code 12.1900.1909 Utah Landscape Rebate Program. Council Member Ross seconded and roll call vote was held as follows:**

<b>Council Member Ross: Yea</b>	<b>Council Member W. Harris: Yea</b>
<b>Council Member D. Harris: Yea</b>	<b>Council Member Jensen: Nay</b>
<b>Mayor Pro-Tem Stoor: Yea</b>	

**8. CONSIDER RESOLUTION NO. 2023-08-02-B A RESOLUTION AMENDING THE SOUTH CENTRAL COMMUNICATIONS FRANCHISE AGREEMENT**

City Manager Dotson said we have had a franchise agreement with South Central Communications since 2003. Approximately four years ago, he had initiated a request for the agreement to be revised due to its outdated inclusion of television services. Recently, South Central Communications approached him again to update their description of services in response to changes in state codes. Notably, their operations no longer involved underground television broadcasting. During the discussion, Justin inquired whether South Central Communications had connections to the city's utility poles. City Manager Dotson confirmed that they did not have such connections. Justin drew attention to specific sections of the agreement for Council consideration, particularly focusing on section six. In this section, there was a statement preventing the city from allowing any future franchisee to interfere with South Central Communications' existing Communication Facilities. Justin recommended amending the language from "shall" to "knowingly or intentionally" in this context.

**Council Member W. Harris made a motion to approve Resolution No. 2023-08-02-B, a resolution amending the South Central Communications Franchise Agreement with the changes to wording in section 6. Council Member D. Harris seconded and a roll call vote was held as follows:**

<b>Council Member Ross: Yea</b>	<b>Council Member W. Harris: Yea</b>
<b>Council Member D. Harris: Yea</b>	<b>Council Member Jensen: Yea</b>
<b>Mayor Pro-Tem Stoor: Yea</b>	

**9. COUNCIL/STAFF REPORT**

Hayden White

- They got the Woolsey well fixed after it went down.
- They have been doing a lot of mapping.
- They are still working on drainage projects. It could be a month before they are done.
- Water from rain went to where it was supposed to go. Mayor Pro-Tem Stoor asked if there were still sandbags available. Hayden said yes, but residents will have to fill their own. The bags are under a tarp.
- He had to shut four wells off because they were full. No homes flooded. Some ditches were full.

Chief Ames

- They got their CPR and first aid training today.

Ashley Horton

- She has been getting ready for the audit.
- They are outsourcing billing. The bills will look slightly different.

City Manager Dotson

- He will be going up north to the CIB to interview with the Chief for a grant regarding the public safety building. They will vote in the meeting and if approved they could start building in October.

Lindsay Hildebrand

- She has been helping to train Mindy and working on business licensing and building permit reports.

Council Member Ross

- She stated that the Planning Commission is still looking for a member. The meetings are held on the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday of every month. It was also brought up to remind residents of what noxious weeds are.
- She asked how they need to interview the candidates. City Manager Dotson said he had a list of questions that they cannot ask. If there is a tie then they flip a coin.

Council Member W. Harris

- He asked if anyone had applied for the City Council vacancy. City Manager Dotson said three individuals have asked to be candidates. He explained the process for filling that 2-year vacancy.

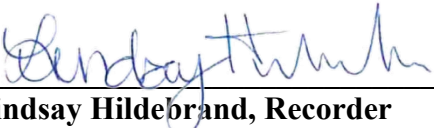
Council Member Jensen

- He said this was his last meeting and thanked everyone.

Mayor Pro-Tem Stoor

- He said it's been good to have him here with his passions. He wished Council Member Jensen luck.
- Day of Service will be on September 9<sup>th</sup> at Iron Works Park. They will be restoring that area and some of the old pioneer heritage.

**12. ADJOURN – Council Member Jensen made a motion to adjourn. Council Member D. Harris seconded and all voted in favor.**

  
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Lindsay Hildebrand, Recorder                      8/16/2023  
Date