

**MINUTES**  
**ENOCH CITY COUNCIL**  
**August 7, 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.-absent  
Earl Gibson, PW Dir.  
Robert Dotson, City Mgr.  
Jackson Ames, Police Chief

**Public present:** Alene Overly, Mary Gillespie, Mr. & Mrs. Gary Jeffus, George Lutterman, Nathaniel Pugh, Delaine Findlay, Devin Macklebrang and Monte Ruegebrect

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

- a. **Pledge of Allegiance-Led by Council Member 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 August 7, 2019-Council Member Harris made a motion to approve the agenda. Motion was seconded by Council Member Ross and all voted in favor.**
- e. **Approval of Minutes for July 17, 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**
- g. **Oath of Office to Devin Mackleprang-City Recorder**

Chief Ames introduced Devin Mackelprang who just graduated from POST and distinguished himself there. He is our sixth full time officer so now we are fully staffed and also have two part time officers. Devin said he was raised in Enoch and is blessed to be able to work for the City. The Oath of Office was given by the City Recorder.

**2. PUBLIC COMMENTS**

Delaine Findlay Horseshoe Drive requested the City Council consider some regulation of cats. She explained all of the damage and problems they have had at their house due to strays coming in and using their yard for a litter box. They have tried everything available to deter cats from coming into the yard. They are seriously affected by strays to the point they can't enjoy their yard and would like the Council to consider regulating them like dogs. *Mayor Chesnut said that is a valid point and maybe they could take a look at the ordinance and confer with our legal counsel.*

**3. "WREATHS ACROSS AMERICA" PRESENTATION BY DAUGHTERS OF THE AMERICAN REVOLUTION (DAR)-Alene Overly & Mary Gillespie**

Mary Gillespie and Alene Overly presented the "Wreaths Across America" program which is the project of the DAR. They showed a video first to tell about the program and what they do. They told about choosing the Enoch and Summit Cemeteries for starting the program in

this area. This is the first year and they hope to grow the program as years go on. Families and children give a living gift or the wreath and read the veteran's name and make a connection to teach their children and they pass it on to others. They are going to need help perhaps in the form of a committee to help with this project. Volunteers lay the wreaths. They need to raise more money, \$965 in total, with what they have raised now. They hope for a committee to work with them to make this happen and to be an example for future cemeteries. Mayor Chesnut said we can do that. They told how impressed they were with our cemetery. They, as the DAR, won't be front and center but the community will take this on to honor their veteran relatives buried there. Enoch has 77 names now. Mayor Chesnut said we can do this and help raise the money for our cemetery. He added a working group can be put together and can recruit residents to help with the ceremony and other needs duties. They will coordinate with the DAR. Mayor Chesnut said we have a very responsive group of citizens in this area.

**4. DISCUSS/VOTE ON ORDINANCE NO. 2019-07-19 AN ORDINANCE AMENDING THE ENOCH CITY SUBDIVISION ORDINANCE –See Planning Commission recommendation**

Mayor Chesnut asked Council Member Ross about the Planning Commission discussion. She said they agreed with the suggested City Council changes saying they think it is best we collect the 1% inspection fee and use the City's inspectors. We would then refund any unused portion of the fee back to the developer. There were also language changes to make it more in line with correct language and what is typically done in other cities. No one came to speak against it and all voted in favor in the Planning Commission.

**Council Member Harris made a motion to approve Ordinance No, 2019-07-19, an ordinance amending the Enoch City Subdivision Ordinance. The motion was seconded by Council Member Owens and a roll call vote was held as follows:**

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

**5. DISCUSS/VOTE ON ORDINANCE NO. 2019-08-07 AN ORDINANCE GRANTING AN EASEMENT TO NORTH SPRING RANCH, LLC**

City Manager Dotson showed the location of the easement saying there were issues that came up today in discussions with our City Attorney. The only access into this area is this road and they are asking to be granted this easement. The access is non-exclusive. All can use it. The developer wants to build the road and City Manager Dotson pointed it out on Property Viewer. In conversations today with legal Counsel there is no problem because it meets our General Plan. The issue was on the easement document language. City Manager Dotson read it saying the concern is the "reserving" language. They want sole power to do anything with the infrastructure and oversee everything. It is fine to build the road where it needs to be built. Reserving rights to do anything they want for themselves and their successors and assigns is the issue. In talking to the developer they stated this was not their intention. In discussion and in talking to the owner they are fine with changing the language and having it not be exclusive to them only. We do not have the corrections ready for this meeting and since this is so important it will be better to table it, Mayor Chesnut said. This needs to be clear before the City Council votes. We want a clean record on this. Council Member Harris asked if we need to abandon any section of road to do this. No City Manager Dotson said. This easement is surrounded by Enoch City property.

**Council Member Harris made a motion to table granting the easement to North Spring Ranch, LLC for language corrections to the documents at the next meeting on August 21, 2019. The Motion was seconded Council Member Owens and all voted in favor.**

**6. DISCUSS/TAKE ACTION ON WELL ACQUISITION-See Water Board Rec.**

Mayor Chesnut said Council Member Harris is over the Water Board and asked about the discussion. Council Member Harris said they discussed the potential of purchasing wells. They were listed with hypothetical names. Some owners have expressed interest in selling while others are equivocating or not interested. The main reason for our interest is to increase our source capacity. Our storage capacity is more than adequate for several years to come. Current water use this summer has increased and refilling the tanks is at times problematic. We have the water rights so that is not the problem. It would solve shortage problems with more sources to feed the tanks. He gave more details on the discussion. Some wells would require upgrading to culinary status. Other wells are promising for drilling new wells beside them negating the need for lengthy State processes required to drill entirely new wells. When you upgrade a well you can drill right next to it and install new equipment. If it produces good water at about 200-300 GPMs (gallons per minute) you can discard the old well and develop the well right next to it. City Manager Dotson said all of our water rights are in all of our wells. It is a closed system. That means we don't have to move rights to use any well. Public utilities can do that but private well owners can't. We have adequate water rights and water storage but don't have adequate well ownership, i.e. source capacity. Increasing our source capacity is the most important thing now, City Manager Dotson said.

There was brief discussion of wells under consideration and that wells located near existing City waterlines is an important consideration. We will go by well drilling logs submitted to the State over the years. After testing we will know the quality of the water. One well under consideration, which has a willing seller, would almost double the capacity of what we pump now and it is close to our infrastructure.

Mayor Chesnut gave more examples of what has happened when we have had water shortages in the heat of the summer. Monday mornings are horrible for water tank drawdown. Everyone waters on Monday, Wednesday and Friday. We are talking about going to odd and even addresses with alternating watering days. That would remedy the heavy drawdown we see on Mondays. When we had a well go down over the 4<sup>th</sup> of July we had to ask people to stop watering on an emergency basis to maintain fire flows. The odd and even watering days would take a public education process and we would implement penalties to get compliance. One well under consideration called the Enoch Road well would take pressure off because it would water Old Enoch Park with irrigation water. City Manager Dotson said he has authorization to negotiate on the Enoch Road well. The recommendation from the Water Board was to test the Lamb well to see what it produces and also pursue the Doctor well and Enoch Road well. The owners of the Bluebird well were in attendance in the audience and said they are interested in selling that well and would like consideration. It is an irrigation well now and is 600 feet off of the City pipeline. The Bluebird well was tested 13 years ago and is not currently in use. City Manager Dotson said we have been trying to work out how to negotiate for wells. Mr. Pugh, one of the owners of the Bluebird well, is a realtor and knows wells are a different animal with so many factors involved. There was brief discussion of past negotiations and how complex they have become. Council Member Harris said the Water Board has good options here. It is a seller's market. He added he is fine to go with the Water Board recommendation and also explore the Bluebird well. We do have rights in that well, Mayor Chesnut said, and now have willing sellers. Mayor Chesnut said he would entertain a motion to authorize City Manager Dotson to pursue the wells in the Water Board recommendation.

**Council Member Harris made a motion to instruct Administrative staff to negotiate on the wells recommended by the Water Board and add the Bluebird well to the list. The motion was seconded by Council Member Lee and all voted in favor.**

## 7. COUNCIL/STAFF REPORT

Chief Ames reported there was another serious accident at Minersville and Midvalley Road. The public has bombarded him with “what are you going to do”? He educated them saying that things are rolling with a roundabout coming however this is completely in UDOT’s hands. There is a plan but it is a State road so it is out of Enoch’s control. Comments should go to UDOT Council Member Lee said. Most people are glad we are listening to UDOT and have options. People do not seem to see oncoming traffic or misjudge the distance of oncoming traffic. Other than that the PD is busy as normal.

Earl Gibson said the crew painted the crosswalk at the school today and will paint stop lines at Midvalley Road. They hauled sand to the animal shelter to help mitigate the mud problems. They have been patching roads for winter. They think they had handled the problem of air in the water line on Horseshoe Drive. The water is milky due to the velocity of water that flows when people are watering lawns. Mayor Chesnut said he headed off the road issue on 600 East by talking with Andy Funderburk. Andy is demanding and wants to see 600 East paved and done well. Earl said we are still waiting to hear from the subcontractors on a date.

City Manager Dotson gave an update on the new nuisance ordinance. We have had three actual complaints submitted per our regulations with three signatures. One was across the street and was deemed to be natural vegetation so it is not a fire hazard. We sent a letter to a property owner in Garden Park regarding the weed fire on July 24<sup>th</sup>. We received a phone call where they left a message and did not have voicemail set up for our return call. They told the City to mitigate the weeds and bill them. We had no way of verifying it was the actual owner so will resend another certified letter explaining why we can’t go on their property to do that. The nuisance ordinance does not allow us to go on private property or to tell anyone else to go on private property. We found that out when we suggested to neighbors that they could mitigate the weeds if they wanted to. We were told by our legal counsel that is not the right thing to say and could leave the City open for liability. As the procedure is set out, after 30 days of no action by the owner, a citation is given and then it goes to court. A judge gives permission to go on the property to mitigate the nuisance and we lien the property for payment. The third item is the old trailer on Enoch Road. We sent a demolition notice. The demolition process is handled through the Building Department. We will inspect in 30 days to see if they have removed the trailer. The owner has put new tires on it and unhooked the utilities in preparation to have it moved. They said they hired a company to take it to the dump. It will be done by the City if they don’t do it per the Building Code. The Iron Mountain Subdivision owner has been notified about the weeds. They are aware of the appearance of their subdivision and want it to look nice. They will be starting the last two phases very soon and weeds will be mitigated then. Settlers Square, Phase 1 has started their infrastructure construction. We talked about naming the dog park road. City Manager Dotson asked the City Council if they want to have a contest. We could put it on Facebook to name the road. The Council wanted to put it out for the public and then the City Council will narrow it down and vote on a name.

Council Member Harris said the Water Board is meeting tomorrow.

Council Member Lee brought up her concern about street lights for discussion but not tonight. She sees some areas that don’t have them and asked why that is. She said she could not find it in the ordinances. We want to be consistent. Who does this on streetlights? She also wants to talk about the dark sky ordinance. This is a good time to talk about this with new subdivisions coming. It is in the engineering standards plan, City Manager Dotson said, regarding street lights. This will be placed on the next agenda for discussion.

Council Member Owens agreed with Council Member Lee on the dark sky and street lights. He said the EDC meets tomorrow.

**8. CLOSED MEETING REQUESTED TO DISCUSS PERSONNEL MATTERS, IMMEDIATE LITIGATION OR REAL ESTATE TRANSACTIONS-(Requires a roll call vote w 2/3 majority)**

Mayor Chesnut said we need a closed session for discussion of pending real estate acquisitions.

**Council Member Harris made a motion to close the regular meeting and go into a closed session. The motion was seconded by Council Member Stoor and a roll call vote held as follows:**

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

**9. ACTION FROM CLOSED MEETING-None**

**10. ADJOURN-The regular meeting ended at 7:50 pm.**

 8-21-19  
**Julie Watson, Recorder** **Date**