

**MINUTES**  
**ENOCH CITY COUNCIL**  
**December 16, 2020 at 6:00pm**  
**City Council Chambers**  
**City Offices, 900 E. Midvalley Road**

**Members present:**

Mayor Geoffrey Chesnut-Zoom  
Council Member David Harris  
Council Member Jolene Lee  
Council Member West Harris  
Council Member Katherine Ross-Zoom  
Council Member Shawn Stoor

**Staff present:**

Julie Watson, Recorder-Zoom  
Ashley Horton, Treas.  
Justin Wayment, City Atty.-Zoom  
Hayden White, PW Dir.  
Robert Dotson, City Mgr.-Zoom  
Jackson Ames, PD Chief

**Public present:** Leonard & Robyn Correa and Don Stidd

1. **CALL TO ORDER OF REGULAR COUNCIL MEETING-**By Mayor Chesnut at 6:00 pm.
  - a. **Pledge of Allegiance-**Led by Council Member Stoor
  - b. **Invocation-**Audience invited to participate-Given by Council Member Lee
  - c. **Inspirational thought-**Given by Council Member Stoor
  - d. **Approval of Agenda for December 16, 2020-Council Member David 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 December 4, 2020-Council Member David Harris made a motion to approve the minutes. Motion was seconded by Council Member Lee and all voted in favor.**
  - f. **Ratification of Expenditures-**none
  - g. **Conflict of Interest Declaration for this agenda-**none stated

2. **PUBLIC COMMENTS-**

Robyn Correa said she wants to know when we they will get stop signs on High Noon Street and Sunshine Lane or 4200 North. High Noon is the only street without them. 4200 North is open now and people drive way too fast on High Noon now. They need the stop signs badly. Mayor Chesnut said he would look into that ASAP.

3. **RECOGNIZE PAUL HARDY FOR HIS SERVICE ON THE PLANNING COMMISSION-The Council will thank Commissioner Hardy for his long service to Enoch City serving on the Planning Commission.**

Mayor Chesnut said we have a plaque to present to Paul and will take it to his home because he is not able to be here due to health. Paul served on the Planning Commission from March of 2004 until the present day. We are grateful for his long and dedicated service. Council Member David Harris concurred saying he has done a great job even with health issues. Council Member Ross said she wanted to thank him too and hoped to be here but they got Covid at her house and are stuck at home. Council Member Lee commented on what a great man Paul is. He always encouraged the City Council to look at the nuisance ordinances. He pushed for that we got it done. She appreciates how much he cares about the City. Mayor Chesnut said planning for the future is tough and has a lot of issues with public opinion and the need for foresight beyond what most people can see. Paul always showed diligence and commitment and will be missed and always appreciated.

**4. APPOINT LEONARD CORREA TO THE PLANNING COMMISSION FOR A TWO-YEAR TERM-The Council will appoint a new member to the Planning Commission to fill Commissioner Hardy's seat.**

Mayor Chesnut asked the Council if they had questions for Leonard. Leonard said he has lived here for two years now and he started to come to meetings because he wanted to see how the City operated and how things worked. He said he has felt at home here from the beginning. He said he was a crime scene investigator at his previous job. He wants to contribute to the community.

**Council Member Ross made a motion to appoint Leonard Correa to the Planning Commission for a two-year term. Motion was seconded by Council Member David Harris and all voted in favor.**

**5. REAPPOINT TWO MEMBERS TO THE ENOCH CITY WATER BOARD-The Council will reappoint Spencer Jones and Doug Grimshaw to the Enoch Water Board for five-year terms.**

Council Member David Harris said both members said they are willing and able to serve another term. Both are very knowledgeable about water issues and have much experience with water.

**Council Member David Harris made the motion to reappoint Doug Grimshaw and Spencer Jones to the Water Board for another five-year term. Motion was seconded by Council Member Stoor and all voted in favor.**

**6. ORDINANCE NO. 2020-12-16-A AN ORDINANCE AMENDING THE GENERAL PLAN LAND USE MAP AND THE ENOCH ZONING ORDINANCE ZONING MAP BY CHANGING THE ZONING OF APPROXIMATELY 6.84 ACRES OF PROPERTY OWNED BY TAPIA CONSTRUCTION, INC. FROM MULTIPLE RESIDENTIAL DISTRICT (M-R-2) TO COMMUNITY COMMERCIAL (C-C)-The Council will consider a zone change application and review recommendation from the Planning Commission .**

Mayor Chesnut asked Council Member Ross about this. She said the Planning Commission sent a favorable recommendation. There were no public comments either way. This fits into the General Plan and meets all other City requirements. Council Member Lee asked about the roads. It was noted StorRight Self Storage is purchasing the property to add onto their facility and will get access through their own property. They will deal with owner of the property next door if needed for any other access. Council Member Ross concurred with that.

**Council Member David Harris made a motion to approve Ordinance No. 2020-12-16-A, an ordinance amending the General Plan Land Use Map and the Enoch City Zoning Ordinance by changing the zoning of approximately 6.84 acres of property owned by Tapia Construction, Inc. from Multiple Residential District (M-R-2) to Community Commercial (C-C). The motion was seconded by Council Member West Harris and a roll call vote was held as follows:**

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

**7. ORDINANCE NO. 2020-12-16-B AN ORDINANCE AMENDING THE ENOCH CITY CODE OF REVISED ORDINANCES TO COMPLY WITH THE UPDATED UTAH SHARED MASTER OFFENSE TABLE (SMOT)-The Council**

**will consider the changes to the Enoch City Code of Revised Ordinance to bring it into line with the SMOT list on file with the State for the PD to set fines for various infractions.**

Mayor Chesnut asked City Manager Dotson to update the Council on any changes since the last meeting's discussion. City Manager Dotson said it is important to go over the changes in the ordinance. The ordinance in the packet does not show all the changes or corrections. He shared the draft changes on the screen to go through them. Changes are as follows:

- All references to City of Enoch will be changed to Enoch City.
- There is renumbering needed throughout. The items being removed are "strike-throughs". Additions are underlined. We don't show the whole Code so context gets confusing if you read it without reading the section it is in.
- Cemeteries. Changed any vandalism from an infraction to a Class B misdemeanor. That is serious, disrespectful and deserves a higher fine.
- Public Parks are basically the same on vandalism. We changed infraction to Class B misdemeanor. Some things are hard to catch in the act and so we took some items out. Some things like riding vehicles in parks are covered in other areas of the Code.
- Removed prohibition on consumption of alcohol in parks and added in that consumption of alcohol in parks is now allowed.
- Vending and peddling was changed to and infraction in parks.
- Doing business without a business license was changed to a Class C misdemeanor instead of Class B to reduce the fine because it is not that severe. Solicitation without a license is the same.
- Building regulations. Many property owners build without a permit and the building inspector is reaching out to them. We added it in as a violation. The building inspector can give a "stop order" and a Class B misdemeanor if ignored. It is a Class C misdemeanor for contractors who know better and try to get around regulations.
- Some language that is not what we do for process was changed. An example is the building permit is not turned in and paid for to the City Recorder as stated previously in Code. That is not the procedure so we changed the language. The building inspector does those things and not the Recorder. Any person who takes payments can take the building permit payment. There are things permits are required for and others a permit is not. If altering a structure you have to get a permit. It is an infraction if the property owner does that or if a contractor does it then they get fined and that is in State Code.
- Regarding dangerous buildings we are taking out the fine because it is covered in a different place in the Code.
- Trash pickup routes and changing routes and times of pickup was regulated in the Code and that is not necessary so that language was removed. The Public Works Director will do as he sees fit on that to save fuel and add in new subdivisions. That is an administrative function. Code also stated things like the trash can has to be removed the day it is picked up and can't go out the night before. There is no point in this and we can't enforce it.
- The Wildland Interface was added in to comply with our agreements with the Cedar City FD.
- Parking cars for sale on corners in visible places is annoying and is an issue. By having it in here we can put signs out like we did by the Stake Center on

Minersville Hwy. and it abated that situation. The Class B misdemeanor is for the truck parking issue. We are exempting school buses and equipment.

- Blocking storm drainage and allowing storm water overflow can be an infraction if allowed to happen.
- The requirement to remove snow from sidewalks in front of your house before 9:00 am of the same day it snows is unreasonable and was removed. We can't enforce that and a property owner may be out of town or elderly and unable to comply.
- Instead of defining all trash we are leaving it specifically as obstructions. Disposing of trash in any place but the City dumpsters or County landfill is fined and not just referred to as "unlawful".
- House numbers are required in Enoch and that is for fire and public safety.
- Old forms in the Code are being removed. They are outdated and forms change regularly.
- We don't need to state rates in the Code because they change so we removed that.
- We removed the last item regarding the shade tree ordinance.

City Manager Dotson said in talking with our legal counsel he is in concerned with changing the nuisance ordinance complaint form that requires three signatures from residents to act on a complaint. We had talked about changing it to one person signing. He is reviewing the nuisance ordinance again and wants us to hold off until he gets us his review. State code says three persons must sign and he doesn't want Enoch City to conflict with State Code. He is always concerned about us being non-compliant because being more stringent than State Code can be problematic if we have to go to court. Nuisances are difficult and we want to deal with real nuisances and not "ax grinding" by neighbors. City Manager Dotson said, in the motion, if possible, say it is approved to make the changes as listed and discussed above. That is important for the record. Mayor Chesnut asked for a motion.

**Council Member David Harris made a motion to approve Ordinance No. 2020-12-16-B, an ordinance amending the Enoch Code of Revised Ordinances to comply with the updated Utah Shared Master Offence Table (SMOT) and other changes to update the Code as discussed and listed in the ordinance. The motion was seconded by Council Member West Harris and a roll call vote was held as follows:**

**Council Member David Harris-Yes  
Council Member Ross-Yes  
Council Member Lee-Yes**

**Council Member Stoor-Yes  
Council Member West Harris-Yes  
Motion passed unanimously**

## **8. COUNCIL/STAFF REPORT**

Hayden White reported the crew has been doing little things like potholing. They are done preparing to run the water line to the church and school for irrigation. Several of the crew members are off on vacation over the holidays. He has changed the trash routes for the next two weeks. Kanarrville and Paragonah will be run on Wednesday and have been notified. They plowed in the last storm and he didn't hear any complaints. He needs an agenda item at the next meeting to add the roller on the list to be salvaged. It is broken down and is more expensive to fix than to replace. He would like to leave it in SLC and get it to the auction ASAP instead of having to haul it back here and then take it back up there. He met with the engineers on the new well design so it will be done the way we need it. It will be an eight week process to hook it into our system. Council Member Lee asked about worn out street signs that are hard to read and Hayden said they have been replacing them.

Ashley Horton said she is busy and with the closed budget she made the adjustments as discussed and approved.



City Manager Dotson said Merry Christmas. He said the question came up with Chief Ames about how we handle it when employees contract Covid or are exposed by family members or others and don't have sick leave or don't wish to use sick leave. This is not really something they asked for. We are required to stay home 10 to 14 days even if not sick and a family member has it. Some can't work from home due to their job description. Earlier this year we paid them out of Cares Act funds but that is gone now. We need a policy for this situation. We need to pay them full wage without having to use their sick leave. This requires the City Council authorization. There was brief discussion of how other cities handle this and it is all over the board. We need our own policy. Vacation time can be donated but not sick leave. The PD is required by Utah retirement to get 40 hours a week on their paychecks. Lately it has been more time because we are short staffed. We need a way to do this for Covid. He asked for the City Council's permission to pay them as if they were at work. It was suggested they could catch up on some training while they are confined to home and all agreed that would be good. Mayor Chesnut said if we expect them to be in compliance with things we have obligations to deal with this issue. He thinks it is fine to let them use "other" on the time card rather than sick time and pay them regardless and not force them to choose due to requirements. They suffer economic consequences and he wants to blunt that. He said he is fine with that policy for Covid. There was brief discussion of testing and other Covid requirements in Utah and noted we follow State guidelines for direct exposure. Hayden said that would work great for him too if he got Covid with only two sick days. Due to that he could be forced to try to come back to work quicker. Council Member Lee said we should ask if this is in our budget or do we have to amend it. No, City Manager Dotson said, we are paying them as if they are here. She agreed that would be a good policy. Mayor Chesnut said policy requires attendance for pay. This is for the Covid issue only. Mayor Chesnut said we don't want to make others sick due to coming back early. It is not a budget issue. The City Council agreed by verbal consensus that would be fine to do this. City Manager Dotson said he met with the engineers on the Master Transportation Plan and Access Management Plan for SR-130. He gave some details. Midvalley Road is a Category 3 road so UDOT does not allow access off of it directly very often. Most are not in compliance with the UDOT rules like homes that back out onto Midvalley. He wanted to change it to a Category 4 road to allow more access for the coming commercial businesses. They will continue to discuss the issue. He told about negotiations with the County to go in together and piggyback the East Bench Watershed project with other County projects. NRCS is agreeing that would be a good move. All met and talked about the sewer treatment plant to allow 2-3 million gallons of treated water a day to go on farms to recharge the aquifer and allow pumps to be turned off. There is a bit of push back. The County is currently doing an environmental assessment and he gave more details. He got some buy in from Cedar City and the County Commissioners. This is tipping more to us to get that water into the Enoch graben which is a plus for all in this groundwater basin.

Mayor Chesnut said we need closed meeting for the discussion of the purchase of real property. He said he also participated in interviews for new the new PD officer. They had many good candidates and chose one. Many said Enoch is known as the best place to work these days. They said it is because the City Council is very supportive. The wages, training, and equipment are excellent and the other officers they talk to say they are very happy working for Enoch City because of Chief Ames diligence and the way he does things. They had some great interviews and picked one candidate and put the offer out and it was accepted. All applicants had already gone to POST and were ready to go to work.

Council Member Ross said they will have a donation box for Saturday at the Wreaths Across America ceremony. The program starts at noon however she can't go due to Covid in the family but she has a great committee and they will get it done.

Council Member West Harris said he was contacted by Kevin, the fireworks guy, again and they talked to Chief Phillips. Neither is super happy about working together on this but would both be

willing to try if that was what Enoch wanted. He said he does not know what to tell Kevin. He has offered a good show but there are issues like insurance and storage of the fireworks when they arrive. The ATF has strict regulations on storage of explosives and it could get expensive. The FD likes doing it and feels their toes are being stepped on. Mayor Chesnut said insurance issues and storage issues are a big deal and if Kevin can resolve that we would have to see some proof from him. That is the issue. We have huge liability with explosives. Taxpayer dollars would be spent if we have to pay out for him causing a fire. If he can iron out those issues and get Chief Phillips on board we could make a deal. City Manager Dotson said storage is the big deal. A Conex storage box would have to be retrofitted and buried and that could get expensive. He has to comply with ATF regulations. There is a possibility he, and/or Enoch City could go in with the Cedar City FD on a storage container for all to use. Maybe we had better have another meeting with Kevin and Chief Phillips before making any commitments. Mayor Chesnut said keep trying because we would love to have a bigger, better show but can't have any liability.

Council Member Lee said she loves the new billboard outside. That was a good purchase. She said she would like to see some lighting on the trees at the City Office building. She asked about the green storage container on Midvalley Road concerned that we have regulations about the color of the storage containers in our ordinance. City Manager Dotson said it is intended to be a farmers market. He noted this building is not in the place it will be permanently at this time. The owner will have to comply and get a building permit to do what he intends. City Manager Dotson added we allow accessory dwelling units and they can't be less than 20 feet wide and cargo containers are less so we have to change that in the ordinance by sending it back to the Planning Commission for discussion and another public hearing.

Council Member Stoor said ditto on the new billboard. He, like Council Member Lee, would like to see the City do some Christmas decorating like lights on the trees around the office. He thanked City Manager Dotson for helping him get the Tree City USA application submitted adding we should get that designation again.

9. **CLOSED SESSION TO DISCUSS ONE OR MORE OF THE FOLLOWING: THE CHARACTER, PROFESSIONAL COMPETENCE OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL, COLLECTIVE BARGAINING; PENDING OR REASONABLY IMMINENT LITIGATION, THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY, INCLUDING ANY FORM OF WATER RIGHTS OR WATER SHARES; DEPLOYMENT OF SECURITY PERSONNEL, DEVICES OR SYSTEMS; INVESTIGATIVE PROCEEDINGS REGARDING ALLEGATIONS OF CRIMINAL MISCONDUCT. (Requires a roll call vote with 2/3 majority)**

**Council Member David Harris made a motion to close the regular meeting and go into a closed meeting for the purchase, exchange, or lease of real property, including any form of water rights or water shares. Motion was seconded by Council Member Stoor and roll call was held as follows:**

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

10. **ACTION FROM CLOSED MEETING-none**

11. **ADJOURN-The regular meeting ended at 7:45 pm.**

  
**Julie Watson, Recorder**                      **1-6-21**  
**Date**

**Enoch City is inviting you to a scheduled Zoom meeting.**

**Join Zoom Meeting**

**<https://us02web.zoom.us/j/89053699150>**