

MINUTES
ENOCH CITY COUNCIL
February 17, 2021 at 6:00pm
City Council Chambers
City Offices, 900 E. Midvalley Road

Members present:

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

Staff present:

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

PUBLIC PRESENT: Steve Woolsey

1. **CALL TO ORDER OF REGULAR COUNCIL MEETING**-By Mayor Pro-Tem Stoor at 6:00pm. He excused Mayor Chesnut.
 - a. **Pledge of Allegiance**-Led by Council Member Ross
 - b. **Invocation**-Audience invited to participate-Given by Council Member David Harris
 - c. **Inspirational thought**-Given by Council Member Ross
 - d. **Approval of Agenda for February 17, 2021-Council Member David 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 February 3, 2021-Council Member David Harris made a motion to approve the minutes. Motion was seconded by Council Member Ross and all voted in favor.**
 - f. **Ratification of Expenditures**-none
 - g. **Conflict of Interest Declaration for this agenda**-none stated
2. **PUBLIC COMMENTS**-none
3. **CONSIDER MINOR LOT SUBDIVISION FOR IOTA, LLC SERIES 37 & IOTA, LLC SERIES 36**-Woolsey Surveying. The Council will consider a favorable recommendation from the Planning Commission.

Steve Woolsey, of Woolsey Land Surveying, said this is a minor subdivision to adjust some lot lines between landowners and he showed the map. The owners agreed to make this adjustment. They have the amount of land required per ordinance and this is a minor subdivision with a lot line adjustment. A mylar will be recorded. Council Member Ross said the Planning Commission sent a favorable recommendation. Mayor Pro-Tem Stoor asked for a motion.

Council Member David Harris made a motion to approve the Minor Lot Subdivision for IOTA, LLC Series 37 and IOTA, LLC Series 36. The motion was seconded by Council Member Ross and all voted in favor.
4. **CONSIDER A PLAT AMENDMENT FOR BRANDON FARNSWORTH, LOT 18 & STEVEN CLARKE, LOT 19 IN GARDEN PARK ESTATES, UNIT 3**-Woolsey Surveying. The Council will consider a favorable recommendation from the Planning Commission.

Steve Woolsey, of Woolsey Land Surveying, came up to represent the owners on this plat amendment to adjust two parcels. He explained the two owners got together and agreed that Mr. Clarke would sell Mr. Farnsworth a portion of his larger lot for a new home. Since this is located in a platted subdivision, this plat amendment process is required. Both parcels have the required acreage per City Code. Council Member Ross said the Planning Commission sent a favorable recommendation. Mayor Pro-Tem Stoor asked for a motion.

Council Member David Harris made a motion to approve the plat amendment for Brandon Farnsworth, Lot 18 and Steven Clarke, Lot 19 in Garden Park Estates, Unit 3. The motion was seconded by Council Member Ross and all voted in favor.

5. **ORDINANCE NO. 2021-02-17, AN ORDINANCE AMENDING THE ENOCH CITY ZONING ORDINANCE, CHAPTER 2, SECTION 2-10, ITEM 7, REGARDING THE WIDTH OF ACCESSORY DWELLING UNITS (ADU's)-** The Council will consider a favorable recommendation from the Planning Commission.

Mayor Pro-Tem Stoor asked City Manager Dotson or Council Member Ross to tell the Council about this item. Council Member Ross said the Planning Commission sent a favorable recommendation and there were no comments in the public hearing. City Manager Dotson said our requirement says any dwelling has to have a 20 foot minimum width. Recently we allowed cargo storage containers to be used as accessory dwellings. They are less than 20 feet wide. We are trying to allow for that by changing the Code to allow these cargo containers to be used for accessory dwelling units. The exception is we call this a "guest house" which is an accessory dwelling unit or ADU. You could live in a cargo storage container with this change as long as it is an ADU and meets all building code requirements for a dwelling. Mayor Pro-Tem Stoor asked for discussion. Council Member Lee asked why this came up. City Manager Dotson said the idea was the City would allow a cargo storage container to be converted to meet building codes and could be used as a dwelling unit. The issue was they are less than 20 feet wide and our ordinance as written, says dwelling units have to be wider than 20 feet. This change allows for them to be less than 20 feet wide as long as it meets all building codes.

Council Member David Harris made a motion to approve Ordinance No. 2021-02-17, an ordinance amending the Enoch City Zoning Ordinance, Chapter 2, Section 2-10, Item 7, regarding the width of accessory dwelling units (ADU's). The motion was seconded by Council Member West Harris and a roll call vote as held as follows:

Council Member David Harris	Harris-yes	Council Member Stoor	-Yes
Council Member Ross	-Yes	Council Member West Harris	-Yes
Council Member Lee	-Yes	Motion passed unanimously	

6. **CONSIDER ENOCH CITY IRRIGATION WATER SERVICE AREA -Hayden** White, PW Director - Consider the establishment of an area to require secondary irrigation installed in new subdivisions.

Mayor Pro-Tem Stoor asked Hayden White, Public Works Director, about this item. Hayden said new subdivisions that have access to secondary water lines are not currently required to put it in. He is suggesting we change our Ordinance back to the way it used to be when we required subdivisions within a certain distance of the line to hook on at their expense. A map was shown of pending subdivisions in the shaded area that would be included in this action should the City Council decide to require it. We are getting more irrigation wells online and doing this will take stress off of the culinary water system. City Manager Dotson said it used to be City wide but that does work not in areas where we would have to pump it uphill. We could only reasonably supply them with the service if they were in areas where it could be gravity fed. That is the main reason we removed the requirement a few years ago. It was only practical in the lower lying areas of town. Now we want it back for areas that have access as we do have new subdivisions coming

in that are near the secondary irrigation line. Hayden reiterated the colored areas on the map would work for secondary irrigation. We are working hard on expanding the secondary system to take pressure off the culinary system when we can easily do that. Should the City Council agree with this proposal, it would go to the Planning Commission first because it is a land use ordinance covered in the Subdivision Ordinance. They would make a recommendation to the City Council after reviewing it and holding a public hearing. Hayden said he feels comfortable that the secondary system would easily serve the areas shown on the map. City Manager Dotson said we have this service in Dairy Glen, Three Peaks and parts of Spanish Trails. There is a new subdivision going in south of Fosters that is right by the secondary line. For clarification the secondary meters are in the backyard and the culinary meters are in front. City Attorney Wayment said right now we are pricing kids out of homes here and to add this requirement is expensive and raises the price of a lot by \$10,000 to put this in. Are we just making that cost situation worse for younger people trying to buy homes? City Manager Dotson asked what if water is not available in the culinary system for those homes? If we don't do this to use the secondary water that is undrinkable anyway that could happen in the future. City Attorney Wayment said perhaps a better solution would be to target only parks, churches, the cemetery and not the homes. The developer passes that cost on, so that makes homes more expensive. City Manager Dotson explained the rate structure for secondary and culinary water and what they get for the base rate. They get more water per user if they are a secondary user. Mayor Pro-Tem Stoor said he is in favor of having the Planning Commission look at this and look at costs too. Council Member David Harris said we are trying to preserve our drinking water and he is also in favor of having the Planning Commission review this suggestion. He added we may need to raise water rates to curtail usage. City Manager Dotson said we want the City Council to think about it and if they want it to continue they can put it on the Planning Commission agenda or keep talking about it here. Mayor Pro-Tem Stoor said he would like to see some numbers and others agreed they did too. It was noted we are talking about Eagle Valley Estates, south of Fosters, in regard to adding this requirement back into the Code. Phase 1 is approved and they want to start building it now. They are right by the secondary line and we would connect the first phase for them. We just have to get the pipe. Council Member Lee said she appreciates forward thinking. That is for the benefit of current residents to control their prices so they are not penalized for new growth that should be covered by impact fees from new growth. Council Member David Harris said if we try to encourage more usage of the secondary system where it is available we may be able to delay an increase in water fees for all. We have the infrastructure and wells and we should use them. City Manager Dotson said in Water Board meetings we have talked about surface water. Farms use surface water from Coal Creek and as they go from farming to development that water could also be obtained for the secondary system. We already have a formula for conversion of secondary water when we get the opportunity to acquire it. As we get the surface shares it would go to irrigate the homes landscaping in the area being developed. Mayor Pro-Tem Stoor said he would like more information about costs to see if this would be good for the City before we move it onto the Planning Commission. The Council agreed to review the numbers in another meeting. No action was taken or timeframe set for another discussion with cost figures.

7. CONSIDER THE CONSOLIDATION OF ALL ENOCH CITY REVISED ORDINANCES, SUBDIVISION & ZONING ORDINANCES INTO ONE DOCUMENT- Rob Dotson, City Mgr. –The Council will consider consolidating all City Codes into one document.

Mayor Pro-Tem Stoor asked City Manager Dotson about this. City Manager Dotson said over the years we have used three documents containing our ordinances; The Code of Revised Ordinances, the Subdivision Ordinance and the Zoning Ordinance. We want to digitize it all and combine it into one searchable document to make it easier for people to find things and get their

questions answered. A tech company would do this for us. Most cities do that now. We may be contracting with a local firm to do this for us at a reduced rate. He referred to the copy attached to the packet to show what it could look like. He gave examples saying everything in land use which is not the Subdivision Ordinance and the Zoning Ordinance would be together for all land use requirements. He gave more details of how we would assemble this so it makes sense and cleans it up making it easier to find things. Council Member Lee said she has had problems with finding things already so this would make it simpler for people to locate the topic they are looking for and not have to scroll through all of it. City Manager Dotson said normally we have to take it to the Planning Commission due to land use ordinances. They would hold a public hearing and go through the process to recommend a change. City Manager Dotson asked City Attorney Wayment about that and he said we could do it without a formal process. We are just changing the format and not changing the law. Council Member David Harris asked if there was any reason not to do this. This is just formatting with no substantive changes other than the order it is put in. City Attorney Wayment said the City Council is fine to do this without referring it to the Planning Commission. City Manager Dotson told about Jones & Demille who do this type of work and gave more details of the process which can be done economically. It costs \$1,100 a year to maintain it. They give access to us so we add changes to the law as they are made. It is easier, clearer and accessible to all online. Council Member David Harris asked if we need a motion. The City Council agreed by consensus this is a positive change. It involves money so we would need a motion. Mayor Pro-Tem Stoor noted this cost would be in both budgets; the current year and the upcoming year. City Manager Dotson said we have an agreement with Jones & DeMille and City Attorney Wayment will review it if they want to appropriate the funds.

Council Member David Harris made a motion to approve the consolidation of the three documents to digitize it as discussed and appropriate the funds. The motion was seconded by Council Member West Harris and all voted in favor.

8. CONSIDER PARKVIEW SUBDIVISION REGARDING THE CONTINUING PROCESS TO VACATE PARKVIEW SUBDIVISION, PHASES 4A, 4B & 4C IN WHICH A PROPERTY PURCHASE OR TRADE MAY BE INVOLVED-Rob

Dotson, City Mgr.-The Council will consider vacating the remainder of Parkview Subdivision.

City Manager Dotson said we are trying to get to the end of this whole process of vacating Parkview Subdivision. The part we are discussing tonight went through the final plat process, was approved and was deeded to the City on the roads and infrastructure so we still have to vacate that portion. It was noted the infrastructure has been removed and the fissure has caused the area to be unbuildable except for certain uses that would be designed to accommodate the fissure. The other major owner who is developing the industrial zone has purchased the lots from Iron County for their tax value and one area will be used for a storm drainage pond. The same person has purchased all the lots in Phases 4 A, B & C except for Enoch's lots to put infrastructure for the drainage pond. There are a couple of lots in the north section owned by a person named Richard Bronsema. City Manager Dotson showed the map and explained who owns what areas. The intent is to eventually vacate this subdivision because of the fissure. That area can be used for some industrial uses but not homes and no building permits would be issued for homes. At this point we are the sole owners except for the owner of the industrial area to the north and two other owners of a few lots. One other owner of 3 lots along Half Mile is willing to trade but not sell. He paid more for the lots in 2006 than they go for now. They go for the amount of the property taxes owed which is about \$500 to \$1,000. There is no infrastructure to support anything. The gas, power, waterlines and fire hydrants have been removed and there is no lift station for sewer. The idea is to vacate the rest of it so the only uses would be the industrial development and the drainage pond. He gave more details of the ownership and where it is

located. The issue is the one (1) lot because the owner won't sell. City Manager Dotson said he contacted this owner and one will sell for \$2,500. That is why he is bringing this to the City Council. He said he has made several attempts to get hold of one other owner with no response. All of the lots would be nonconforming lots and unbuildable. There is no use for them due to the fissure. City Manager Dotson said he is requesting that he be authorized to approach the one owner to buy the lot for \$2,500 so he is out of the picture. That way we obtain the property for vacation out of the subdivision eventually. Council Member Lee asked if they won't sell then what happens. What if we didn't buy the lots? Could they still be vacated?

City Manager Dotson asked City Attorney Wayment if all owners have to agree or if it is a percentage of all owners. City Attorney Wayment was not sure and said he go look it up right now. (NOTE: He was on attending on Zoom) He did say all owners have to be duly noticed but he is not sure if only a percentage have to agree. We are vacating the street to the south and all other streets but not Half Mile Road and what is known as Parkview Street. Council Member Lee asked why they would even care since the land is useless. Why does it affect them if we vacate? It is a nonconforming lot and they can't do anything with it. Is that our responsibility to make them whole in any way? It was noted the main industrial developer, George Lutterman did not want the lots so it is our problem in Enoch because we own all lots to the south. It could result in illegal dumping on those lots but that is an enforcement issue and not a reason we should buy them. We don't know if we can even get hold of the owner on the other two lots who did not respond so far. City Attorney Wayment came back from investigating the law and said "a body may vacate all or some if good cause exists and, neither the public interest nor any person will be materially injured by the vacation". City Attorney Wayment said if those two people are given notice there will be no access to the lots because no street exists then that is what our obligation as a City is. We give them notice it is being vacated and unusable. There is an existing road there now but no development would be allowed. City Attorney Wayment said no one is being materially injured and he does not see that is a problem. City Manager Dotson said he would offer to buy if the Council approved but we don't have to. There was brief discussion. Mayor Pro-Tem Stoor said if we don't buy it they could fence it in but why would they go to the cost of doing that. Council Member David Harris confirmed there is no lift station to handle sewer or any other utilities so they are not buildable and the City would not allow any building permits to be given. City Manager Dotson told more about the major owner trading for some lots. When vacated it will be one piece of property. Council Member David Harris said he is good with continuing on with vacation of the whole thing but not buying any lots. Council Member Lee said she thinks we need to vacate it all in the best interests of the City and should just move forward.

Council Member David Harris made motion to vacate the Parkview Subdivision, Phases 4A, 4B & 4C but not buy, sell or trade any lots. The motion was seconded by Council Member Lee and all voted in favor.

9. COUNCIL/STAFF REPORTS

Hayden White said he heard from a neighbor that the West Desert water pipeline is coming through. Council Member David Harris who is on the Conservancy District Board, said they are doing a survey. It is a reality and is planned for the future. The EIS is in progress and being commented on. Hayden said he got Grimshaw Drilling to test pump the Garden Park well. The crew got the secondary waterline run to the school. The Half Mile well (Grimshaw well) we recently purchased is being investigated to see how it will affect our water system. Meter reading and garbage routes will be changing due to new subdivisions and more customers to serve. Today was water shut off day and we had about 16 turned off for non-payment.

Chief Ames reported he got the last new truck today. They assisted with a shooting in Iron County however our officers did not shoot. The officer involved shootings are being investigated as is the policy. There have been a couple of DUIs. Our new officer who came back to us after

leaving has had some serious calls. He is experienced and doing well. We are glad to have him back.

Ashley Horton reported we need to think about next year's budget talks. The tentative budget needs to be ready soon and she wondered if the Council wanted to have a special work meeting for that as we have done in the past. She asked the department heads to get their budgets to her and then we meet as staff and talk to the City Council in May about the requests and changes. City Manager Dotson said he thinks we can get it done in a regular Council meeting. There is not too much controversy here. After discussion it was agreed April 7th would work for all on a regular City Council night especially if we can limit the rest of the agenda.

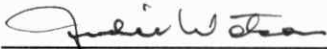
City Manager Dotson reported Mayor Chesnut gave a great presentation at the Chamber of Commerce State of City address. Others did too but our Mayor was in good form and did a great job of telling how great Enoch is. It is coming down to leadership of the City and that includes the City Council and the Mayor. Hayden is doing a great job for us and has a lot of foresight for the future. Chief Ames is building the PD that is the envy of the area. He gave more details. We live and serve here to help people succeed. He reported the State Legislature is proposing many things taking away municipal rights to self-govern. One big one is in law enforcement. He gave more details of the various bills and that the ULCT is on our side fighting for municipal rights and our ability to maintain municipal immunity in various areas that affect our ability to function. He said he has been in touch with our representatives and they are aware of our concerns. Building inspections are a huge issue with this legislature. It is all as a result of issues up north. Their problems cause them to pass legislation that affects us here even though we don't share their issues or problems. The ULCT and others work hard on our behalf. City Manager Dotson reported he has been sending letters to those living in RV's illegally. He will keep the Council posted as he gets responses.

Council Member Ross said the Planning Commission has some subdivisions coming up and will be updating the road map for the Master Transportation Plan as well as updating the General Plan regarding the Annexation Declaration Boundary line to comply with the County's line.

Council Member Lee said she has been working with the committee on the roundabout and has some things coming shortly.

City Attorney Wayment commented on the Legislature regarding the changes they propose to the police departments. It would involve officers checking with and intervening in situations while they are in progress which has the potential to really cause more issues in the middle of the heat of the moment. That can be a dangerous situation between officers in a situation. Chief Ames concurred saying they already have policies in place on that. It is a bad bill all the way around.

10. ADJOURN-Motion to adjourn by Council Member David Harris. The motion was seconded by Council Member West Harris and all voted in favor. The regular meeting ended at 7:30 pm.

 3-3-21
Julie Watson, Recorder **Date**

Topic: Enoch City Council
Time: Feb 17, 2021 06:00 PM Mountain Time (US and Canada)
Join Zoom Meeting
Meeting ID: 815 4559 9796