

MINUTES
ENOCH CITY COUNCIL
January 3, 2024 at 6:00pm
City Council Chambers
City Offices, 900 E. Midvalley Road

Members present:

Mayor Geoffrey Chesnut
Council Member Katherine Ross
Council Member David Harris
Council Member Shawn Stoor
Council Member Bob Tingey
Council Member Debra Ley

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

Public Present: Jeff Richards, Ryan Talbot, West Harris, Delaine, Finlay, Cindy Bulloch, Bonney & Kirk Andrejczik

1. CALL TO ORDER OF REGULAR COUNCIL MEETING

- a. **Pledge of Allegiance-** Led by City Manager Dotson
- b. **Invocation (2 min.)-Audience invited to participate- Given by Spencer Jones**
- c. **Inspirational thought-** Given by Mayor Chesnut
- d. **Approval of Agenda for January 3, 2024- Council Member D. Harris made a motion to approve the amended agenda. Council Member Ross seconded and all voted in favor.**
- e. **Approval of Minutes for December 20, 2023- Council Member D. Harris made a motion to approve the amended agenda. Council Member Tingey seconded and all voted in favor.**
- f. **Ratification of Expenditures-** There were none.
- g. **Conflict of Interest Declaration for this agenda-** There were none.

2. PUBLIC COMMENTS

Ryan Talbot spoke as the Executive Officer for the Iron County Home Builders Association. There were concerns about the proposed Transportation Impact Fees on item number 6 on the agenda. Spencer Jones is the Government Affairs Committee Chair for the Home Builders Association. He read a letter regarding concerns of the fees per unit on commercial projects. This would significantly impact their memberships. He gave data and examples. *See attached letter.

Cindy Bulloch spoke as a representative for Congresswoman Celeste Malloy. She was working for her as an outreach. She wanted to update everyone. Malloy has been given committee assignments in transportation and education. They don't have a budget so they are still operating as a continued resolution. The Congresswoman is on the border today to work on some issues. She will give City Manager Dotson her phone number if the Council needs anything.

3. ADMINISTER THE OATH OF OFFICE TO THREE CITY COUNCIL MEMBERS – Lindsay Hildebrand, City Recorder

Lindsay Hildebrand gave the oath of office to David Harris, Debra Ley, and Shawn Stoor.

4. CONSIDER ORDINANCE NO. 2024-01-03 AN ORDINANCE TO AMEND ENOCH CITY CODE 8.200.225 VAULTS REQUIRED – Requested by Kenworthy Monuments

Robert Kenworthy participated via Zoom and expressed a desire to use lightweight polypropylene vaults, which are as durable as concrete but lighter in weight. It was mentioned that cities like St. George had already amended their ordinances to allow such vaults. Council Member Tingey inquired about whether the ordinances specified rules for regular burial versus cremation, and City Manager Dotson affirmed that they did, providing examples. Mr. Kenworthy explained that concrete would still be used alongside the polypropylene vaults. City Manager Dotson mentioned that the city's attorney questioned the necessity of having a list and suggested letting the industry decide, but he argued that without a list, there might be disagreements. Council Member Ross sought information on industry standards, and City Manager Dotson recommended consulting with Kenworthy Monuments and other professionals, who were willing to provide the vaults. Concerns were raised about the change, and Mr. Kenworthy highlighted that St. George had a requirement for concrete vaults with a crush rate exceeding 8,000 lbs., whereas the proposed poly vaults could withstand up to 12,000 lbs. of pressure. Council Member Ross questioned if Public Works had concerns, and Hayden White confirmed that he did not.

Council Member D. Harris made a motion to approve Ordinance No. 2024-01-03, an ordinance to amend Enoch City code 8.200.225, Vaults Required. Council Member Stoor seconded and a roll call vote was held as follows:

Council Member Ross: Yea	Council Member Harris: Yea
Council Member Stoor: Yea	Council Member Tingey: Yea
Council Member Ley: Yea	Motion Passed

5. CONSIDER RESOLUTION NO. 2024-01-03 A RESOLUTION ADOPTING A MEMORANDUM OF UNDERSTANDING WITH IRON COUNTY – EMS Services

City Manager Dotson said Senate Bill 64 says we are responsible for either providing emergency medical services or we can have a memorandum of understanding with another provider. Now, the county will take this on because they have a contract set up with Gold Cross to provide emergency medical services.

Council Member Harris made a motion to approve Resolution No. 2024-01-03, a resolution adopting a Memorandum of Understanding with Iron County. Council Member Ross seconded a roll call vote was held as follows:

Council Member Ross: Yea	Council Member Harris: Yea
Council Member Stoor: Yea	Council Member Tingey: Yea
Council Member Ley: Yea	Motion Passed

6. CONSIDER ORDINANCE NO. 2023-12-06-D AN ORDINANCE ADOPTING THE TRANSPORTATION IMPACT FEE ANALYSIS IMPACT FEES PER UNIT

City Manager Dotson presented an impact fee analysis based on trips per day, covering six projects. One of these projects involved widening SR-130, while one of the top priorities, was the Highway 91 underpass on the south side of Enoch. A grant was applied for a feasibility study to address concerns at the Maverick intersection. The calculation method involved a formula applied to a spreadsheet, resulting in a proposed fee of 9% of the maximum eligible impact fee cost per unit over 10 years. Concerns were raised regarding the impact on businesses, with the example of a potential \$65,000 difference for a fast-food place in Enoch compared to Cedar City. The discussion considered Enoch's unique needs, and there was a suggestion to implement a 75%

discount for commercial impact fees. Spencer Jones expressed doubt about funding all six projects in the next decade and questioned the feasibility of building projects outside city limits. He emphasized the high cost of the underpass compared to widening the SR-130 and Highway 91 intersection. The overall concern was the potential impact on businesses and developers choosing between Cedar City and Enoch. Mayor Chesnut highlighted the fact that Cedar City expects Enoch to contribute financially in partnerships with them. There was a discussion on the proposed projects, with Mr. Jones requesting a more thorough examination of the six highest priority listed road projects. Council Member Harris emphasized the impact on livelihoods and the need for solutions, suggesting a 75% discount for commercial impact fees. Council Member Tingey and others echoed concerns about funding and liability. The discussion concluded with a recommendation to review the proposed projects and seek solutions for funding discrepancies noted by Mr. Jones. Council Member Harris expressed willingness to explore alternatives and find the necessary funds. Council Member Stoor and Council Member Ross agreed to set a discount of the 19.17%.

Council Member Harris made a motion to approve Ordinance No. 2023-12-06-D, an ordinance adopting the Transportation Impact Fee Analysis Impact Fees Per Unit, leaving detached single-family residential as is but modifying the rest of the chart to a 75% discount off of the 19.17% of the study. Council Member Tingey seconded and a roll call vote was held as follows:

**Council Member Ross: Yea
Council Member Stoor: Yea
Council Member Ley: Yea**

**Council Member Harris: Yea
Council Member Tingey: Yea
Motion Passed**

7. DISCUSS THE 2023 ENOCH CITY AUDIT

Ashley Horton provided a brief overview of the letter from the auditors and opened the floor for discussion. It was noted that there was a deficit of approximately \$100,000 in the Water Fund. Enoch responded by explaining that water rates were increased to address and retire that deficit. Additionally, it was highlighted that in the general fund, maximum savings were achieved. In terms of compliance matters, there was acknowledgment that meeting minutes had not been posted on the state website for one meeting. Lindsay was mentioned as actively working to ensure proper and timely posting of the meeting minutes.

8. SET A DATE AND TIME FOR COUNCIL ORIENTATION/STRATEGIC PLANNING

Council Members engaged in a discussion regarding dates and times for their upcoming sessions. A unanimous decision was reached to schedule the next meeting for February 3, 2024, at 9:00 am. It was noted that these meetings typically last for an hour or two. City Manager Dotson informed the members that there would be introductions of significant topics in the upcoming session, and any necessary changes could be addressed during the meeting.

9. COUNCIL/STAFF REPORT

Hayden White

- Public Works Department have been getting ready for snow.
- They finished the drainage pond on Enoch Road.
- He sent the Council an email. He is looking for direction with the way we are growing regarding the budget. He was looking for insight or direction on when he can look at hiring an employee in the future? Council Member Ross asked of he had looked at how far behind in the department they were. Hayden said everyone he has talked to said they look at mileage and the amount of time it takes to do each job. Depending on how this spring goes, (we have had 4 more subdivisions come through) he wanted to be aware and

look towards the future. Council Member Stoor said he trusted his judgment and when he started to feel the pressure and he felt like there was a need to ask. Hayden mentioned that they have 11 employees for about 8,300 people. During the summer and the fall, they are pretty stretched. Council Member Harris suggested looking at 2 employees per thousand people. Council Member Harris asked what their equipment needs were. Hayden said they have doing good. Their last hire was a good mechanic and has done great in saving they city money. Council Member Ross said if he could add on extra work such as water chlorination. Hayden noted that on the weekends, when testing, it has to be done every day so the guy on call will do that.

Chief Ames

- This holiday season seemed to be good.
- Our crossing guard is no longer able to do the job. We have been advertising but haven't gotten too many interested. It's about 7 hours a week. About 8:15 and cross kids until 9 and then again at 3:15 to 3:45.
- We had a burglary at Fosters a couple of weeks ago. We worked with Cedar and Iron County Sheriff's Office and were able to use some facial recognition software and other things. They found two of the men who were out of California.
- The Childrens Justice Center building has foundation poured.

Ashley Horton

- There is a lot of reporting she has to do at the end of the year.
- She will be getting W-2s ready.

City Manager Dotson

- Tomorrow at 6:00 there will be a remembrance for the Haight Family at the Enoch Elementary.
- A pilot training that FEMA and Texas A & M is the second training that they will do across the nation. Council Member Stoor asked if it was just for public officials. City Manager Dotson said anyone involved with emergency response is invited. There is 25 people at the minimum.
- We are closing the drainage project on Old Highway 91 and Enoch Road. That was federal funding that came from NRCS. We did that project in-house and they were impressed with our Public Works that did that. It was quality and precise. It will technically detain water.
- There will be a request by Enoch Trauma Recovery, but they want to put a memorial of some kind in our cemetery. City Manager Dotson suggested maybe a plot or some land this is just a place that people who live here could visit instead of driving down to hurricane. Council Member Stoor wanted to make sure that the living relatives ok with that.

Lindsay Hildebrand

- She gave some information. We sold 62 cemetery plots last year.
- Signs up for Jr. Touch Rugby will be starting soon. There will be a free clinic at SUU on January 27th from 9-10 am.

Mayor Chesnut

- has asked Council Members to act as liaisons to other groups and boards. He proposed and requested consideration.
- There is a lot in the works in regard to growth and projects being proposed. They are working inside the ice rink.
- He updated everyone on the Enoch Wildlife Rescue.

Council Member Ross

- We are looking for a new Planning Commission member.

- She was in a wheelchair during the Wreaths Across America and wondered about asphaltting the roads in the cemetery. It would look nicer, with less grass damage, and better access.

David Harris


- He got a volunteer for the Tree Committee. Charlotte Lark would like to join. She brought up the issue of people trying to find Willow Glen Inn they will Google search it and look for Bulldog Rd. Google brings up a numbered address. He asked to replace those street signs at the major intersections of where Bulldog is. Hayden said we just did that side of the road and it might have already been replaced.

Bob Tingey

- Wreaths Across America went really well. He was impressed by the Southwest Wildlife Rescue. Mayor Chesnut noted that they have ¾ of their home committed to rehabilitation over the next 40 years. The praise he gives to Enoch is far undeserved vs. what he has done. We gave him a piece of land for the next 100 years. That was easy compared to what he has done for both our community and wildlife in it.

12. ADJOURN –

Council Member Harris made a motion to adjourn. Council Member Tingey seconded and all voted in favor.

 1/17/2024
Lindsay Hildebrand, Recorder **Date**

Dear members of the Enoch City Council,

Good evening, and thank you for allowing me the opportunity to address you tonight. My name is Ryan Talbot, and I serve as the Director of the Iron County Home Builders Association, representing over 150 local individuals and employers in the construction industry. Tonight, I would like to bring to your attention our concerns regarding the proposed ordinance adopting transportation impact fees per unit, specifically as it pertains to commercial buildings.

While we understand that the city council has already adopted its impact fee study and residential impact fee, we believe it is crucial to discuss the potential ramifications of implementing "per unit" fees on commercial projects. In our rural community, many homebuilders are also involved in commercial work, and this proposal stands to significantly impact our membership.

To provide a comprehensive perspective, we have engaged an expert in the field to review the impact fee study. This expert has raised serious concerns about the eligibility of projects, their timelines, and the proportion of the need for these projects attributed to growth. Our intention tonight is not to criticize the study but to shed light on the real-world impact of these proposed fees on our local market.

As it stands, every new gas pump built within city limits would incur an \$8,599 transportation impact fee, despite the greater burden placed on our roads as Enoch residents commute to Cedar City for gas. A 3,000 square-foot fast-food restaurant faced with the choice of building in Cedar City or Enoch would have to pay over \$65,000 more in transportation impact fees to keep its business in Enoch. Similarly, a bank choosing to locate in our community would face a roughly 3% transportation surcharge on its entire construction budget, and a Doctor or Dentist's satellite office in Enoch would incur an additional \$5 per square foot compared to their Cedar City office.

We recognize the importance of improving Enoch's infrastructure and building sustainably. However, we urge the City Council to consider the market forces at play and to fine-tune these fees in a way that contemplates whether the proposed solutions will genuinely address our problems or potentially exacerbate them.

In conclusion, we appreciate the hard work and dedication of the Enoch City Council. We understand the challenges you face in making decisions that benefit our community. As you deliberate on this matter, we ask that you keep in mind the broader impact on our local market and continue to refine the proposed fees in a manner that considers market forces.

Thank you for your service and sacrifice in working towards the betterment of our community.

Sincerely,

Ryan Talbot
Director, Iron County Home Builders Association