

**MINUTES**  
**ENOCH CITY COUNCIL**  
**July 20, 2022 at 6:00pm**  
**City Council Chambers**  
**City Offices, 900 E. Midvalley Road**

**Members present:**

Mayor Geoffrey Chesnut  
Council Member Richard Jensen  
Council Member West Harris  
Council Member Katherine Ross  
Council Member Shawn Stoor

**Staff present:**

Ashley Horton, Treasurer  
J. Wayment, City Attorney - absent  
Hayden White, Public Works Director  
Robert Dotson, City Manager  
Jackson Ames, PD Chief  
Lindsay Hildebrand, City Recorder

**Public Present:** Lu Finlay and Holly Hammond was on Zoom

**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 Stoor
- c. **Inspirational thought-** Given by Council Member Jensen
- d. **Approval of Agenda for July 20, 2022- 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 6, 2022- Council Member D. Harris made a motion to approve the agenda. Council Member Stoor seconded and all voted in favor.**
- f. **Ratification of Expenditures- Council Member D. Harris made a motion to ratify expenditures. Council Member W. Harris seconded and all voted in favor.**
- g. **Conflict of Interest Declaration for this agenda-** none stated

**2. PUBLIC COMMENTS**

Holly Hammond, who owns property on Village Green Road, said she appreciated all that the Council is doing, but asked that they don't table the water acquisition and water rights transfers. She is frustrated that it's been pushed back and requested that they take a vote during the item on the agenda.

**3. CONSIDER RESOLUTION NO. 2022-07-20-A A RESOLUTION TO FORMALLY RECOGNIZE AND OBSERVE JUNETEENTH AND AMEND THE ENOCH CITY PERSONNEL POLICIES AND PROCEDURES MANUAL**

Council Member Jensen said that he was in favor of the holiday, but didn't like the language regarding systemic racism still undermining our founding ideals and collective prosperity.

**Council Member D. Harris made a motion to approve Resolution No, 2022-07-20-A a resolution to formally recognize and observe Juneteenth and amend the Enoch City Personnel Policies and Procedures Manual. Council Member Stoor seconded and a roll call vote was held as follows:**

**Council Member D. Harris – yea    Council Member Jensen – nay**  
**Council Member W. Harris – yea    Council Member Ross – yea**  
**Council Member Stoor – yea        Motion passed**

**4.        CONSIDER RESOLUTION NO. 2022-07-20-B        A RESOLUTION TO  
AMEND THE ENOCH CITY FEE SCHEDULE BY ADDING A \$1.50  
DUMPSTER FEE**

**Council Member D. Harris made a motion to approve Resolution No. 2022-07-20-B a resolution to amend the Enoch City Fee Schedule by adding a \$1.50 dumpster fee. Council Member Ross seconded and a roll call vote was held as follows:**

**Council Member D. Harris – yea    Council Member Jensen – nay**  
**Council Member W. Harris – nay    Council Member Ross – yea**  
**Council Member Stoor – yea        Motion passed**

**5.        CONSIDER ADDING ITEMS TO THE SURPLUS INVENTORY LIST - PW**

Public Works Director, Hayden White, had a list of items that he needed to get rid of. He went over each item. He said there are people who want to do trade work for the old well casing. The Volvo water truck has been replaced, as well as, the Chevy Malibu. The Dodge Durango and the GMC Sonoma will be replaced, so they are on the list.

**Council Member D. Harris made a motion to approve adding items to the Surplus Inventory List. Council Member Stoor seconded and all voted in favor.**

**6.        CONSIDER A LETTER OF ACQUIESCENCE TO A PETITION OF  
ANNEXATION IN CEDAR CITY - Manager Dotson**

Mayor Chesnut said there is a parcel of property that is just outside of our City boundary and next to the Bowling Alley. It is currently in the County, where the boundaries overlap and there is a property owner who is seeking to annex into Cedar City. Part of the State statute requires that we let the entity, where they seek to annex, know whether or not there is a problem with that. For Enoch, there would have been some potential issues or difficult to provide services in that area.

**Council Member Jensen made a motion to approve a letter of acquiescence to a petition of annexation in Cedar City. Council Member W. Harris seconded and all voted in favor.**

**7.        CONSIDER ORDINANCE NO. 2022-07-20        WATER ACQUISITION &  
WATER RIGHT TRANSFERS**

Council Member D. Harris was fine with the way it is written and would like to keep the exemption in. He recapped the conversation from the last City Council meeting. The issue was the exemption from parks and he felt like it's an additional tax, so he would like to keep the exemption in. He suggested passing the ordinance, even if there still is an issue, and bringing the issue back if needed. Council Member Jensen said he tabled it during the last meeting because he didn't know much about it. He spoke with City Manager Dotson and he thought, even if they left out the exemption part, we could still keep doing what we are doing. Council Member D. Harris said if a developer builds a private park, then they bring water and maintain it. If they build a park and it's deeded to Enoch then we deal with the water.

**Council D. Harris made a motion to approve Ordinance No. 2022-07-20 water acquisition and water right transfers. Council Member Stoor seconded and a roll call vote was held as follows:**

**Council Member D. Harris – yea      Council Member Jensen – yea  
Council Member W. Harris – yea      Council Member Ross – yea  
Council Member Stoor – yea          Motion passed**

**8. CONSIDER PROPOSED WATER RATE STRUCTURES**

City Manager Dotson said two years ago he started looking at receiving professional assistance from RCAC to figure out what needs to happen in order to increase the amount of income that we are making without becoming too egregious to the customer. He had sent the Council a link to Matt Kennedy’s presentation during this month’s Water Board meeting. The intent of Mr. Kennedy’s analysis was to take every piece of equipment and infrastructure and calculate their longevity. Then he took the operation and maintenance budget, in conjunction with complicated algorithms, and calculated a rate. Council Member Jensen proposed another rate analysis and the intent was to look at rates in a 5-year period. One challenge was that we do not fund our depreciation and this would allow us to contribute to our reserves. He went over everything that is calculated in the rate study. The Water Board was presented this information and ended up coming up with similar but different rate structures.

Council Member D. Harris recapped discussion with the Water Board. He said it’s important to know that 87% of our costs are fixed. Mr. Kennedy came up with an idea that would put enough money into savings for replacement of infrastructure in the future. He went over the table of the results from the new rates in Proposal one. The first tier allows customers up to 10,000 gallons of water. Tier two is up to 40,000 and tier three is up to 70,000. Council Member Jensen came up with a 2<sup>nd</sup> proposal. The Water Board was concerned about making the base rate too low. If we are too reliant on over users then we won’t have enough revenue to cover fixed costs. Each board member gave their recommendation, City Manager Dotson had emailed to the Council and others. Council Member Stoor said he liked staying with a \$29 base rate. Council Member Ross asked about irrigation with an overage of \$5. Council Member Stoor asked for clarification regarding residential using irrigation on the secondary or someone watering alfalfa. City Manager Dotson explained what that water rate structure looked like.

Council Member Jensen said one thing that he didn’t like was that all of the tiers were different and somewhat random. In Proposal two, 25,000 gallons of water is equal to one acre foot of water. If we wanted to make sure that every home paid their fair share to maintain the water system, the base rate would have to be \$40.10 to make sure we don’t depend on over users. He presented a table of the data. He started with two principles. First, everyone who has given the City one acre foot of water only pays \$40.10. Because there had been discussion to have another tier with a lower number to encourage conservation, he cut the numbers in half. He went to 15,000 and the base rate would be \$20. The second principle he had was that the people using more water should pay the going rate for water shares. He explained in detail what this meant and used examples of what other municipalities are paying for water.

Council Member Jensen also proposed a different rate structure that would adopt a formulaic approach. Every year when we close the budget, Ashley would auto adjust the rates based on costs, including inflation and other conditions. Mayor Chesnut said one part that needs to be addressed is if we operate under the presumption that customers get an acre foot of water and we divided that by 12, what happens to the rates in the winter months when they don’t use as much water. Council Member Jensen said you could do what the power company does during those months and charge the same amount every month. Mayor Chesnut agreed and said we could go to St. George to the power company and set something up where they average out the same throughout the year. Ashley said it wouldn’t work unless there is a system that figures it out for us

because the City doesn't have the manpower and time to do that. Council Member D. Harris said he liked the formula to allow adjustments each year, as well as, increasing water rates in small increments. Mayor Chesnut said Mr. Kennedy did an enormous amount of work and we are required to do something specific. A formulaic approach has its advantages. Council Member Jensen noted that they had previously talked about wanting to put money away to buy into Pine Valley or buy other wells. The formula approach can do that and we could justify how we came up with the numbers and rates. City Manager Dotson asked if the intention of charging someone the base rate and the overage rate for the extra water that they are using is above and beyond a water right, does that money have to go towards buying more water rights? He needed to figure out if there is legality or some restriction like an impact fee for the justification in tying the overage fee to water rights. Mayor Chesnut said he prefers not limiting it to just water rights. We need wells. We have sufficient rights for every property in the City. Council Member D. Harris said if everyone is overusing and we are over pumping our water rights then we should use some of that money for other things. West Desert water won't be purchasing rights but purchasing the equivalent access to more water. Mayor Chesnut said a formulaic approach would allow us to build that cost into the formula and use that as an evenly distributed factor. Council Member D. Harris said he liked the formulaic idea, but on the recommendation of the Water Board and Mr. Kennedy he liked the base rate closer to where we are now. Mayor Chesnut said as administration, we would like to know which direction you want us to lean to. Council Member Stoor said he liked the formula idea and wanted to ask Mr. Kennedy how that would play out, regarding our reserves. Council Member Jensen asked whether they wanted to encourage anyone to conserve by having a lower tier or if they prefer to have a flat everyone covers expenses per house. His second question was if the Council wanted to have customers pay for the actual cost of water once they used double their acre foot. City Manager Dotson said, from Mr. Kennedy's presentation, the base rate was based upon what 90% of customers used in the winter, which was less than 10,000 gallons. The third tier, starting at 40,000, gallons was based upon the average summer usage of 90% of customers. Mayor said Mr. Kennedy is already trying to build that. City Manager Dotson said his calculations had nothing to do with water rights. That's how he set the base rate. All winter long we are still receiving the same amount of income every month, and the summer months is when we get that bump by basically 10% of our customers that pay most of the overage over 40,000 gallons. Council Member Jensen's proposal is based on water rights. Council Member D. Harris said he liked the base rate closer to where we are now, so we can still pay the fixed costs, if we do it with the intent to do more projects. Council Member Stoor said he liked table one because it covers costs and bills for infrastructure and doesn't contain a dramatic rate change. City Manager Dotson said it would be best if there was a way to plan to educate the public before the rates go into fruition. Cedar City didn't change their rates until June. City Manager Dotson suggested that the education needs to be simple and something that is not a huge equation that people can get lost in. Council Member D. Harris said the formula will be the complex part to educate. They won't know some of the expenses and we may have transparency issues on costs. A simple way might be to base it on a CPI number or something. Council Member Jensen said he would rather do actual expenses. If we have a major cost in one year the rates could be high so instead of year to year maybe we could calculate a three year average.

Hayden said regarding a grant loan, the last he remembered was this water rate increase had to almost double and be approved before they qualified for it. He has a meeting next month or so. They told us to raise our rates \$14 per house. Council Member D. Harris said he didn't want to increase the rate just for a loan. He also said that he wanted a base rate of \$29 and a formulaic scale relating to tiers of 15,000 to 25,000 and 25,000 to 50,000. Council Member Stoor liked the formula, but wanted it reflective of Proposal one. We need to decide how to set the policy and what it's based on.

## 9. COUNCIL/STAFF REPORT

Hayden White said he is still waiting on Rocky Mountain Power for the Grimshaw well. They have 90% of the conduit run. They have also finished the Sagebrush pond. He said they have one more to clean out, which is off of 3800. Hayden said the department has been working on a bunch of asphalt. He hired two new guys. One has started. Lastly, Hayden said he worked the water shutoffs because he had two full crews.

Chief Ames said they are steady and staying busy. Rick Vincent is their newest hire. He is scheduled to go to post August 22<sup>nd</sup> and because he is special functions certified, he can do some field training. Once he graduates the PD will be back up to fully staffed. Officer Humphries is at DARE training in hopes to get into schools a bit more. Chief also said that they are at about 450 cases for the year.

Ashley Horton said we got the dump back open and haven't had any negative comments regarding the \$1.50 fee. The staff has been discussing the option of offering the dump to non-residents. Ashley said if we charge \$20 for a punch pass, it might help alleviate some of our costs. We could just see if people are interested. Council Member D. Harris said he liked the idea of non-residents being able to dump and if they pay for it then he is ok with it. He was concerned about someone paying \$5 and then they end up filling the dumpster. He suggested trying to control the quantity that people dump to a reasonable amount. Ashley said it should be fine to charge \$5 per dump, allowing a truck bed, because they still pay more than a resident. This would also bring us a bit more revenue. Council Member Ross said it's worth a try. Council Member D. Harris suggested maybe charging \$10. Ashley said we would discuss it at the office staff meeting.

City Manager Dotson said Pineview Estates phases one and two are being built. At the north end they are supposed to build a retention basin, which was originally supposed to be built for phases one through six. They are now requesting, because of the cost of materials, to only do phases one and two. They don't have any foreseeable plans for phases three through six. Council Member D. Harris asked if it could be expanded to handle the other phases. City Manager Dotson said we would require them to design it and then they would build it to the size they need. Council Member Ross said she would like to have this in writing. Mayor Chesnut agreed and said we should tighten it up so there isn't a question in the future. They all agreed.

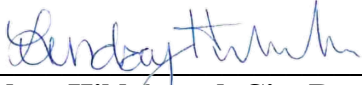
Lindsay Hildebrand said she has been busy with new cemetery lot sales and business licenses. There is nothing new to report.

Council Member Ross said she was talking to one of our residents who expressed appreciation that Enoch has a community atmosphere. They have worked with other city governments and it hasn't been very pleasant.

Council Member Jensen asked why the City Recorder doesn't stay during a closed meeting to take the notes. City Manager Dotson said her job doesn't require it. The people who do stay are usually involved. Council Member Jensen also asked if we will still require that people have a pass to dump. Ashley said yes and they are good for six months now. Council Member Jensen had a concern with a comment during the last City Council meeting. He said the comment was in regards to the belief that people should control their own property. He wanted to encourage the Council to decide if that was a value of government that they think should be in place and to stick with it. Council Member Ross said it sounded like he was attacking a Council Member in his report.

Council Member Stoor said he went to Jones Memorial Park and worked long hours. There is still a fair amount of work to be done.

**10. ADJOURN - Council Member D. Harris motioned to adjourn. Council Member Ross seconded and all voted in favor.** The meeting ended at 7:45 pm.

  
Lindsay Hildebrand, City Recorder      8/3/2022      **Date**