

MINUTES
ENOCH CITY COUNCIL
July 21, 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-absent
Council Member Katherine Ross
Council Member Shawn Stoor

Staff present:

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

Public Present: Robert Bromley, Richard Jensen, Debra Ley and Rod Brannon

1. **CALL TO ORDER OF REGULAR COUNCIL MEETING-**By Mayor Pro-Tem Stoor at 6:00 pm. He excused Mayor Chesnut and Council Member West Harris who were out of town.
 - a. **Pledge of Allegiance-**Led by Council Member David Harris
 - b. **Invocation-**Audience invited to participate-Given by Robert Bromley
 - c. **Inspirational thought-**Given by Council Member Ross
 - d. **Approval of Agenda for July 21, 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 July 7, 2021-Council Member Ross had one change on page 4. She said it was Council Member Lee who said we should copy Cedar City's ordinance, not her. Council Member David Harris made motion to approve the minutes with the correction. Motion was seconded 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-Mayor Pro-Tem Stoor invited public comments.**

Debra Ley said she appreciated being listened to regarding changes to the dumpster hours and procedure. She noted new flooding from the latest storms that flowed in a different place than past storms and wondered what the City has planned for mitigation.

Richard Jensen said regarding the discussion on the dumpsters, part of it was that we can't cover expenses. He said it seems like we missed any discussion of the City subsidizing it what we can do to fix that to cover costs. The only goal was to eliminate expense or reduce the burden on the City and maybe there are other options.

City Manager Dotson said we need to amend the agenda to move items 7 and 8 to be first so our City Attorney can here for the discussion. He has to leave for another commitment.

Council Member David Harris made a motion to amend the agenda to change the order as noted. The motion was seconded by Council Member Ross and all voted in favor.

7. **ORDINANCE NO. 2021-07-21-B AN ORDINANCE AMENDING THE ENOCH CITY ZONING ORDINANCE, CHAPTER 12-1100, SECTION 12.1100.1107, RECREATIONAL VEHICLES/TRAVEL TRAILERS-TEMPORARY**

Council Member Lee said we have an interesting situation with the Mayor and a Council member absent. City Manager Dotson said we have two ordinances for same item to choose from. One is a new one with suggestions from Council Member Lee on the wording and the other is the original Planning Commission ordinance. Mayor Pro-Tem Stoor said we are all concerned about the interests of residents and want to come to the best solution. As we look at the two ordinances on the table we need to be thinking about where government should insert itself. The City Council is charged with doing what it thinks is best for all in the community. It was noted one ordinance is simple and allows for RV's in the Mobile Home Park or RV Park or on a lot when building a new home. The ordinance from the Planning Commission has other conditions and requirements including getting a permit good for one year for any reason. A resident asked if other requirements should be added and was told this is what is on the table for a vote tonight.

Mayor Pro-Tem Stoor said he has driven around in Cedar City and Enoch and almost every street has some RV's parked by residences. It is not really possible to tell if anyone is living in them or if they are just being stored. Council Member Lee said we should not be heavy handed. Council Member Ross prefers option 2 adding they did not cover all utilities but she still prefers that one. Council Member Lee chooses Ordinance A over nothing. We should have an ordinance to fall back on if necessary. Both are for one year when building or any other reason in the other ordinance. There was brief discussion about if a crime is committed by someone living in an RV on a property we can deny or revoke the permit. Council Member David Harris said if we go forward with one year and utilities are a concern, his preference would be that it is better to go to a dump station to prevent sewage issues. There was some discussion of problems that can result from direct dumping of trailer sewage into the property owner's sewer. It was noted again there are no restrictions from any agency on dumping into the sewer on private property. The first ordinance limits RV living to in an RV Park or for building a new home for one year only. The other ordinance requires applying for a permit for any reason for one year with written approval of the property owner, requires set-backs as required by the zone it is in and has an enforcement clause for violations that include non-compliance. There was more brief discussion of pros and cons.

Council Member David Harris said he is okay with any reason. Mayor Pro-Tem Stoor said lets vote on it. Ordinance C has more restrictions and the other ordinance less ability to do this. Ordinance C says where to place the RV with set-backs. If it becomes a nuisance then the Nuisance Ordinance kicks in with remedies. Council Member Lee said her biggest issue is enforcement and that lots of RV's everywhere is really a blight on a community. Once that sets in it is hard to undo. Adding to the ability to solve problems doesn't protect neighborhoods. It was her goal to get people to buy into making our town better. No one has ever complained about his use that she knows of. This is hypothetical and we should protect the City. Mayor Pro-Tem Stoor agreed. This is a moral decision. It is not about need. Council Member Lee said she looks at it without emotion for what is best for the City. Mayor Pro-Tem Stoor asked for a motion.

8. ORDINANCE NO. 2021-07-27-C AN ORDINANCE AMENDING THE ENOCH CITY ZONING ORDINANCE, CHAPTER 12-1100, SECTION 12.1100.1107, RECREATIONAL VEHICLES/TRAVEL TRAILERS-TEMPORARY

Council Member David Harris made a motion to approve Ordinance No. 2021-07-21-C, an ordinance amending the Enoch City Zoning Ordinance, Chapter 12,1100, Section 12.1100.1107, Recreational Vehicles/Travel Trailers- Temporary and adding that the electrical connection must be inspected and approved and the sewer disposal cannot enter the Enoch City collection system. The motion was seconded by Council Member Ross and a roll call vote was held as follows:

Council Member David Harris-Yes Council Member Stoor-Yes

Council Member Ross-Yes
Council Member Lee-No

Council Member West Harris-Absent
Motion passed

3. **PUBLIC HEARING ON THE ANNEXATION OF 18.43 ACRES OF PROPERTY OWNED BY ROBERT CRAIG ASHDOWN, PARCELS #D-0633, #D-0650-0001 & #D-0649-0001**

Council Member David Harris made motion to close regular meeting and go into a public hearing on the annexation of 18.43 acres of property owned by Robert Craig Ashdown, Parcels #D0633-#D-0650-001 & #D-0649-0001. The motion was seconded by Council Member Ross and all voted in favor.

Mayor Pro-Tem invited public comments. There were none.

Council Member David Harris made motion to close the public hearing and return to the regular meeting. The motion was seconded by Council Member Ross and all voted in favor.

4. **ORDINANCE NO. 2021-07-21-A, AN ORDINANCE APPROVING THE ANNEXATION AGREEMENT AND ANNEXING PROPERTY OWNED BY ROBERT CRAIG ASHDOWN OWNER OF THE COMBINED 18.43 ACRES OF PROPERTY, PARCELS #D-0633, #D-0650-0001 & #D-0649-0001 INTO THE CORPORATE BOUNDARIES OF ENOCH CITY**

Council Member David Harris made a motion to approve Ordinance No. 2021 -07-21-A, an ordinance approving the annexation agreement and annexing property owned by Robert Craig Ashdown, owner of the combined 18.43 acres of property, Parcels #D-0633, #D-0650-0001 & #D-0649-0001 into the corporate boundaries of Enoch City. The motion was seconded by Council Member Ross and a roll call vote was held as follows:

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

5. **SET A PUBLIC HEARING FOR THE GIBSON, SMITH AND ENOCH CITY ANNEXATION FOR AUGUST 4, 2021**

Council Member Ross made motion to set a public hearing for the Gibson, Smith and Enoch City annexation for August 4, 2021. The motion was seconded by Council Member David Harris and all voted in favor.

6. **RESOLUTION NO. 2021-07-07-21 A RESOLUTION TO RENAME THE PARK KNOWN AS OLD ENOCH PARK TO OLD ENOCH HERITAGE PARK**

Mayor Pro-Tem Stoor asked for discussion. City Manager Dotson said the land for the park was given to the City by the family who has requested this name change. They intend to put up a plaque. It has been known as Old Enoch Park for years and this word is being added for historical context to honor those people who gave the land.

Council Member Ross made a motion to approve Resolution No. 2021-07-07-21, A resolution to rename the Park known as Old Enoch Park to Old Enoch Heritage Park. The motion was seconded by Council Member David Harris and a roll call vote was held as follows:

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

9. COUNCIL/STAFF REPORT

Hayden White reported we had some issues with the flooding. Half Mile Road had a lot of storm flow and we are trying to stop that. We are still using some Cedar water to supplement to keep our tanks full. We are leaving the valve on because of issues with turning it on and off. We had a lighting strike up by the BLM well that fried some equipment so we are working on repairing that. Regarding the issues with flooding we need to identify what needs immediate attention. Many problem areas are the same as always. The damage was concentrated in the northeast quadrant of the City for basement flooding and damage. City Manager Dotson said a week ago today we had a storm that dropped an inch of rain in about 40 minutes in the NE area of Enoch City. We had hail, lightning and everything. There was so much water that when it came through the freeway and hit Village Green Subdivision the debris blocked the drainage and some water ended up in basements. He described more damage and where the issues occurred. Ravine Road clogged the storm drains and drop boxes that made the water go over to flood others. The last storm on Monday was an inch or more in a larger area and the east side again got hit. The storm drain we installed in 2014 worked well but we still had challenges in some areas. He has had conversations with the public. Some people came in and he explained these are extraordinary storms and this is more than any system can handle. He told about issues with different people. Neighbors helped each other. We have some solutions coming that will take property negotiations to get easements to fix the issues and mitigate things. Some fixes we have now are temporary. City Manager Dotson said he met with engineers today and they came to see what this flooding was doing. The two ponds we have at the north end were full as water continued to come down. This was a real 100 year event. Fiddlers Canyon got hit really hard too. Rod Brannon said his house flooded previously and this time and it happened again and his footings are sinking. His question to Hayden was to do something. We spent a year and half to correct flooding in a certain area. He went on about issues saying the ditch is dangerous for drivers. It cuts in front of his driveway. He suggested things to do to cover it with cement. There was more discussion and that the City can have liability if residents take on fixes of their own. We would be liable even if we sign waivers because it is City property. Mr. Brannon gave more details of what he wants to do because the ditch is dangerous and insufficient. City Manager Dotson said his own house has the same issues. The biggest concern, City Manager Dotson said, is if we build something we have to have it designed by an engineer. Our plans were made for 100 year floods. We plan for that. It floods because we live in a desert. The project we did was based on the 2012 flood and cost a million dollars. It took the water down Half Mile Road to dump it into our pond across Midvalley Road. Mr. Brannon said his concern is saving his property. City Manager Dotson said he is talking with FEMA and we are working on issues but it does not happen fast. Council Member Lee asked short term can we just clean out the ditches better. Mayor Pro-Tem said we are all on the same page to protect residents but these massive storms come more than they used to.

Ashley Horton reported she is working on closing out year-end things. She was on vacation so she is catching up. She reported she is working on ARPA funding to go to water infrastructure projects.

City Manager Dotson said Susan Lewis is now the WA County Auditor.

Council Member Ross reported she missed Planning Commission meeting so had nothing.

Council Member David Harris said he missed the last City Council meeting. We need someone on the Water Board and have a candidate that will be coming for approval. He said there is going to be a National Day of Service on 9-11-21 to commemorate 20 years since the attacks. This is an Inter-Denominational effort to get volunteers for that. He was asked to see if the City has projects that an army of people could get done. Maybe we could ask those who look like they need help with their yards such as the elderly and infirm. He asked for ideas at the next meeting if possible.

Mayor Pro-Tem Stoor said there no quorum for the Tree Committee so they talked about Iron Works Trail informally. There is a group who wants to plant trees for lost children where people can go to remember them. They may be able to work that into a plan for one of the parks. Chief Ames reported they have had some trainings taking place. Devin Mackelprang was hired by Cedar PD so will be leaving tomorrow. We have hired a PT officer who will go full time on the 26th.

10. **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 to discuss a property acquisition. The motion was seconded by Council Member Ross and a roll call vote was held as follows:

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

11. **ACTION FROM CLOSED MEETING**-Continue negotiations.

12. **ADJOURN**-The regular meeting ended at 7:25pm.


Julie Watson, Recorder

8-4-21

Date

Meeting ID: 834 0549 8263