

**MINUTES**  
**ENOCH CITY COUNCIL**  
**July 3, 2019 at 6:00pm**  
**City Council Chambers**  
**City Offices, 900 E. Midvalley Road**

**Members present:**

Mayor Geoffrey Chesnut  
Council Member David Harris  
Council Member Jolene Lee-phone  
Council Member Dave Owens-phone  
Council Member Katherine Ross  
Council Member Shawn Stoor-absent

**Staff present:**

Julie Watson, Recorder  
Ashley Horton, Treas.-absent  
Justin Wayment, Atty.-absent  
Earl Gibson, PW Dir.  
Robert Dotson, City Mgr.  
Jackson Ames, Police Chief

**Public present:** Aaron Alton and West Harris

1. **CALL TO ORDER OF REGULAR COUNCIL MEETING-**By Mayor Chesnut at 6:00pm. Three Council Members were absent with two on the phone for the meeting.
  - a. **Pledge of Allegiance-**Led by Julie Watson
  - b. **Invocation-**Audience invited to participate-Given by Aaron Alton
  - c. **Inspirational thought-**Given by Council Member Ross
  - d. **Approval of Agenda for July 3, 2019-Council Member 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 June 19, 2019-Council Member Harris made a motion to approve the minutes. Motion was seconded Council Member Ross and all voted in favor.**
  - f. **Conflict of Interest Declaration for this agenda-**none stated
  
2. **PUBLIC COMMENTS-**none
  
3. **DISCUSS/VOTE ON MINOR LOT SUBDIVISION FOR GRIMSHAW DRILLING**  
City Manager Dotson said in the packet there are draft minutes from the Planning Commission where it was discussed. This property is being split into four lots. It is industrial property. The Planning Commission discussed easements, roads and the fissure to the east of this property. We need to declare the fissure area a geological hazard zone. The owner is not certain what will be built on these four lots but whatever it is will require soil testing. The Planning Commission sent a favorable recommendation to the City Council. Mayor Chesnut asked for questions. Council Member Harris said everything in compliance and dealing with the fissure has been covered. The use is great for this area and its issues. Council Member Lee and Council Member Owens on the phone had no comments. **Council Member Harris made a motion to approve the minor lot subdivision for Grimshaw Drilling. The motion was seconded by Council Member Ross and all voted in favor.**
  
4. **RESOLUTION NO. 2019-07-03 A RESOLUTION PROVIDING FOR FIRE CONTROL AND RESTRICTIONS IN THE EVENT OF HAZARDOUS ENVIRONMENTAL FIRE CONDITIONS**  
City Manager Dotson said this is the basic foundation for restrictions we would place on residents. This allows for the possibility of restricting fireworks completely for discharge within City boundaries. Right now fireworks are legal. The State does not give us authority to outright

ban but with our well issues and water challenges the State Fire Marshall agrees in our condition we would be justified to restrict. This would be hard to enforce for this 4<sup>th</sup> of July week. The resolution does not say this is an outright ban or restriction. It says it gives us authority to do that based on other agencies such as BLM, Forest Service, etc. By adopting this you are adopting the same standard.

Mayor Chesnut said he had this conversation with Chief Phillips and the State Fire Marshall and it appears we can ban it but enforceability is very difficult because State law supersedes local law. Other communities passed a ban knowing they will not be writing tickets. They are saying it is banned and hoping for compliance. We may not want to take that action in our community because it is creating a ruse that is not totally true and is not a good policy. We will take action if there are violations and property is harmed. The fire dept. will invoice the perpetrator for suppression costs. Mayor Chesnut noted he does not like unenforceable laws. The parking lots are ready and people have gotten used to that. Given conditions it is understandable. We asked people to stop watering lawns and they complied. We ask people to be very vigilant on fireworks and we hope for compliance. We don't want unenforceable ordinances. People respond better to requests than force.

Council Member Harris said we have reiterated the request to go to the school and City Office parking lots and due to conditions most will comply. City Manager Dotson noted last year the FD got within one call of not being able to respond because they were spread so thin with fire calls. Mayor Chesnut said he has posted on Facebook that our fireworks are set up in Cedar City now and will be done in conjunction with their fireworks at the airport. We are working on the well now but due to conditions and Chief Phillips concerns that seems like a safer option. We will try to have our own fireworks again next year.

Mayor Chesnut asked if there were comments from Council Member Lee or Council Member Owens on the phone. Council Member Lee said her question is what good would it do to approve this ordinance? Mayor Chesnut said actually none because it is unenforceable. City Manager Dotson said per the ordinance, Mayor Chesnut could actually ban fireworks and that is all it does. The other agencies have done that right now. It is illegal to light fireworks outside of all unincorporated areas. This authorizes Mayor Chesnut to do what other agencies have done which is a ban. We have limited fireworks to two areas for the 4<sup>th</sup> and our current restrictions are sufficient. Enforcement is the issue. The State Legislature is clear they want the revenue from fireworks sales and so they take local control away from communities regarding banning fireworks sales. Council Member Owens said his questions were answered. His initial concern was with the well situation and water levels being so low. If this is not enforceable why do it. The ultimate problem is communication to the residents.

There was discussion of the work being done on the well and Aaron Alton was in attendance to give details. The watering restrictions have helped to refill the tanks and residents have been cooperative. We are on track to be done by 4:00 pm or so tomorrow and the tanks will be filling instead of pumping from the lower tanks to the upper tanks. City Manager Dotson said Chief Phillips understands our position now so if there is a fire that is not a structure fire the first equipment out will be brush trucks. The State Fire Marshall is aware of the issue also. We will try not to use hydrants unless there is a structure fire.

Council Member Owens asked Mayor Chesnut if having this resolution is positive or not. Are we being proactive? City Manager Dotson said this is a response to concerned citizen's calls. He does not know if it will be necessary or effective. There could be bigger blow back if we say we will cite them. Hassling residents when this is not against State law is a problem. The instruction given to the PD is don't go out and cite anybody unless they actually start a fire. Political gamesmanship does not work here. Our community has higher expectations for elected officials. Council Member Harris said communication is the key and sticking to current rules will be more effective than an outright ban. Council Member Harris prefers to communicate a last

minute request to stick to the rules of the past and be safe and vigilant. This ordinance would only create confusion and problems and be unenforceable. Chief Ames agreed. It wouldn't do any good or serve a purpose. He added our Code has to be in the court system records for the PD to be able to cite for it and it is not so there are issues on the backend when we change the code. We trust people and they have been pretty good about using the parking lots. Mayor Chesnut said he is not a fan of imposing less freedom on the day we celebrate freedom. We expect people to be civically responsible. **There was no motion so ordinance died.**

#### **5. COUNCIL/STAFF REPORT**

Chief Ames said the animal shelter is close and may be ready for the 17<sup>th</sup> for the Grand Opening. Lynn Nielsen wants to do Certificate of Occupancy presentation to the Council as an agenda item on the 17<sup>th</sup>. Mayor Chesnut said he fine with that for the 17<sup>th</sup> however there will be other business to take care of first. Then we could go out to the shelter for the Grand Opening. It was noted UDOT will present options for Midvalley Road and Minersville Hwy on that agenda. Council Member Harris said he would be gone for that meeting. We will say tentatively we will hold the Grand Opening at 7:30- 8:00 pm after the meeting. Chief Ames reported there was graffiti at the Rec Complex in the bathrooms and on the roofs. It was pretty bad stuff and they are trying to be vigilant to catch them. Earl noted they hit the freeway under passes also. He asked anyone to call if they see suspicious activity around there and talk to neighbors about this. The bathrooms are locked now. He reported Devin graduates from POST on August 1<sup>st</sup>.

Earl Gibson reported they started on Iron Mountain pond again. The fire truck house is about compacted for footings and the floor. Aaron got the gravel pack in Ravine well and poured surface seals on the bottom. They will start developing and test pumping the well next week.

City Manager Dotson said he will send out an invitation to the Iron County Commission meeting regarding the belt route. It will be at 10:00 am. He said he thinks they will finalize the decision at that meeting. It was noted we still need to decide on a time for the wildfire urban interface code meeting. Mayor Chesnut we will talk about that and set it soon. Council Member Harris and Council Member Lee said they would be on the committee. The 5-K Race committee is meeting here tonight. He discussed other activities at the 4<sup>th</sup> celebration. The new BSA charter will do a flag retirement ceremony and are getting a plan for that.

Mayor Chesnut said they raised enough money for prizes and Charlies BBQ provided the wings. They raised enough this year for 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> prizes. They have tee shirts for the entrants. There are 12 entries now. Maybe more will come and there will be a lottery for 10 spots. He posted a video on eating the hottest sauce last night. The build-up of the sauces is the kicker. He is excited and this is a bigger event this year. Many companies got into it to be sponsors.

Council Member Ross said the Planning Commission is working on the Subdivision Ordinance. She will handle the watermelon eating contest on the 4<sup>th</sup>.

Council Member Harris said there was no water board meeting. He is getting ready for tomorrow with the disgusting vegetable contest for the kids 8 to 12. He has great prizes and consolation prizes. City Manager Dotson said we will start cooking hot dogs at 6:00 pm with one or two City Council members cooking and start other events earlier.

Council Member Lee said it is better to be there than on the phone but she appreciates all the efforts. She will be back for the next meeting.

**8. ADJOURN-Council Member Harris made a motion to adjourn. Council Member Ross seconded the motion and all voted in favor.** The meeting ended at 6:50 pm.

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**Julie Watson, Recorder**                      **Date**