

**MINUTES**  
**ENOCH CITY COUNCIL**  
**June 16, 2021 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  
Council Member West Harris  
Council Member Katherine Ross  
Council Member Shawn Stoor

**Staff present:**

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

**Public Present:** Steve Woolsey, Leonard Correa and Richard Jensen

1. **CALL TO ORDER OF REGULAR COUNCIL MEETING-**By Mayor Chesnut at 6:00 pm.
  - a. **Pledge of Allegiance-**Led by Council Member Stoor
  - b. **Invocation-**Audience invited to participate-Given by Council Member Ross
  - c. **Inspirational thought-**Given by Council Member West Harris
  - d. **Approval of Agenda for June 16, 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 June 2, 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-Council Member David Harris made a motion to approve the ratifications. Motion was seconded by Council Member Ross and all voted in favor.**
  - g. **Conflict of Interest Declaration for this agenda-**none stated
  
2. **PUBLIC COMMENTS-**none
  
3. **PUBLIC HEARING ON ANNEXATION OF PROPERTY OWNED BY EARL & JOY GIBSON, PARCEL #D-0181**

**Council Member David Harris made a motion to close the regular meeting and go into the public hearings. Motion was seconded by Council Member West Harris and all voted in favor.**

Mayor Chesnut invited public comments noting people have to petition to be annexed into the City. The City does not initiate it.

There were no comments.

**Council Member David Harris made a 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. 2021-06-16-A, AN ORDINANCE ANNEXING 3.47 ACRES OF LAND OWNED BY EARL & JOY GIBSON, PARCEL #D-0181 INTO THE CORPORATE BOUNDARIES OF ENOCH CITY**

Mayor Chesnut asked City Manager Dotson about this. City Manager Dotson said we discovered after this annexation was advertised and noticed as required by law that there are additional owners who are nearby to this property and still have portions of their property in the County. They want to come in on this annexation and so does the City for the Little Eden well which we own but is sitting on property that is still in the County. One party, the Smith's, discovered their backyard is in the County and so is part of the west side of their lot. It is proposed by Enoch staff that Enoch City annex our well property also while we are re-doing this process. City Manager Dotson explained and showed the map. We are adding this to the Gibson annexation since it is all contiguous land and we will do it all together. The Annexation Petition will be signed by all parties and we will start over. As is now, it creates "islands" which although not illegal are not a good practice. Since the Smiths are now involved that will solve the issue. This was brought to our attention after Earl's process had been completed so we are required to start over. City Manager Dotson elaborated on the map and what is County and Enoch land. Steve Woolsey will do the map and we begin the noticing process again. We do not need to do this ordinance due to this change. It will come back when the process is all completed again. No action was taken.

**5. CONSIDER A MINOR SUBDIVISION/RECORD OF SURVEY FOR PERKINS, SHOPPMANN, DEMILLE PROPERTY PARCEL #A-0575-0007-0000 -Woolsey Land Surveying**

Steve Woolsey came up to represent the owners and explained where the property is located on 4200 North. They annexed earlier and they want to divide it into three parcels now. Council Member Ross said the Planning Commission sent a favorable recommendation. Access is from 4200 N. for the front lot and a private road will go down the west side to the other two lots. The private road does have a utility easement in it. Steve said we are working to the east to get a full roadway on 4200 North and at some point it will be a fully dedicated road. The minor subdivision was reviewed by Watson Engineering and it meets all requirements. City Manager Dotson pointed out the lots on the map and there was brief discussion of the surrounding owners. The only owner who has not conveyed the roadway is Warby's. All the others have so we are getting there on 4200 North. Mayor Chesnut asked for a motion.

**Council Member David Harris made a motion to approve the Minor Subdivision and Record of Survey for Perkins, Shoppmann & Demille property, Parcel #A-0575-0007-0000. The motion was seconded by Council Member West Harris and all voted in favor.**

There was discussion of minor subdivisions and the effect on Master Planned Roads and easements. It was noted some are taking huge tracts of land and dividing them into minor subdivisions without being held to account on planned roads. Steve Woolsey said in some cases it is a matter of money. Minor subdivisions have fewer requirements and allow an owner to sell off a divided parcel and get funds to further subdivide and do other things with their property. The question was asked if we limit the amount of times land can be subdivided and stated we do not. The discussion went to if this could come back to be an issue later. It was suggested this be sent to the Planning Commission for consideration of adding requirements regarding roads, easements, limited number of times land can be divided and issues like that. Mayor Chesnut said the issue is that the recent minor subdivision we are referring to is not ready to develop now but when he pulls a permit we have a road here and that has to be considered then. Mayor Chesnut said all we are doing is moving lines until they actually break ground to do something and then we are involved on the roads. City Manager Dotson said the City has the power at annexation and subdivision to require things about roads. We need to allow it now so they can do what they want and we don't know their future plans. We can have a say in the roads in different parts of the process. It was agreed we really don't have a problem with the minor lot process. Steve said there are different scenarios but with Master Planned roads they are a big deal. He added he does what

is best for the landowner who is his client. At some point the road will be there and they talk about it if it straddles a future road. If it is a 66 foot road and if you subdivide you plan for that. There only needs to be a road if there is a need, Mayor Chesnut said. If someone has a reason to dictate development they have to put the road in. The independence of each lot dictates what happens. Council Member Lee asked if we need send anything to the Planning Commission or are we fine as is. Mayor Chesnut said we would send it when a minor subdivision straddles a Master Planned road should it be an issue. Otherwise there is no need to meddle in it. The Planning Commission reviews it first and would discuss roads before sending a recommendation.

**6. PUBLIC HEARING ON THE REVISED 2020-2021 BUDGET**

**Council Member David Harris made motion to close the regular meeting and go into a public hearing on the revised 2020-2021 budget. The motion was seconded by Council Member Lee and all voted in favor.**

Mayor Chesnut invited 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 West Harris and all voted in favor.**

**7. RESOLUTION NO. 2021-06-16-A A RESOLUTION APPROVING THE REVISED 2020-2021 BUDGET AND CLOSING THE BUDGET**

Mayor Chesnut asked for questions or a motion.

**Council Member David Harris made a motion to approve Resolution No 2021-06-16-A, a resolution approving the revised 2020-2021 budget and closing the budget with authorization for the Treasurer to make minor changes as required. The motion was seconded by Council Member West Harris and a roll call vote was held as follows:**

<b>Council Member David Harris-Yes</b>	<b>Council Member Stoor-Yes</b>
<b>Council Member Ross-Yes</b>	<b>Council Member West Harris-Yes</b>
<b>Council Member Lee-Yes</b>	<b>Motion passed unanimously</b>

**8. PUBLIC HEARING ON THE 2021-2022 BUDGET**

**Council Member David Harris made a motion to go to into a public hearing on the 2021-2022 budget. The motion was seconded by Council Member Ross and all voted in favor.**

Mayor Chesnut invited public comments. There were none.

**Council Member David Harris made a 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.**

**9. RESOLUTION NO. 2021-06-16-B A RESOLUTION ADOPTING THE CERTIFIED PROPERTY TAX RATE AND BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2022**

Treasurer Ashley Horton said there was one change in engineering in the General Fund. This year we spent a lot on that and will do more because we have so many projects coming in. This is a pass through item and we want so increase it by \$40,000 for all the projects. She said she received the Certified Tax Rate and it is .001611.

**Council Member David Harris made a motion to approve Resolution No. 2021-06-16-B, a resolution adopting the Certified Tax Rate and the budget for the fiscal year ending June 20, 2022 with changes as noted. The motion was seconded by Council Member Ross and a roll call vote was held as follows:**

<b>Council Member David Harris-Yes</b>	<b>Council Member Stoor-Yes</b>
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**Council Member Ross-Yes**  
**Council Member Lee-Yes**

**Council Member West Harris-Yes**  
**Motion passed unanimously**

**10. ORDINANCE NO. 2021-06-16-C AN ORDINANCE AMENDING THE ENOCH CITY ZONING ORDINANCE, CHAPTER 12-1100, SECTION 12-1107, RECREATIONAL VEHICLES/TRAVEL TRAILERS-TEMPORARY**

Mayor Chesnut asked City Manager Dotson about this. Council Member Ross said the Planning Commission sent a favorable recommendation after much discussion and this is a happy medium between property rights and neighbors. Council Member Lee said she wanted more discussion on this. She said this became an issue for her about six years ago. The Bauer's came and wanted permission for a family member to live in trailer by their house due to hardship and they were told no. It went to the Planning Commission to try to iron it out and they recommended that we leave the law in place and not allow it. What bothered her at the time of that recommendation was that we appreciated the Bauer's coming to get permission because most do not. This issue came up because she persisted to get something done about people living in RV's on private property. The City needs to be consistent in saying no. There are many doing this now and no one does anything about it unless someone complains. It continues to bother her and she is unhappy with what the Planning Commission sent forward. Rather than leaving it they offered a compromise that she thinks is worse. She appreciates the work but does not like it. Most communities don't allow it and she wants to leave it as is; not allowed. There was considerable discussion. The main points made by the Planning Commission were:

- The Planning Commission was assigned to review the problem and investigated other community's policies.
- They took into consideration comments from people in hardship situations with no other alternatives for living arrangements. Those people who were known to be living in RV's on the property of others had been contacted by letter by the City Manager.
- The Planning Commission, after several discussions, decided some regulations would be better than letting it go unchecked.
- They considered what was enforceable and what was not. It was discovered that allowing sewage to be dumped into the private property sewer clean out was not regulated by any agencies and was allowed. All other utility hook ups and arrangements are the problem of the property owner.
- It was decided that an application process similar to the Cargo Storage Container application would be used and would be good for one year from the time of original sign up.
- The application would have regulations such as set-backs requiring the RV to be behind the home as a cargo storage container would be.

Issues the City Council Members had pros and cons about were as follows:

- We are trying to please everyone.
- People are doing it now and at least this provides some regulation such as set-backs.
- What is the harm in allowing it? Who does it hurt?
- Rules, if not complied with makes it easier to say no.
- We are creating a bigger problem than we are solving. The question was asked what the problem with it is.
- It is harmful to neighborhoods and it hurts property values.
- There is some need for hardships but this is not a good way to go for Enoch and we should solve it another way.

- Almost all homes have RVs parked by them for storage and who knows if someone is visiting or living them. It is hard, if not impossible, to tell.
- What does it matter if someone is living in it?
- That makes two dwelling units on a property and we only allow one dwelling unit.
- Some are renting them out maybe as a business and it creates more traffic.
- People don't buy a home thinking this is allowed to let someone live in an RV on the property.
- This is harder to enforce.
- Because they have to apply for this and there is a date of a year it is not harder to enforce.
- Some did not have a problem with living in an RV on a lot to build a new home.
- We don't want a trailer city and if we open the door it will be a flood gate.
- It was noted we have an RV park ordinance that says you can only live in an RV in the RV Park. We have also now created an ordinance that allows for temporary rental RV parks.
- Due to that we should not allow this on a private lot outside an RV park.
- Either it is not allowed or not.

Mayor Chesnut said this is what the Planning Commission came up with. It is controlled because an application is required. We only have one mobile home park. We now allow for temporary RV parks and there is some talk they are being planned. Planning Commissioner Leonard Correa recapped what other cities allow saying at first he was leaning towards opposing it but saw the need for compassionate use as part of it. He said there were some comments from those doing this. One lady getting is getting divorced and said she could not afford anywhere else to live and a neighbor was helping her by letting her park on their property. She said she has no income and could not afford an RV park. Another said they couldn't afford a guest home but needed an elderly, ill person close but not in their home for care. There were different reasons and hardships with job losses due to the pandemic and so on.

Some Council Members were concerned with aesthetics but the argument was that a person could be living in an RV parked by a home and no one would ever know it to look at it. Aesthetics did not really hold water. If it got junky looking the nuisance ordinance would kick in to enforce it. Changing density did not really hold up either. No one would know if you were letting your family members live in your guest room or your RV. Density is not valid. Running a business like renting out RV's in your yard is a different thing and we don't regulate it now. Mayor Chesnut said he sees that concern. At some point we may have to regulate that if and when it becomes a problem. Right now we have an issue in search of a problem. If it becomes aesthetically unpleasing, we would become more involved with the nuisance ordinance kicking in. We have no restrictions now and this is not onerous but gives the City some control. When a previous Council made the RV park zone they said you can only live in trailers there. For some reason that Council passed it they said we are not going to let anyone do this except in the RV Park. At this time now in the future, we don't know why. Property rights and personal freedoms are an issue to him Mayor Chesnut said. This proposed ordinance is less intrusive government regulation. This says you can do this with these conditions. It makes it more a neighborhood friendly situation. Knowing half the residents of Enoch have RV's parked by their homes does not make it not look like it is a residential neighborhood. People store their RV's by their homes all the time as a common practice. Most want to do it that way.

Council Member Lee said it still does not work for her. Mayor Chesnut said this says we encourage you to come forward and then we know what is going on for public safety issues like fire and that is a legitimate concern. Whether someone lives in a spare room or an RV in back it is no different. Some said they agree and thinking about it more are apt to understand that some have limited options to live somewhere else. There is not much difference than having a shop on your property. What is the difference? This is a residential neighborhood. It ceases to be if you



put a gigantic shop on it which is not allowed now. Then it is not what it is meant to be and it affects the property rights of your neighbors to have an intrusively large building.

Council Member David Harris said with our zoning laws we do try to organize things in a way that what we expect is there and what we don't is not. He agrees with Council Member Lee on the feel of the neighborhood which is meant to be single family homes. A separate residence parked next to a house is not what we intended. It is a safety issue because RV's are not meant to be lived in permanently. There is no official property address for that RV residence. A sex offender with no address is an issue. All sorts of things could come into play with this being allowed. There are issues here and he agrees with Council Member Lee to leave it alone or have what previously existed to only allow living in an RV to build a new home on a lot. He sees too many issues and is envisioning worst case scenarios. If we open the door, who knows what may happen. He leans towards leaving it prohibited and not trying to make it accommodate all people. Council Member West Harris said the rules should be the same for all. Enforcement is still an issue. How do we do it?

Council Member Lee said give an inch and you don't know what you'll end up with. She said she made a list and knows of about 15 people doing this. City Manager Dotson said he visited with many and sent letters to all. He and the Building Inspector contacted some of them. The majority were not living in the trailer according to what they said. Some said they were and it was a hardship situation. 15 out of 2300 residences is not a lot, Mayor Chesnut said. He looks at this like passing odor control. You can't do it. It is an ordinance looking for a problem that doesn't exist. There are concerns but this is such a small amount it affects .006 of homeowners. Mayor Chesnut said this is so small why is the City concerned at all? He said enforcement is you cite and fine those violating the law and you do something to stop it. This is an infraction; a \$50 fine. There was considerable discussion of enforcement, deterrence with fines and how this fits into the criminal code. The drift was how far are we willing to take this? If you want enforcement then put teeth into it. An infraction is not a deterrent. Are we willing to jail someone for letting a person live in an RV on their property, Mayor Chesnut asked? There was considerable more discussion of enforcement and recapping of points already made. The bottom line was no one was willing to make a motion or offered a suitable compromise that all could agree on.

**Council Member David Harris made motion to table this item until the next meeting on July 7, 2021. The motion was seconded by Council Member Ross and all voted in favor except Council Member Stoor and Council Member West Harris voting no.**

Mayor Chesnut asked the Council Members to email their thoughts and suggestions to himself and City Manager Dotson before the next meeting when we will discuss it again.

**11. ORDINANCE NO. 2021-06-16-B AN ORDINANCE TO CORRECT THE ADDRESS OF 1012 EAST 4375 NORTH TO 4372 N. HALF MILE ROAD**

City Manager Dotson said when a subdivision was platted addresses were assigned and in this case it was a corner lot. The new owner wanted to place the home a different direction which changes the address. We will change the process to have the developer address lots later or to assign two addresses to corner lots so the owner can face the home how they want it without us having to go through this process. That way when corner lots are recorded on the final plat, either address could be chosen.

**Council Member David Harris made a motion to approve Ordinance No. 2021-06-16-B, an ordinance to correct the address of 1012 East 4375 North to 4372 N. Half Mile Road. The motion was seconded by Council Member West Harris and a roll call vote was held as follows:**

<b>Council Member David Harris-Yes</b>	<b>Council Member Stoor-Yes</b>
<b>Council Member Ross-Yes</b>	<b>Council Member West Harris-Yes</b>
<b>Council Member Lee-Yes</b>	<b>Motion passed unanimously</b>

**12. RESOLUTION NO. 2021-06-16-C A RESOLUTION TO APPROVE THE PURCHASE OF A WELL FOR ENOCH CITY**

Mayor Chesnut asked City Manager Dotson about this and he said this is the Garden Park well purchase. This was the item discussed in the closed meetings regarding negotiations. Now it is in public on the decision. We will pay \$40,000 cash and \$20,000 in donations. An agreement is drafted and reviewed. It is all updated with two attorneys reviewing it. The sellers have signed and are ready to go. This will be secondary water. It is a big well and pumps a lot of water. We may consider a tank purchase for that end of Enoch as growth goes that way so when subdivisions come in we can use secondary water for them. It pumps 1300 GPM but the nitrates are four times the legal limit. We are doing this to make it a part of a secondary system which will be more cost effective. The question was asked does the City bear the cost to put homes on secondary irrigation to mitigate culinary use. Council Member David Harris said he would do a cost/benefit analysis to answer that. Mayor Chesnut said that would be good information to have in decision making regarding hooking on older subdivisions. The cost of pipe is very high right now and we will look at doing it near to homes and going down 4200 North and to the school district property. There was more brief discussion.

**Council Member David Harris made motion to approve Resolution No. 2021-06-16-C, A resolution to approve the purchase of a well for Enoch City. The motion was seconded by Council Member Ross and a roll call vote was held a follows:**

<b>Council Member David Harris-Yes</b>	<b>Council Member Stoor-Yes</b>
<b>Council Member Ross-Yes</b>	<b>Council Member West Harris-Yes</b>
<b>Council Member Lee-Yes</b>	<b>Motion passed unanimously</b>

**13. RESOLUTION NO. 2021-06-16-D A RESOLUTION TO ADOPT ENOCH CITY WATER SYSTEM STANDARD DETAILS AND SPECIFICATIONS**

City Manager Dotson said we need to adopt this because State Code changed. We used to have to get any system using over 500 feet of pipe approved by the DEQ which was very time consuming. The Code changed and if the State approves our standards then we don't have to get the extra approvals for pipe less than 16". He explained this will save us time if we have the requirement for fewer approvals and waiting on the State before we can build our projects. They do have to be built to these specifications. This change takes out that step and waiting on approvals.

**Council Member David Harris made a motion to approve Resolution No. 2021-06-16-D, a resolution to adopt Enoch City Water System Standard Details and Specifications. The motion was seconded Council Member West Harris a roll call vote was held as follows:**

<b>Council Member David Harris-Yes</b>	<b>Council Member Stoor-Yes</b>
<b>Council Member Ross-Yes</b>	<b>Council Member West Harris-Yes</b>
<b>Council Member Lee-Yes</b>	<b>Motion passed unanimously</b>

**14. CONSIDER PETITION TO VACATE PARCELS AS LISTED ON PETITION IN PARKVIEW SUBDIVISION AND SET A PUBLIC HEARING FOR JULY 7, 2021**

City Manager Dotson said it is not to vacate just parcels but the streets also in Parkview, Phases 4A, 4B & 4C. City Manager Dotson explained and read from it. We can dedicate 5600 North to go straight through so this vacates all roads except that road. The petitioners include the City, George Lutterman, Brad Kidman, Black Cat Properties and a few other owners. It does not limit any access for anyone. It will make their property usable should they want to use it. This complies with State Code and as we go through the noticing process a notice will come to each owner.

**Council Member West Harris made a motion to set a public hearing for July 7, 2021 on vacating parcels as listed on the petition for Parkview Subdivision. Council Member David Harris seconded the motion and all voted in favor.**

**15. COUNCIL/STAFF REPORT**

Hayden White said the dumpster changes are working but most hate it. They are paving and working on various projects keeping busy. Next time we meet, he will have been here a year. He said they hooked up the secondary irrigation to the school. He bought an ATV and got a good deal. He has been out spraying. It is hard to work in the heat but the new kids are doing well. They are drinking lots of water. He reported it is hard to tell on the new watering schedule yet. The water tanks still seem to take a hit on Tuesdays still but they come up fast. With the heat he is seeing it in the water usage. Mayor Chesnut asked if we need to buy water from the Conservancy District and Hayden said not yet.

Ashley Horton said she is working on end of the year budget finalizing to balance and has scheduled the audit for the end of September.

City Manager Dotson said he is getting pressure from those who don't like the dumpster hours. They are reduced hours but still in the day time. We never did Saturdays before but people are complaining about that. It is fewer hours and hard for working people to get there. Most complaints are on the hours and they don't like stopping to get the tickets. People want you to get a new plan. Extend hours or do a Saturday or something. He said he is just bringing this to the Council's attention. There have been challenges. City Manager Dotson told about the website and the Combined Ordinances and how to look up things by keyword. He gave many other details about the company and cost for this. He said he is going on vacation for a week to Boston for their 30<sup>th</sup> anniversary. He is available by email if needed and he asked anyone to text him if they have to get in touch.


Mayor Chesnut said he has the hot sauces arriving for the 4th. He told about them. He is raising funds for the prize. Anyone can be a sponsor. He has ten sauces and will do a video about that. He will do a video on the water issues too with the high use. This week he, City Manager Dotson, Ashley and Julie interviewed candidates for Deputy Recorder. That person will step into Julie's job as City Recorder being appointed by himself per State Code when Julie retires. Mayor Chesnut said he will choose the candidate. Both of the good candidates had great qualifications but the position went to Lindsay Hildebrand. She accepted our offer. She will sit in the corner desk up front while not training in Julie's office.

Council Member Ross said they heard about Planning Commission in the RV discussion. She also reminded them of the 4-H yard sale on Saturday at Jones Paint and Glass. She said the girls helped with door hangers and want to volunteer.

Council Member David Harris said he would be out of town until the 7<sup>th</sup>. The Water Board has not met in a few months.

Council Member Lee asked what the Council needs to do to help with the 4<sup>th</sup>. Mayor Chesnut said we will have hot dogs. He told about some different projects and kids games. They could try to think of something fun for the kids. Ashley said her foam machine is broken but she is hoping to get the part for it and she knows someone who has one. The hot dogs are at 5:00 pm.

**16. ADJOURN-Motion to adjourn by Council Member David Harris. Motion was seconded by Council Member Lee and all voted in favor. The meeting ended at 9:02 pm.**

  
Julie Watson, City Recorder

7-7-21  
Date

Meeting ID 843 4395 0953