

**MINUTES**  
**ENOCH CITY COUNCIL**  
**June 2, 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.  
Hayden White, PW Dir.  
Robert Dotson, City Mgr.  
Jackson Ames, PD Chief

**Public Present:** Debra Ley, Bob Platt, Natalie Ward, Martin & Susan Tyner, Brazil Dahl, Dan Semick, George Klaybourne, Mike Staheli and Richard Jensen

**1. CALL TO ORDER OF REGULAR COUNCIL MEETING-By Mayor Chesnut at 6:00 pm.**

- a. **Pledge of Allegiance-Led by City Manager Dotson**
- b. **Invocation-Audience invited to participate-Given by Richard Jensen**
- c. **Inspirational thought-Given by Mayor Chesnut**
- d. **Approval of Agenda for June 2, 2021-Council Member David Harris made a motion to approve the amended agenda. Motion was seconded by Council Member Ross and all voted in favor.**
- e. **Approval of Minutes for May 19, 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**

Natalie Ward on Driftwood Lane said went to the dump and was told she needed a ticket and she has to get one every time. She suggests we provide a card maybe with a photo after verifying and laminate it and have it a valid for a year. *Mayor Chesnut explained the reasons for this action saying we are experimenting and are open to suggestions. Council Member Lee asked if we have the ability to do that. Mayor Chesnut said we may not but we are open to suggestions. Council Member Stoor asked about charging and giving a pass.*

George Klaybourne in the County on Half Mile Road asked if we would enforce illegal dumping on Half Mile Road saying people will dump more trash on his property. *Mayor Chesnut said the problem is our citizens should not pay for others outside of Enoch to bring trash to City dumpsters. We don't charge for this. It is not on the bill.* There was more back and forth about the new people moving in here and if that caused it. George talked about the county road the city maintains giving facts and figures of traffic counts and speeding on Half Mile. He said he has posted it now. He said we need to figure it out with the county on who enforces things on Half Mile in that area or he will put in speed bumps to stop it and that is what he is here for. *Mayor*

*Chesnut said the Enoch PD is not able to enforce outside of their jurisdiction. The County Sheriff should be called for that area.*

Dan Semick said Enoch cooperates with the county so fix that speeding issue on Half Mile. He went on to comment on Enoch allowing guest homes and it turned into a bed and breakfast with 40-50 people there to party. That is where some of the traffic comes from. That is his concern. *Mayor Chesnut said we don't regulate rentals or uses of guest homes. Mayor Chesnut said the issue is what do you want us to do? He said neighbors should talk to each other not have the government doing it. He added we allowed the use because there was a need for it.* The way this was proposed, Dan said, we did not think that would be what would happen. *Council Member Lee asked about Air BnB's being regulated by the State or County. Mayor Chesnut said it is still a gray issue everywhere. Just because we maintain the road does not mean we regulate the land. The problem home is not in Enoch. Mayor Chesnut said it is in the county for that location being described.* There was more discussion of the area and what is in the Enoch boundaries and what is not. The question of the Gibson annexation came up. *Mayor Chesnut said go ask Earl about it. It is the back of his property. Mayor Chesnut said we'd love to help but it is in the county.*

Mike Staheli said he uses the dumpsters too. His question is ultimately do we want to discourage it or what. He has been in small places all his life. Long term do we want to encourage or discourage use. *Mayor Chesnut said we want Enoch citizens to use it but not others outside Enoch.* Mike said he used it today and it was inefficient and a lot of City manpower was in play. He told about the process saying he thought it was a waste of time. *Mayor Chesnut said it is less efficient than pulling dumpsters and hauling them to the landfill twice a day with two men to do that.* Mike said we need a longer term card to use or something like a monthly pass or an ID that shows address. The other thing is the schedule is too limited. Working guys can't do it. We need a longer term pass and staggered hours. He gets the challenges. We should use a DL or simple card with a longer term. Make it more convenient. *Mayor Chesnut said this is the first time we have tried anything and we are experimenting. The first goal is to discourage non-Enoch people from using it and to check loads for illegal stuff. Mayor Chesnut said he is glad for the feedback and this appears to not to work well so we will try something else.* Dave said we are the community and should be accommodated. *Council Member Lee said we don't pay for this service on our bills and maybe we should charge for it. Mayor Chesnut said the illegal stuff being dumped is a big part of the issue. Mayor Chesnut thanked them for the suggestions.*

**3. SET A PUBLIC HEARING FOR EARL & JOY GIBSON ANNEXATION, PARCEL#D-0181 FOR JUNE 16, 2021-**

Council Member David Harris made a motion to set a public hearing for the Earl & Joy Gibson annexation, Parcel #D-0181 for June 16, 2021. The motion was seconded by Council Member Ross and all voted in favor.

**4. PRESENT CERTIFICATION OF ROUNDY-ASHDOWN ANNEXATION OF 18.43 ACRES, PARCELS #D-0633-0000-0000, #D-0650-0001-0000 AND #D-0649-0001-0000-City Recorder**

The City Recorder said this annexation is certified and now starts the process of noticing. No other action was required.

**5. CONSIDER THE PRELIMINARY PLAT OF EAGLE VALLEY ESTATES-Platt & Platt Eng.**

Bob Platt said Eagle Valley Estates, Phase 1 is completed. This is Phase 2 with the remainder of the property. He told where it is located by Fosters. It has been reviewed by the City

Engineer and meets all requirements. It will have secondary water because the line is there. Council Member Ross said the Planning Commission sent a favorable recommendation on this.

**Council Member David Harris made motion to approve the preliminary plat of Eagle Valley Estates, Phase 2. The motion was seconded by Council Member Ross and all voted in favor.**

**6. CONSIDER RESOLUTION NO. 2021-06-02 A RESOLUTION TO APPROVE THE DRAFT LEASE AGREEMENT WITH THE SOUTHWEST WILDLIFE FOUNDATION OF UTAH AND ENOCH CITY**

Martin Tyner, CEO of the Southwest Wildlife Foundation came up to say that they are very excited to build their headquarters here in Enoch. Martin told about it and gave the details of what will be there for their raptor rehabilitation and education center. There will be two eagle flight chambers included. People come from all over the world to his home where he has some of this facility located now. They also have many international sponsors and the funds to build this facility. This will be great for Enoch because people really want to see it. They are ready start as soon as the agreement is completed. The fencing goes up first then the water needs to come in because they have had all the trees donated and will plant them as the groundbreaking ceremony instead of turning shovels of dirt. Findlay Subaru offered to pay for the trees around the facility. They will order a metal building from SLC and gave more details about putting it up. Martin said currently most of this is at his home and he needs a permanent location as people are stopping by his home to see the birds and can't be accommodated. He has students who will move here and take over for what he and his wife are doing now. They hope to train more people soon. He wants to get the Foundation to where it does not need him except to consult. Mayor Chesnut this is a great legacy for Enoch and we want to be a part of this because it will outlive us all. Martin thanked the City profusely saying this is so different from what happened when dealing with his previous location. This is for the rescue of raptors many of which are endangered or near to it and for education about them and their situations in the wild. He added for this to work you really have to have the municipality be a partner and he is very grateful to Enoch.

City Manager Dotson said there are a few changes to the agreement but nothing drastic. He told about the changes. The Council requested it be added to the lease that the City maintains and controls the access to the area. That was the main change they requested last meeting. Council Member Stoor said questioned the time frame and Mayor Chesnut said a 99 year lease is standard and functions as a place holder to not sell the property but use it in perpetuity. The City maintains ownership but the lessee builds to suit. Mayor Chesnut said the purpose is to make this a permanent home for them and will outlive us all. City Manager Dotson said the other thing is the water to irrigate the trees. There is a well right there and we ordered the parts to make it an irrigation well for all the things out there including the Animal Shelter and the Dog Park. Mayor Chesnut said with those changes he invites a motion.

**Council Member Ross made a motion to approve the lease agreement as amended with the Southwest Wildlife Foundation of Utah and Enoch City. The motion was seconded by Council Member David 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>

**7. PUBLIC HEARING ON VACATING AN EASEMENT FOR RANGE 16, LLC- Nathaniel Pugh**

**Council Member David Harris made a motion to close the regular meeting and go to a public hearing for vacating an easement for Range 16, LLC. The motion was seconded by Council Member West Harris and all voted in favor.**

Mayor Chesnut invited public comments saying this is only for this item as listed. 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.**

**8. ORDINANCE NO. 2021-06-02-A AN ORDINANCE VACATING A 15.00' WIDE PUBLIC UTILITY EASEMENT (P.U.E.) RUNNING EASTERLY FROM MINERSVILLE HIGHWAY (SR-130); BEING THE NORTH 15.00' OF THE EAST ½ OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 1, TOWNSHIP 35 SOUTH, RANGE 11 WEST, SALT LAKE MERIDIAN-Nathaniel Pugh**

Council Member David Harris made a motion to approve Ord. No. 2021-06-02-A, an ordinance vacating a 15.00" wide public utility easement (P.U.E.) running easterly form Minersville Highway (SR-130; being the north 15,00' of the east ½ of the northwest ¼ of the southwest ¼ of Section 1, Township 35 South, Range 11 West, Salt Lake Meridian. The motion was seconded by Council Member West 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-Yes
Council Member Lee-Yes	Motion passed unanimously

**9. ORDINANCE NO. 2021-06-02-B AN ORDINANCE GRANTING AN AMENDED EASEMENT TO NORTH SPRING RANCH, LLC-Spencer Jones & City Mgr. Dotson**

Mayor Chesnut asked City Manager Dotson about this. He showed a map of the area and explained we granted an easement right-of-way by Iron Works Road and by Enoch Road and gave a description of it. He showed what we own and what we granted. We granted the easement up to our boundary line and it is basically the ravine. When it was surveyed he found he would have to scar the side of the hill quite a bit and the owner who was granted the easement asks that we move it bit to avoid that action. The request is to move it more to the south away from the hillside so it would not have to be so scarred or damaged. The road names are not set for sure but this is to show where it is. There is nothing there but old tracks. The owner wants to access his property to the north this way. There was more discussion of the location and the terrain involved. The easement goes through City property through the draw in a natural area.

**Council Member David Harris made a motion to approve Ord. No. 2021-06-02-B, an ordinance granting an amended easement to North Spring Ranch, LLC. The motion was seconded by Council Member Ross and a roll call vote held as follows:**

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

**10. CONSIDER APPROVAL OF NOTICE OF INTENT (NOI) TO APPLY FOR FEMA STORM DRAINAGE FUNDING. Mgr. Dotson.**

Mayor Chesnut asked City Manager Dotson about this. City Manager Dotson said there is FEMA grant money for storm drain projects. We have not completed what we started a few years ago to get storm water from the I-15 area to the Parkview drainage pond area. We have to do a "Notice of Intent" first to get the process started to go after the grants. The funding is called BRIC. He is asking for permission to submit the notice.

**Council Member David Harris made a motion to approve the Notice of Intent (NOI) for FEMA storm drainage funding application. The motion was seconded by Council Member Ross and all voted in favor.**

**11. DISCUSS REVISED 2020-2021 BUDGET AND SET A PUBLIC HEARING FOR JUNE 16, 2021**

Mayor Chesnut asked Ashley about this. She said she hopes they had a chance to look at the email. She adjusted the revenues and noted the items changed adding there could be a bit more before end of the fiscal year. Things adjusted were

- Adjusted building permits.
- Adjusted miscellaneous revenues for Hayden's auction sales
- GF needed \$2,000 in supplies and materials
- Office cleaning \$500.
- Engineering and surveying is a pass through due to projects coming in
- Cedar City payment for our portion of the transportation plan
- Professional services
- Computers and PC costs
- PD had a few larger adjustments. Chief Ames wanted \$30,000 from salaries and wages because we are over budget due to an officer being gone and that was moved to equipment purchase.
- Grant money- the PD received several grants and one was \$20,000 and was moved to Uniforms and R&M equipment.
- Under budgeted for the fire agreement. We have a final number now so adjusted for that.
- Fees we pay 1% to the State for homes we build and we built more.
- Streets and roads had a small adjustment for fuel of \$500.
- \$100 for snow removal
- Sewer camera was paid for with sale items.
- Utilities were under budgeted especially water. We used more power than anticipated.
- GF after changes we have \$300,000 in excess but not really after other transfers to go back to savings or capital projects.
- Water had \$77,000 extra.
- Only sewer was \$1,350 in the negative.

Ashley said everything else looks good. Council Member Stoor asked reason for the sewer shortage. Ashley said it was just an adjustment we didn't budget for. The next year we will be closer on our estimates as we are seeing trends now. The Dispatch Agreement is going up and we may just need to cover our cost on the water bills. We currently charge \$1.50 and that may have to be raised. Hayden said he is still figuring out what he needs and is not sure yet on some things. Maybe with public comments we should address being able to pull the dumpsters more. Water covers operations but not expansion of infrastructure. Mayor Chesnut said small adjustments are anticipated. All costs have gone up for materials. City Manager Dotson said we have to maintain the level of service; not improve it. Impact fees can only be used for that; to maintain not make better. Expanding is something else, City Manager Dotson said. He expounded on maintaining the level of service like for those who do not have secondary service. We would not add it. For new subdivisions we can do it with impact fees, but not for old ones. Council Member Stoor asked if our fees are good on depreciation and that is calculated, Ashley said. City Manager Dotson said the important thing we need to know is what the cost will be for the 12"

pipe on Quickdraw and what it takes to replace the old pipe in Garden Park. That is ever changing in regard to materials costs. The Impact Fee Facility Study is pretty intense and he gave details of what is on it. Once we get a spreadsheet done and send it to RCAC they will finish the study so we know what our rates should be and can make changes needed. Council Member David Harris said he is good with the numbers adding we need to save extra because we will need it next year for cost increases. Mayor Chesnut said we need to set a public hearing on June 16<sup>th</sup>. Adjustments can still be made before the public hearing.

**Council Member David Harris made motion to set the public hearing for 6-16-21. The motion was seconded by Council Member Lee and all voted in favor.**

## **12. DISCUSS 2021-2022 BUDGET AND SET A PUBLIC HEARING FOR JUNE 16, 2021**

Mayor Chesnut asked Ashley again. She said there is nothing to discuss that we haven't already talked about. It is not official yet. Hayden wants something to spray weeds. There was a discussion of old or repurposed for equipment as opposed to buying new equipment. Hayden told about what he has and what he needs. Mayor Chesnut said weed management is important and this is good to add. There was a discussion of a well agreement and that we are in different discussions now. That old agreement wouldn't work. There are some good things for the City we are looking at, Mayor Chesnut said. It will cost more and now we get something for it and not a 20-30 year old agreement. Council Member Lee asked about Capital Facilities for a building for City fire protection to be more invested with the Cedar FD. Ashley said it is in Capital Facilities now. We could add more if the City Council wants to do that, she added. We put more in for the PD building we are planning. Covid money will pay for some things, Mayor Chesnut said. Part of the PD building will be funded with impact fees. City Manager Dotson said when the Impact Fee Facilities Plan study is completed we will have a better idea of what we need to do about the PD impact fee. Mayor Chesnut said he had a good conversation with Chief Phillips on his concerns and he is very concerned about serving Enoch adequately. He is on our side on that but is in a tough position dealing with politicians so can't undercut himself with them by being a big advocate for Enoch. He has us in mind, however. Ashley noted the Certified Tax Rate from Iron County is still pending and will be added to this budget when we get it.

**Council Member David Harris made a motion to set a Public hearing for the 2021-2022 budget for June 16, 2021. The motion was seconded by Council Member Ross and all voted in favor.**

## **11. COUNCIL/STAFF REPORTS**

Hayden White said they are working on buying pipe for the secondary system. Everyone wants new trash cans and they are paying for them now. We have it budgeted to buy more. The minimum order is 100 cans so Kanarraville and Paragonah's price is higher. He said the dump thing is crazy. He opened Tuesday thinking it was Monday. There was a big line so he opened up anyway. He turned away about 30 and about ten came back with tickets. He turned away a couple of contractors also. We are busier than ever. Mayor Chesnut said he would like to find something more convenient for residents. Trust but verify. There was considerable discussion of several possible ways to make this work out. It was also discussed charging for the service on the utility bill. Not everyone uses the dumpsters however. This is like paying for schools, fire departments and PD. You may not ever need them but we all benefit from having them when needed. Having it convenient encourages people to clean up their property and that is a benefit to everyone in the community. Mayor Chesnut said implementing it in the right way with concise reasons explained to residents is the key to getting acceptance should we need an increase in the refuse rate. Almost anything would be more efficient than this process we are doing now. There was considerable discussion of ways to prove residency to use the dumpsters. City Manager

Dotson said we can't collect money outside of the office so that option is not viable for outsiders to pay to dump. We need more dumpsters and a truck to pull them. If the dumpsters get full, we have to close earlier and that doesn't work well if people are in line, City Manager Dotson said. Some Council Members thought the residents need to pay for the service. People are irked when they have to pay for something they don't use. Mayor Chesnut said how about the PD or the FD. Most people never use it but it is there when needed so there are other benefits in the cost. Mayor Chesnut said there are right and wrong ways to go about it when it comes to talking to residents about rate increases. Council Member Lee said she has no kids in school but we all benefit from an educated society. We all benefit from cleaner yards. Priorities are not as simple as charging for it or not. It comes down to defining it, justifying it or not providing the service at all. If we decide to provide a service and you can't afford to do it, you have to discuss if we do it all? If we decide to provide the service we could build it into the services we already charge for. Should we provide the service is the question, Mayor Chesnut said. We should discuss that first. We need more time to assess this and how to do it. Hayden said because of the log they are signing to get the tickets we know who is coming and how often. Most will keep coming and be mad about it. Mayor Chesnut said we don't like unhappy people. It has only been two days and we have not had to pull the dumpsters and go to the landfill so we are on the right track. We just need to get more efficient. We also need to tell people why we are doing it so they understand we are trying to find a way to solve a big problem. City Manager Dotson said we are telling them in the office and also explaining it at the dump. Mayor Chesnut said as we gather data we will get it to work better.

City Manager Dotson reported we need a Water Board Member and CERT coordinators. He said the PTA at Enoch Elementary contacted the City about participating in building a track at the school. There was brief discussion of doing it. Mayor Chesnut said it is a great idea but we can't put any City funds into it or everyone will want us to sponsor them and give money. We can help the kids raise money for it. There was a discussion of grants and other ideas but City participation is out. He reported the City was donated a replica handcart. It is at the Public Works building now if anyone has any ideas for it. He said we need a quick closed meeting about a real estate purchase. He said he needs approval to put something on the next agenda regarding vacating more of Parkview Subdivision. He gave details of what has been done and what he wants to put on the next agenda. He told about the arduous process of noticing required by the State showing the petition to vacate the streets. State law says all owners have to sign this. It will require a public hearing also. The City Council gave authorization to put it on the next agenda to set a public hearing. City Manager Dotson said when this is completed then we can build our drainage basin.

Council Member Ross said the 4-H is helping us out with door hangers and on Saturday the 19<sup>th</sup> at 7:00 am they are having a sale to raise money for 4H. They need items donated. It will be at Jones Paint & Glass.

Council Member David Harris said he is getting the prizes and sponsor and needs help to run the kids events as he will be out of town.

Council Member Lee said the roundabout is moving along. In the report from Lisa Beck, they say the same things all the time. We need new information. City Manager Dotson said he puts things on Facebook. They are on schedule.

Council Member Stoor reported he met with the Dog Park people about the grass. They are worried about it and the sprinklers not working properly because the grass is dying. Mayor Chesnut asked what we do. The RDI system has not been fixed and we are not happy. We put a lot of money into it and it doesn't work well. They laid sod and ruined some of it. The question now is how do we pay for it? Mayor Chesnut said he'd like to be a good neighbor and figure it out. The flood irrigating did not work. They left it on all weekend, Hayden said, so they are not

being good neighbors on water savings. Council Member Stoor said he is not sure about RDI and throwing more money at it. He said he spent his own money to put it in.

12. **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 for the discussion of the purchase, exchange, or lease of real property including any form of water or water shares. 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>
<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. **ACTION FROM CLOSED MEETING**-Continue with Purchase Agreement for next Council meeting.

14. **ADJOURN**-The regular meeting ended at 8:18 pm.

 6-16-21  
Julie Watson, Recorder                      Date

**Meeting ID: 823 0800 2011**