

MINUTES
ENOCH CITY COUNCIL
June 7, 2023 at 6:00pm
City Council Chambers
City Offices, 900 E. Midvalley Road

Members present:

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

Staff present:

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

Public Present: Kim Whitehead, Bryce Poulson, Aaron L. Anderson, Jonathan Wilson, Bonnie and Susanna, and Marlene Haslam

1. CALL TO ORDER OF REGULAR COUNCIL MEETING

- a. **Pledge of Allegiance-** Led by Mayor Chesnut
- b. **Invocation (2 min.)-Audience invited to participate-** Given by Council Member Jensen.
- c. **Inspirational thought-** There was none given.
- d. **Approval of Agenda for June 7, 2023- Council Member Jensen made a motion to approve the agenda. Council Member W. Harris seconded and all voted in favor.**
- e. **Approval of Minutes for May 17, 2023- Council Member Jensen made a motion to approve the minutes. Council Member Ross seconded and all voted in favor.**
- f. **Ratification of Expenditures- Council Member Stoor made a motion to ratify the expenditures. Council Member W. Harris seconded and all voted in favor.**
- g. **Conflict of Interest Declaration for this agenda-** None stated

2. PUBLIC COMMENTS

Aaron Anderson said the only fire hydrant was cut off to Horseshoe Drive by a fence that was placed by the city. He had previously contacted the city to report this issue. Someone from the city told him it would be a few weeks and a new hydrant would be placed. However, it has not been done. He was concerned and asked that it be taken care of.

3. CONSIDER A DUP MARKER THAT RECOGNIZES THE FIRST CEMETERY IN ENOCH – Kim Whitehead

Kim Whitehead said she has the marker about ready to turn into the International Daughters of the Utah Pioneers. They requested to put a monument in one of Enoch's parks, such as Old Enoch Park. It was also suggested to place it in the Jones Iron Works Park because of its proximity to the original cemetery. She was concerned about weeds and vandalism. Marlene showed what was currently on the hill, also known as the first cemetery. Ina Richardson had placed a rock and it was marked the year 1851. She read some of the history of Enoch. Council Member Stoor mentioned that the property where the cemetery is located is private. He asked if they would be willing to put the monument there. Marlene said the DUP won't put a marker on private property. Kim said that if they put it in the Iron Works Park, people could see the original stone from there. Council Member Jensen suggested putting it in the new cemetery. It would be

more relatable there than at a park. Kim said they thought about that. Council Member W. Harris asked if there were still people in the ground up at the first cemetery. Marlene said yes and quoted Ina Richardson's history. She spoke about some early settlers. She also said it could take between 6 months to a year and a half. Council Member Stoor said within that time, the park could be developed and designed around that idea. Council Member Jensen asked if the approval of the monument would rely on a specified placement, or can it be moved from one location to another at a later time. Kim said the main reason for the specification is for the DUP Camps so that they could follow a guideline for the steps of approval of the marker. The Council could approve it without a location if they didn't want it near a park or cemetery. They just have to have the right of way for the placement. Council Member Jensen said he felt that the cemetery was the best location. Mayor Chesnut asked how they felt about that. Council Member Stoor suggested having a sign in one location and a monument in a different one. City Manager Dotson said the plans for the Iron Works Park are pretty extensive. It's going to be a quiet area. He suggested putting a marker close to it, but visible to everyone.

Council Member Jensen made a motion to approve the DUP marker at the Jones Iron Works Park recognizing the first cemetery in Enoch. Council Member W. Harris seconded and all voted in favor.

4. **DISCUSS AUTHORIZING PAYMENTS IN GOLDBACKS-** Benjamin Shaffer
Mr. Shaffer did not appear and there was no discussion.

5. **PUBLIC HEARING FOR THE 2022-2023 BUDGET**

Council Member Ross made a motion to close the regularly scheduled City Council Meeting and open a public hearing regarding the 2022-2023 budget. Council Member W. Harris seconded and all voted in favor.

There were no public comments.

Council Member Ross made a motion to close the public hearing and reconvene the regularly scheduled City Council meeting. Council Member Stoor seconded and all voted in favor.

6. **CONSIDER RESOLUTION NO. 2023-06-07-A A RESOLUTION APPROVING THE REVISED 2022-2023 BUDGET AND CLOSING THE BUDGET**

Ashley said the Council had authorized her to make minor adjustments to kind of clean up the edges of the budget. All adjustments were moving things within line items.

Council Member W. Harris made a motion to approve Resolution No. 2023-06-07-A, a resolution approving the revised 2022-2023 budget and closing the budget with the minor adjustments. Council Member Stoor seconded and a roll call vote was held as follows:

Council Member Ross: Yea

Council Member W. Harris: Yea

Council Member D. Harris: Absent

Council Member Jensen: Yea

Council Member Stoor: Yea

7. **CONSIDER ORDINANCE NO. 2023-06-07-A AN ORDINANCE AMENDING THE ENOCH CITY CODE OF REVISED ORDINANCES, CHAPTER 14.100.123 SEPARATE CONNECTIONS AND CHAPTER 14.100.124 UNAUTHORIZED USERS**

City Manager Dotson said usually someone comes in and wants to do something, but our code isn't clear. This is just a cleanup. We don't allow someone to use water and provide water to another user, for example, a neighbor. It wasn't very clear as to family members. We want to change it to parcels or lots and not base it on an individual. The code is also taking away the authority to make any special permission or favors. That is not appropriate. Justin Wayment said

he looked at this and thought it was good. Council W. Harris asked what this code would do for someone who is transporting water for construction. Council Member Ross asked if there was anyone in the city that was using water at multiple residences. City Manager Dotson said there was an individual who had split his property into two lots and is now providing service to the second home. There is a challenge to the one-acre foot of water that everyone has to bring.

Council Member W. Harris made a motion to approve Ordinance No. 2023-06-07-A, an ordinance amending the Enoch City Code of Revised Ordinances, Chapter 14.100.123 Separate Connections and Chapter 14.100.124 Unauthorized Users. Council Member Jensen seconded and a roll call vote was held as follows:

Council Member Ross: Yea	Council Member W. Harris: Yea
Council Member D. Harris: Absent	Council Member Jensen: Yea
Council Member Stoor: Yea	

8. CONSIDER ORDINANCE NO. 2023-06-07-B AN ORDINANCE AMENDING THE ENOCH CITY CODE OF REVISED ORDINANCES, CHAPTER 10.400.416 CONTAINERS

City Manager Dotson said the city does not have metal garbage containers. They are also about 96 gallons.

Council Member Jensen made a motion to approve Ordinance No. 2023-06-07-B, an ordinance amending the Enoch City Code of Revised Ordinances Chapter 10.400.416 Containers. Council Member Ross seconded and a roll call vote was held as follows:

Council Member Ross: Yea	Council Member W. Harris: Yea
Council Member D. Harris: Absent	Council Member Jensen: Yea
Council Member Stoor: Yea	

9. CONSIDER RESOLUTION NO. 2023-06-07-B A RESOLUTION DESIGNATING ODD AND EVEN ADDRESS OUTDOOR IRRIGATION DAYS

Aaron Anderson said the Enoch Informer stated watering hours were from 8am to 8pm. Mayor Chesnut said the motion should amend those hours to 8am to 8pm.

Council Member Jensen made a motion to approve Resolution No. 2023-06-07-B, a resolution designating odd and even address outdoor irrigation days and amending the watering hours from 8am to 8pm. Council Member W. Harris seconded and a roll call vote was held as follows:

Council Member Ross: Yea	Council Member W. Harris: Yea
Council Member D. Harris: Absent	Council Member Jensen: Yea
Council Member Stoor: Yea	

10. CONSIDER RESOLUTION NO. 2023-06-07-C A RESOLUTION AMENDING THE ENOCH CITY FEE SCHEDULE – Review fees for preliminary and final plats

City Manager Dotson said we are charged fees by our engineer to review a preliminary and final plat to make sure it fits our standards to code. This would provide a \$350 deposit used as a credit to the total plan review. He used an example. Upfront we have been charging \$350 dollars, but sometimes the review fee from the engineer is more. Engineering review is specifically for construction drawings. They can take multiple reviews and the fee depends on the contract with the engineering firm for construction plan review. Its more specific.

Council Member Jensen made a motion to approve Resolution No. 2023-06-07-C, a resolution amending the Enoch City Fee Schedule and amending the engineering

review fee to state the actual costs of the engineering firm for construction plans.
Council Member Stoor seconded and a roll call vote was held as follows:

Council Member Ross: Yea

Council Member W. Harris: Yea

Council Member D. Harris: Absent

Council Member Jensen: Yea

Council Member Stoor: Yea

11. COUNCIL/STAFF REPORT

Hayden White

- They fired up Grimshaw well and did a test run. The bowls malfunctioned and seized up. They noticed a bunch of metal in it. The good news was that they still have one well shut off that they have not had to turn on yet.
- He also reported that they have an NRCS project that should begin on Monday.
- They had a new employee start as well and were very happy to have the coverage. Also, the pickleball court was painted and striped. They are open to anyone who wants to use it.

Chief Ames

- There have been a lot of complaints about ATV riders. They have been out talking with kids about wearing helmets and abiding by the speed laws.
- They also had a taser training and conducted firearms training a few weeks ago. Council Member Jensen asked if one of the officers taking a vacation, will everything be covered. Chief said yes.

City Manager Dotson

- He had a Rural Transportation Advisory Committee meeting with all other entities within the County. One of the grants that was available from the government was called Safe Streets and Roads for All. It was a 5 billion dollar discretionary grant given in 1 billion dollars a year for the next five years. The grant was for planning to ensure safety and to create an action list for potential grants in the future. They could have applied and put together an action plan specifically for their major corridors, such as Highway 91 and Minersville Highway. He asked the Council if it was something that they wanted to do. Council Member Stoor said he would be in favor. City Manager Dotson clarified that the city has a 2-million-dollar grant to improve Highway 91 in 2025 from UDOT. Council Member Ross suggested going for the grant, and the Council agreed.
- He had submitted the CIB grant to the state for a 100% grant regarding the Police Department expansion. If they got funded, it would be in October.
- Martin Tyner with the Southwest Wildlife Foundation was about ready to build the building for the giant flight cage. He had been under the impression that since he was leasing the property from the city, he didn't have to bring in a water right. He would pay the water bill. However, water rights were never part of the discussion. Mr. Wayment asked if when the property came in, did it come with water rights. City Manager Dotson explained that when Park View Subdivision came in, they received about 28 acre-feet of water for that subdivision, which never happened. There were about three or four lots that were in the same situation and couldn't be moved, but the rest of the water rights were available. Justin suggested that if there were unused water rights, then he would have a water right if it were allocated to his lot. Hayden mentioned that the dog park also didn't have to provide water. Mayor Chesnut assured that they would take care of the water issue for the administration.
- Dairy Glen Subdivision still owes fees. They came in with a cash bond of 1.2 million dollars. This was 125% of construction costs. As the development was being finished, we gave a percentage back to them and for a year we keep 10% for the warranty. There is about \$100,000 in the account. They still owe about \$17,000 and they would like us to take it out of that \$100,000 cash that is theirs. We wouldn't return it to them for a year.

The Council discussed it in length. Council Member Jensen suggested not taking the owed fees out of the bond money. If they pay for the irrigation to be put in, then the fees for that won't be due until the warranty period for the bond is up. It was decided that staff would write up an agreement and bring it back to the Council.

Mayor Chesnut

- He sits on the SUU Committee Advisory Board and was invited to be a part of a sub-committee. They want to engage the community and question why there aren't a lot of younger alumni engaged. Mayor Chesnut asked everyone to give input on concerns, interactions with university students, what they would like to see, etc. He also reported that the opening ceremonies to the Utah Summer Games will be on Friday. Mayor Chesnut also mentioned that he got a call from someone that was confused for the times for the dumpsters and couldn't get to the city dump as they are not open enough.

Council Member Ross

- The Planning Commission has a public hearing coming up on the Penny property. The Railroad Celebration in Cedar city will be coming up on June 19th through the 24th.

Council Member W. Harris

- Regarding the 4th of July Celebration, there will be a 5K run that morning. The signup for it is \$10 unless you want a shirt and then its \$20.
- He asked Hayden to report on the well chlorination and wondered if there was any way that we could avoid it. City Manager Dotson said there was no way to avoid it.

Council Member Jensen

- reported that he spoke with Senator Vickers. He asked about the bill that was passed regarding gold and silver in regards to municipalities taking them as a form of payment. Senator Vickers responded that their intention was cities would take them as a form of payment. Council Member Jensen felt like it would be good to give people alternate methods for making their payment to the city. Ashley said the Money Management Act says that a Goldback is not currency and its an investment. They didn't say that the city couldn't take them, but that there would probably be a system put in place to accept, and convert it to a currency that could be taken and deposited to a bank. The exchange rate could fluctuate. The Money Management Act doesn't allow us to keep funds for a certain amount of time. We would have to have that deposited within that timeframe. Mr. Wayment said he spoke with the state auditor's office about it. They were all flummoxed. Their unofficial opinion is that it wouldn't work because the state auditor wouldn't approve the books. However, they didn't have any laws or regulations regarding Goldbacks.

Council Member Stoor

- The National Day of Service was coming up in September. He asked that if anyone had any ideas for the community to let him know.

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 Jensen made a motion to move into a closed meeting for the purpose of discussing the purchase, exchange, or lease of real property , including any form of water rights or water share. The motion was seconded and a roll call vote was held as follows:

Council Member Ross: Yea

Council Member D. Harris: Absent

Council Member W. Harris: Yea

Council Member Jensen: Yea

Council Member Stoor: Yea

Lindsay Hildebrand, Recorder	Date
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