

MINUTES
ENOCH CITY COUNCIL
March 20, 2024 at 6:00pm
City Council Chambers
City Offices, 900 E. Midvalley Road

Members present:

Mayor Geoffrey Chestnut
Council Member Katherine Ross
Council Member David Harris
Council Member Shawn Stoor
Council Member Bob Tingey
Council Member Debra Ley

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
Carrie Horton, Utility Clerk

Public Present: John Banks, Jonathan Wilson, and Megan Stead

1. **CALL TO ORDER OF REGULAR COUNCIL MEETING** –Led by Mayor Chesnut
 - a. **Pledge of Allegiance-** Led by Council Member Ley
 - b. **Invocation (2 min.)-Audience invited to participate-** Given by John Banks
 - c. **Inspirational thought-** Given by Mayor Chesnut / Council Member Ley will have the thought at the next meeting.
 - d. **Approval of Agenda for March 20, 2024 – Council Member Harris made a motion to approve the agenda. Council Member Tingey seconded and all voted in favor.**
 - e. **Approval of Minutes for March 6, 2024- Council Member Harris made a motion to approve the minutes. Council Member Ley seconded and all voted in favor.**
 - f. **Ratification of Expenditures-** There were none.
 - g. **Conflict of Interest Declaration for this agenda-** There were none.

2. **PUBLIC COMMENTS** – There were no public comments.

3. **CONSIDER RESOLUTION 2024-03-20-A A RESOLUTION APPROVING THE FINAL PLAT OF HAWKS LANDING P.U.D.** – See Planning Commission Rec.

Council Member Ross noted that this came forward from the Planning Commission with a favorable recommendation. With the new state law, this should be the last final plat that the City Council will have on the agenda. City Manager Dotson clarified that this is the first P.U.D. in the Master Community Plan. It is 8.7 acres. Council Member Ross noted that is it located between Spanish Trails and Shirley Lane. There will be more P.U.Ds in the future.

Council Member Harris made a motion to approve Resolution 2024-03-20-A, a resolution approving the final plat of Hawks Landing P.U.D. Council Member Ross seconded and a roll call vote was held as follows:

Council Member Ross: Yea
Council Member Stoor: Yea
Council Member Ley: Yea

Council Member Harris: Yea
Council Member Tingey: Yea
Motion Passed

4. **CONSIDER A PETITION FOR ANNEXATION OF 4410 N. DRIFTWOOD LN. /ALAN & D.ANNE ROBINSON PARCEL #D-0570-0000-0000** Approve or Deny by voice vote

City Manager Dotson explained the annexation process. The county had sent out letters noticing Enoch property owners. Council Member Ley asked where the property was located. City Manager Dotson showed it on a map. It is up against the Enoch City boundary line. They will have to bring water and then we connect them to the water and sewer line.

Council Member Harris made a motion to accept the petition for annexation of 4410 N. Driftwood Ln/Alan & D.Anne Robinson Parcel #D-0570-0000-0000. Council Member Tingey seconded and all voted in favor.

5. **CERTIFICATION OF PETITION FOR THE 4410 N. DRIFTWOOD LN/ALAN & D.ANNE ROBINSON ANNEXATION, PARCEL #D-0570-0000-0000 AND SET A PUBLIC HEARING FOR MAY 1, 2024** -City Recorder

Council Member Harris made a motion to set a public hearing for the annexation of the 4410 N. Driftwood/Alan & D.Anne Robinson Annexation on May 1, 2024. Council Member Ross seconded and all voted in favor.

6. **CONSIDER RESOLUTION NO. 2024-03-20-B A RESOLUTION PROCLAIMING SATURDAY APRIL 27, 2024 AS ARBOR DAY**

Council Member Stoor noted that the event will be held at the Enoch Wildlife Rescue for the Southwest Wildlife Foundation. They will be having a ribbon-cutting ceremony that day. In conjunction, we wanted to get together and plant trees and have some demonstrations. Council Member Harris knew of several youths who were willing to help. Council Member Stoor mentioned that there is typically a Day of Service in the spring. Mayor Chesnut noted that he thought it would be a good idea to keep rallying and bring the community together.

Council Member Harris made a motion to approve Resolution No. 2024-03-20-B, a resolution proclaiming Saturday April 27, 2024 as Arbor Day. Council Member Stoor seconded and all voted in favor.

7. **CONSIDER MARCH 2024 SURPLUS LIST** – Hayden White

Hayden noted that there were only two items on the list. One item is the old trash truck and the other is a saw that is so old that they can't find parts for it. It's a steel saw for cutting concrete. He wondered what they would suggest on the price of the truck and noted that he already had an offer on it. Hayden said Rocky Ridge put in an offer for \$1,000 less than he wanted, but he was going to try and negotiate for product. Council Member Harris asked if the offer complied with the auction policy. City Manager Dotson said Enoch has a new procurement policy that states that if anything was purchased worth \$35,000 or more when it was purchased, it has to go to the City Council for permission to auction it off or sell it.

Council Member Harris made a motion to approve the March 2024 Surplus List. Council Member Tingey seconded and all voted in favor.

8. **DISCUSS THE TRANSPORTATION IMPACT FEE ELIGIBLE COSTS PER UNIT AND SET A PUBLIC HEARING FOR APRIL 3, 2024** – City Manager Dotson

City Manager Dotson noted that one of the concerns that the State Homebuilders Association had was the projects that we have on our lists. He had put together a spreadsheet to show the projects. The projects of concern were Canyon Ranch Road which is located in Cedar City, the I-15 tunnel, which we didn't get the grant for to do the Feasibility Study, 3600 north is through a working farm, which we don't see anything happening with that in the next 10 years. The Transportation Master Plan says we need to expand SR-130. The State knows Enoch City Council Meeting

we need to do it and if we want to push them to get it done, we would probably have to pay 7%, which is in the Impact Fee Analysis. If we don't push them to get it done then we won't pay anything so we don't need to put it on the list. One of the projects that we think are important is Old Highway 91. We have about \$2 million coming next year to complete a portion of the road. He referenced the spreadsheet with calculations considering the removal of some of the projects. During a previous consideration of the Transportation Impact Fee Analysis, the City Council approved 75% of 19.175% of the maximum eligible impact fee for all uses except for detached single-family dwellings. Single-family dwellings were approved at \$4,000 and then were discounted by 50% so that the Council could increase the amount and not have to redo the analysis. The maximum allowable impact fee was around \$20,000 per house. City Manager Dotson re-calculated the numbers and it cut the demand for the impact in half, financially, from what was projected. The biggest concern the Homebuilders Association had was with something like restaurants. The previous calculation resulted in an impact fee of \$12,636 per thousand square feet. The new calculation resulted in \$6,256 per thousand square feet, which was about half. Cedar City charges \$636 for single-family residential, \$453 for multi-family, \$2,516 per thousand square feet for commercial, and \$971 per thousand square feet for industrial. Mayor Chesnut said the list that Cedar City puts together is entirely separate from what we do so the costs will differ. We just can't compare to Cedar City. City Manager Dotson said this new calculation is basically a 90% discount. It comes out to 0.02% of the maximum allowable impact fee.

Council Member Harris thanked City Manager Dotson for his work. He felt that even if items were taken off of the project list, the numbers shouldn't change much. We are still competing with Cedar City in some ways. There was a discussion about categorizing all commercial businesses by their function. Council Member Stoor suggested accepting the first yellow column as our rate and discounting it to the column on the right, but there might be some exceptions like intensive retail. The Council discussed in detail less intensive and intensive rates. Specifically, they discussed fast food. Council Member Harris suggested an impact of \$6,000 per thousand square feet and discount it to \$3,000. City Manager Dotson said they would need to have a public hearing to set that discount for the impact fee, which stalls the application of that impact fee into the fee schedule until after the public hearing and then set the 90 days over again upon passing. Council Member Ley noted that some of the rates are lower than Cedar City and we are going to need those roads. She suggested not modifying the already adopted fee schedule, except for three items noted in the services category, and set a public hearing just for those three items. There was discussion regarding setting a higher amount and discounting it in case the Council wanted to adjust it later. This included items like library, church, and daycare. City Manager Dotson said the first yellow column has already been discounted and approved already. Council Member Stoor said if we discount the right column can they go back later and change an individual item? Justin said they have to complete a new study as they get closer to the 6-year mark. As long as they are below the engineer's standards, they can do what they want. Council Member suggested leaving it the way it is until the April 2nd deadline. It would be bad to not have anything in place for another 90 days. Mayor Chesnut said we can bring it back on another agenda. Justin said they don't need a public hearing to re-send it. They can change those three items immediately. The Council agreed. It gives them flexibility to discuss their points of concern. City Manager Dotson said there are two building permits active and we are just waiting for the fees to be paid. This all came up because those fees were not set in the past. If they come before April 2nd then they are in that 90-day window. Mayor Chesnut noted that this will come back on the agenda at the 2nd meeting in April on the 17th.

9. CONSIDER PROPOSALS FOR ROAD IMPROVEMENTS OF MIDVALLEY ROAD AND 600 EAST AND AWARD CONTRACT

Hayden said he received two bids. They were from Sunroc and Staker Parson. Council Member Tingey asked if there were any benefits of one over the other. Hayden said no. Staker Parson had some good points. So, he brought those up with Sunroc and they re-bid. There was a \$23,000 difference between the two bids. He discussed the pros and cons and determined that the Staker-Parson (Western Rock) company would be better even though their bid was higher. Council Member Harris mentioned that they both have operations locally. Council Member Ross felt more comfortable with Staker Parson because Hayden mentioned that they had certain things that he had to ask Sunroc to include. Hayden said he would feel comfortable to hire the company with a higher bid.

Council Member Harris made a motion to approve the proposals for road improvements of Midvalley Road and 600 East and award the contract to Staker Parson. Council Member Stoor seconded and all voted in favor.

10. COUNCIL/STAFF REPORT

Chief Ames

- He reminded everyone about the Easter Egg hunt on Monday at 6:00 pm at the Old Enoch Park. Mayor Chesnut noted that he is the fundraising and sponsorship chair for the Cedar Nationals Little League. City employee Jeff Okeson is the president of the Cedar National Little League Board. He is always looking for new sponsors to engage the community. He wondered if the police department would be willing to sponsor a team. It would put Enoch police department on the back of their jerseys and they would put up a banner with the Enoch logo. The cost would be \$550.00 and thought it would help the kids to be more comfortable being around the police. City Manager Dotson said historically the city doesn't sponsor any particular group. Not for any other reason than the notion that if you help one, you have to help them all. There is no policy in place. Mayor Chesnut suggested that they create a procedure to allow for quality activities to be supported. Council Member Ley asked if this was something that could accept donations from people so city funds wouldn't be used. Mayor Chesnut said he thought this could be an opportunity for a public/private partnership. Council Member Harris asked if there was a budget for community outreach programs. Chief Ames said yes, he does have a line item for that. Council Member Harris said a precedent is something to be concerned about. There are a lot of other groups that need help. Maybe they don't sponsor the same group every year. He was ok with it. Council Member Stoor liked the idea of something similar, such as a lottery. Justin gave an example of something that happened in Salt Lake and warned against using the funds the wrong way. He suggested that if the Police Department sponsored this then maybe the team would do a project with the police. All Council members agreed.

Hayden White

- The sewer lift station is being fired up tomorrow.
- They just ran the sewer off of Ravine Road to where the ice-skating rink is. They will repave that road.

Lynn Nielson

- The ice rink is tentatively due to open on July 4.
- O'Reilly Auto Parts has their plan review approved.

- Dollar General has been approved and just waiting for a couple of items. Justin noted that the most profitable store per square foot is Dollar General.
- He also noted that there are 11-12 building permits going in at the subdivision across the street from the City Offices.
- Mindy has been helping and just got back from training and he is hoping she will be able to help him a bit more.

Ashley Horton

- She has just started to work on the budget. She asked that each one of them go into the office sometime in April to discuss the budget.
- She also noted that the office is getting new phones and staff is excited about it.

City Manager Dotson

- One of our goals in the Affordable Housing Plan is to help provide affordable housing. There is one lot in the Three Peaks subdivision that the city won't be using for drainage anymore. He wondered if it would be a good idea to donate it to the Cedar City Housing Authority. They could use it in their program to build a home for someone in need. There are different options and it was suggested that we either sell it or build a home on it and sell it.
- The Iron County Local Homeless Council is an organization that has existed for a while. Council Member Tingey and City Manager Dotson will start going to their meetings.
- Currently, we require that someone brings in water rights for their development. He was approached today about the option of purchasing surface water share, which is irrigation water from Coal Creek. He noted that there is no policy in place to purchase water shares and wondered if the Council would be interested in putting one in place. Council Member Tingey asked if the water was still cheap after it's cleaned. Can we be confident about how much water we will get. City Manager Dotson said its just based on how much it snows. Council Member Harris said we have to have wells as back up. There was more discussion. City Manager Dotson said if they want to start buying water rights, we need to put money in the budget to do it. Council Member Stoor said we should appraise it and know what it's going to cost. He suggested pursuing. Mayor noted that water will be the main driving factor in development and that we need to stay mindful.
- City Manager Dotson also talked about the Water Conservancy District. Paul Monroe just received a million-dollar grant for agriculture optimization. Mayor Chesnut discussed Mayor Green's project. He wanted to get several entities to do a bid on how to make the project work. This is to change the water to "Type 1". They would also want Enoch to join in. There may be a budgetary need that the Council will have to consider.
- City Manager Dotson explained a situation regarding mobile homes. He talked about the history as to why they were allowed. He researched the ordinances and it says that a single-family and double-family home residential unit is required to be 20 feet wide at its narrowest point. It also says that factory built and manufactured housing shall come in multiple sections, each no less than 10 feet, and if 3 sections, one must be 10 feet. Then later it says that mobile homes are not allowed. We have had two residents bring in their mobile homes. He had met with the owners. Manuel expressed dismay and sadness. Even though he has a building permit and has been authorized to build it, it is against the law. He has already started to work on it. A resident asked if there was a time limit to have it fixed up. The time limit based on in international building code was 180 days between permit and inspections. The City Council may have to come up with a solution. He listed a few options. Council Member Stoor noted that there is always a solution and that they

can discuss it in the closed meeting. City Manager Dotson noted that City Government affects people and that every decision we make affects the present and future.

Council Member Stoor

- He wanted to see if April 27 would be a good weekend to have a cleanup day and open the dump to a certain time. He was hoping that the community could come together and help their neighbors and get the community cleaned up.

Council Member Harris

- He missed the last water board meeting and wanted to get updated on that.
- He went to the Rural Water User Conference. We have had a good snow pack but might have lower stream levels. He learned a lot.
- Tomorrow will be the first Cedar Beaver Watershed meeting.

Council Member Tingey

- He had attended the school board meetings and they are very interesting. They are wondering what to do since they didn't get the bond. Those meetings are live-streamed. Or people can view them on YouTube afterward.
- He also noted that he has been assigned to the Community Culture section of Vision Iron County. They are trying to decide some projects that are worthy, such as historical and cultural. He will report on things as they go along.

Mayor Chesnut let Megan Stead address the Council.

Megan showed the Council some pictures of her property. Her home is one of the properties included in the mobile home situation. She read her remarks from a letter. She spoke about her family's life and sacrifices that they have made to start their home. She spoke about what they are doing and their plans they have to get the home finished.

City Manager Dotson said a resident brought a letter for the Council. It will go into the record but it was not read in the public meeting.

11. 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.

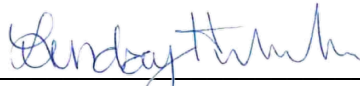
Council Member Harris made a motion to go into a closed meeting for the discussion of buy sell or exchange of real property, personal matters, or immanent litigation.

Council Member Stoor seconded and a roll call vote was held as follows:

Council Member Ross: Yea	Council Member Harris: Yea
Council Member Stoor: Yea	Council Member Tingey: Yea
Council Member Ley: Yea	

12. ACTION FROM CLOSED MEETING-

13. ADJOURN


 _____ 04/03/2024
Lindsay Hildebrand, Recorder **Date**

3/20/2024

To Whom It May Concern:

Re: Petition to Enoch City - Correct Nuisances & Complaints - Violations

As longstanding property owners in the City of Enoch, it has recently come to our attention of some serious matters that are adversely affecting multiple home and property owners in part as the result of decisions that have been made by Enoch City. As residents and community members, we have placed great trust in the current leadership and staff that governs our city and expect that they will do what is in the best interest of its surrounding and existing residents whenever changes and various considerations are made.

Of great concern to the nearby and adjacent home owners and lot owners is the recently created Stead RV Park. Within the Residential Village Green Farms Subdivision, Enoch City allowed an adjacent approx. 1 ac lot to be rezoned and become an RV Park next door to an existing homeowner who has hundreds of thousands of dollars invested in their property prior to the allowance for this RV Park. As property owners, it has come to our attention the decrease in our property values and nuisances it has caused as a result of this. Old dilapidated trailers have been hauled in and left to sit for months on not only the RV Park property but also on another residential lot on the other side of the residential homeowner and adjacent to another existing homeowner for several months. These types of homes should be placed in designated Mobile Home Parks not a Residential Subdivision. This has created a value deterioration of the surrounding properties and a terrible nuisance. Perhaps the mobile home/trailer building projects would be better suited in an industrial area/zone which would avoid the negative effects for the surrounding home and lot owners in the residential zone.

Unfortunately, it appears that Enoch City's own Ordinance is/has not been interpreted correctly as per 12.300.321 SINGLE FAMILY AND TWO FAMILY DWELLING STANDARDS (attached), part of which states that:

"Any detached single family or two family dwelling, located on an individual lot outside of a mobile home park or mobile home subdivision, shall meet the following standards in addition to any others required by law."

G. The width of each primary dwelling shall be at least twenty feet at the narrowest point of its first story. The width shall be considered the lesser of the two primary dimensions. Exception to this width requirement is for guest houses (accessory dwelling units). Factory built or manufactured homes shall be multiple transportable sections at least ten feet wide, unless transportable in three or more

sections, in which case only one section need be ten feet wide. All single family and two family dwellings shall meet the current building code adopted by the State of Utah.

Please review entire ordinance. (It appears permits were issued by the city in violation of this standard).

Very recently an adjacent lot owner had arranged for a private sale of their lot to a buyer until that buyer came to see the property and realized the tremendous eye sore and creation of an RV Park which resulted in the buyer no longer willing to purchase the lot. Not only was this a great loss from the lack of this sale but the opportunity to purchase another property in its stead was lost. This combination is a huge loss for the lot owner upwards of a \$300K opportunity. This does not include the tremendous losses resulting in the potential inability of other home and lot owners to sell and receive fair market values if desired for their properties. It is apparent that the accommodation of one lot owner is/has adversely affected several other surrounding property values and created nuisances which need to be addressed. A better determination of what is allowed and a more serious evaluation of the effects it may have on others is imperative.

Last month, one of the property owners addressed the city council with many and more of these same concerns.

For these reasons we request Enoch City to immediately revoke the Permits that have been issued until more reasonable solutions can be addressed to correct and address the problems that have arisen as a result of such Permits being issued. By the City allowing this process to proceed, they are jeopardizing the integrity of all lot/land owners who do not wish to have their investments in Homes and Properties subjected to further deteriorations of value and such nuisances now and in the future. Any possible non-conformance by the city to ordinances already in place needs to be addressed. Remedies need to be immediately sought and put in place to correct/remove violations and to protect surrounding owners. Your immediate attention to this matter is greatly appreciated.

Neighboring home and property owners