

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

Members present:

Mayor Geoffrey Chesnut
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- Zoom
Ashley Horton, Treasurer
Justin Wayment, City Attorney
Hayden White, Public Works Director
Lindsay Hildebrand, City Recorder
Jackson Ames, PD Chief- excused

Public Present: Lester Ross, Todd and Jen Welch, Ryan Reese, Bryce Poulson, Delaine Finlay, Jonathan Wilson, Loralie and Deanne Pierce, and Jared Sowards

1. **CALL TO ORDER OF REGULAR COUNCIL MEETING by Mayor Chesnut**
 - a. **Pledge of Allegiance- Led by Mayor Chesnut**
 - b. **Invocation (2 min.)-Audience invited to participate- Given by Council Member Harris**
 - c. **Inspirational thought- Given by Council Member Ley. Council Member Harris will have the thought at the next meeting**
 - d. **Approval of Agenda for March 6, 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 February 21, 2024- Council Member Harris made a motion to approve the minutes. Council Member Stoor seconded and all voted in favor.**
 - f. **Ratification of Expenditures- Council Member Harris made a motion to ratify the expenditures for the month. Council Member Ross seconded and all voted in favor.**
 - g. **Conflict of Interest Declaration for this agenda- Council Member Ross said she is related to the applicants on item number 8 of the agenda.**

2. **PUBLIC COMMENTS**

Lester Ross thanked Hayden White and his department for the Enoch portion of Highway 91.

3. **PUBLIC HEARING REGARDING A ZONE CHANGE REQUEST FOR PROPERTY OWNED BY POWER DRIVEN NATION LLC PARCELS #A-1006-0000-0000 AND #A-1009-0000-0000 FROM RESEARCH INDUSTRIAL PARK (R/IP) TO SINGLE-FAMILY RESIDENTIAL (R-1-11) – Power Driven Nation LLC**

Council Member made a motion to close the regularly scheduled City Council meeting and open a public hearing regarding the proposed zone change request of property owned by

Power Driven Nation LLC from Research Industrial Park to Single-Family Residential (R-1-11). Council Member Ross seconded and all voted in favor.

There were no comments.

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

4. CONSIDER ORDINANCE NO. 2024-03-06-A AN ORDINANCE AMENDING THE GENERAL PLAN LAND USE MAP AND THE ENOCH ZONING ORDINANCE MAP BY CHANGING THE ZONING OF PROPERTY OWNED BY POWER DRIVEN NATION LLC PARCELS #A-1006-0000-0000 AND #A-1009-0000-0000 FROM RESEARCH INDUSTRIAL PARK (R/IP) TO SINGLE-FAMILY RESIDENTIAL (R-1-11)

Council Member Ross said this came forward from the Planning Commission with a favorable recommendation. There were some members of the public there to speak, however they weren't for or against it. They wanted questions answered about sewers and other things. Council Member Ley asked about the parcel boundary on the map. The two parcels were explained.

Council Member Harris made a motion to approve Ordinance No. 2024-03-06-A, an ordinance changing the zone change of property owned by Power Driven Nations LLS Parcels #A-1006-0000-0000 and #A-1009-0000-0000 from Research Industrial (R/IP) to Single-Family Residential (R-1-11). Council Member Tingey 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**

5. PUBLIC HEARING REGARDING A ZONE CHANGE REQUEST FOR PROPERTY OWNED BY MJB ENOCH LLC PARCELS #A-0828-0011-0000 AND #A-0828-0010-0000 FROM MULTI-RESIDENTIAL (M-R-2) TO SINGLE-FAMILY RESIDENTIAL (R-1-11)

Council Member made a motion to close the regularly scheduled City Council meeting and open a public hearing regarding the proposed zone change request of property owned by MJB Enoch from Multi-Residential to Single-Family Residential (R-1-11). Council Member Ross seconded and all voted in favor.

There were no comments.

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

6. CONSIDER ORDINANCE NO. 2024-03-06-B AN ORDINANCE AMENDING THE GENERAL PLAN LAND USE MAP AND THE ENOCH ZONING ORDINANCE MAP BY CHANGING THE ZONING OF PROPERTY OWNED BY MJB ENOCH LLC PARCELS #A-0828-0011-0000 AND #A-0828-0010-0000 FROM MULTI-RESIDENTIAL (M-R-2) TO SINGLE-FAMILY RESIDENTIAL (R-1-11)

Council Member Ross said this came forward from the Planning Commission with a favorable recommendation. There was an adjacent property owner who had questions but wasn't

for or against this zone change. Council Member Tingey wanted to be reminded how far north it is on Highway 91. Hayden said it's near Midvalley and Old Highway 91.

Council Member Harris made a motion to approve Ordinance No. 2024-03-06-B, an ordinance to approve the zone change of property owned by MJB Enoch LLC Parcels #A-0828-0011-0000 and #A-0828-0010-0000 from Multi-Residential (M-R-2) to Single-Family Residential (R-1-11). Council Member Ross 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**

7. PUBLIC HEARING REGARDING THE ANNEXATION OF PROPERTY OWNED BY NELSON FAMILY LAND LLC, PARCEL #D-0658-0001-0000

Council Member Harris made a motion to close the regularly scheduled City Council meeting and open a public hearing regarding the annexation of property owned by Nelson Family Land LLC, Parcel #D-0658-0001-0000. Council Member Stoor seconded and all voted in favor.

There were no public comments.

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

8. CONSIDER ORDINANCE NO. 2024-03-06-C AN ORDINANCE ANNEXING PROPERTY OWNED BY NELSON FAMILY LAND LLC, #D-0658-0001-0000 INTO THE CORPORATE BOUNDARIES OF ENOCH CITY

Council Member Harris made a motion to approve Ordinance No. 2023-03-06-C, an ordinance annexing property owned by Nelson Family Land LLC, Parcel #D-0658-0001-0000 into the corporate boundaries of Enoch City. Council Member Ross 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**

9. CONSIDER CONTINUING THE SECONDARY WATER AGRICULTURE IRRIGATION AGREEMENT WITH KEITH MALONEY/RYAN REECE

Hayden said when we got that well we had an agreement that we would supply the farmer with water. Keith Maloney has subleased to Ryan. We can one field but not both because more people have been added to the irrigation line. Ryan has been good at communicating when it was turned off and on. Council Member Tingey asked if there were any arguments against doing this. Hayden said there are no serious reasons to deny this request. Mayor Chesnut said when we get the Garden Park well this will be less of a concern. Council Member Stoor asked if we just bill Ryan for the power of the well. Hayden yes we keep track of the gallons and at the end of the month, he pays the power bill.

Justin Wayment asked if this agreement was a year-to-year agreement. He wanted to make sure there was no misunderstanding and that Ryan wasn't planning on planting new fields. Hayden said yes it is. They will put together a Memorandum of Understanding.

Council Member Harris made a motion to approve the continuation of the secondary water agriculture irrigation agreement with Keith Maloney/Ryan Reese for one

year with an MOU pending and for one field as recommended. Council Member Ross seconded all voted in favor.

10. CONSIDER TRANSPORTATION IMPACT FEE ELIGIBLE COSTS PER UNIT –
City Manager Dotson

Council Member Ross attended a meeting with members from the Homebuilders Association, Ryan Talbot, Spencer Jones, Tyler Melling, and representatives from the engineering firm. One key point of discussion was the request to remove the underpass of Highway 91 from the impact fees project list. They didn't think Enoch should cover the cost, given that part of the project lies within Cedar City. Council Member Ross emphasized the importance of the project but also explored options for reducing costs line by line. City Manager Dotson noted that Joe Phillips from Sunrise Engineering was present. He addressed concerns about the tunnel project, known as Project 2A. There was discomfort in charging an impact fee for something outside Enoch's boundaries. Phillips said he could talk about reducing some of the projects and just take them off of the list. He also explained the dynamic nature of project lists and impact fees, emphasizing the need for ongoing adjustments. Discussions ensued about the feasibility of charging impact fees for projects outside the city's boundaries and the potential impact on development. There were concerns about hindering growth and competitiveness with Cedar City. His job was to give them the maximum allowable impact fee. The Council elected to adopt an impact fee that is less than the max. We looked at the preliminary and recalculated the impact fee on a ten-year horizon. There will need to be a public hearing if they want to change anything.

The discussion delved into specific fees, such as those related to multi-family housing and commercial properties. Concerns were raised about the affordability of impact fees and their potential to slow growth. There was a consensus on the need to strike a balance between funding necessary projects and not burdening developers excessively. Phillips noted also that what other communities are doing may not be relevant to Enoch. Council Member Harris mentioned the need for Enoch to have more incentives for people to come and build a business rather than Cedar City. They also touched upon the practicality of impact fees, their relationship to taxes, and their role in funding infrastructure. The Council debated the appropriate level of discounts and the potential impacts on various types of businesses. There was a call for revising proposals and considering adjustments to ensure fairness and economic viability. They also highlighted the complexity of balancing the need for infrastructure funding with the desire to foster growth and competitiveness within the community. Further discussions and revisions were planned to address concerns and refine the proposed impact fee structure.

For complete audio visit <https://www.cityofenoch.org/city-council-agenda--minutes.html> @ Minute 27:00

11. COUNCIL/STAFF REPORT

Hayden White

- He needed a closed meeting.
- They have been hauling dirt to the tank site up on Highway 91.
- Some of the employees in the department have been in St. George at water school.
- Council Member Ley asked once we start chlorinating do they have to keep doing it. Hayden said yes and explained.

Chief Ames

- He reported that they filled the crossing guard position. He seemed pretty excited about it.
- They also got a few applicants for the animal shelter tech position.
- The annual Easter Egg hunt will be on the 25th. It starts at 6. It will be at the Old Enoch Park. They had received a lot of donations.
- Council Member Ross noted that someone forgot to open the gates at Enoch Elementary after school yesterday.

City Manager Dotson

- There will be new legislation to go over that will change some of the things we do.

Lindsay Hildebrand

- She has been working on business licenses for the month and the new Sportsite program.

Mayor Chesnut

- He went to the Iron County Council of Governments and the World Planning Organization meeting. They were able to send a recommendation for Corridor Acquisition funds. They plan to buy land for the belt route. It was exciting to hear what various leaders are doing in the county. UDOT spoke about what they are doing with the Walmart Interchange. They are talking about adding a spooly lane with massive bridges and expanding 3 lanes. The growth in the county has been big.

Council Member Ross

- She had a planning commission member stop her after the last Planning Commission meeting. He asked why we have public hearings if the Council is always going to approve 11,000 sq lots. She gave him her opinion.

Council Member Stoor

- He attended the Community Emergency Preparedness meeting last week. There were a lot of ideas that came out of it. Arbor will be on April 27th. This is with the Admin Assistant with the Southwest Wildlife Foundation and ribbon cutting. There will be food trucks and parking. They plan on planting trees and bushes. It's being planned for about 200 people. There will be tours and artwork on display. They will plant some trees and bushes.

Council Member Tingey

- He attended another school board meeting. The first hour was recognition of Canyon view athletes. There was about an hour of public comments. Wrestling kids are dragging mats into the lunch room because there is no room. The last part of the discussion was the bond didn't pass so what are they going to do. Some seemed like they were tuned into reality. The national graduation rate and at Canyon View is 98%.

Council Member Ley

- She wondered if the Council and the Planning Commission could revisit the zoning of the community. She explained that they should look at the planning of all zones in general so when people buy land they know what should be there. It seems like we are being run by developers. Would that be something that the Council is willing to talk about? Mayor if Chesnut noted that if at least two council members want to put it on the agenda then they

would do that. Council Member Stoor didn't disagree with it. There was a conversation about why the city has a Planning Commission and the role it should have. Council Member Harris said we want to keep things appropriate. Some things are inappropriate like a hog farm in the middle of the city. We are talking about residential but changing density. Council Member Ross referenced the work the Planning Commission has been doing. Changing zones appropriately is something that is allowed and the Council believes in property rights. There was a discussion about whether Enoch has enough water for new developments.

- 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.**

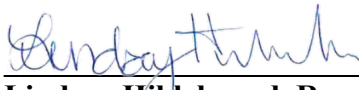
Council Member Harris made a motion to close the regularly scheduled City Council meeting and go into a closed session to discuss the purchase, exchange, or lease of real property, including any form of water rights of water shares. Council Member Ross seconded and a roll call vote was held as follows:

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

- 13. ACTION FROM CLOSED MEETING-**

Council Member Harris made a motion to direct city administration to proceed with the negotiations and to pursue the appraisal opportunity. The motion was seconded and all voted in favor.

- 14. ADJOURN – Council Member Harris made a motion to adjourn. Council Member Ross seconded and all voted in favor.**

 3/20/2024
Lindsay Hildebrand, Recorder Date