

MINUTES
ENOCH CITY COUNCIL
May 16, 2018 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 Dave Owens
Council Member Katherine Ross
Council Member Shawn Stoor

Staff present:

Julie Watson, Recorder
Ashley Horton, Treasurer
Justin Wayment, Atty.
Robert Dotson, City Mgr
Jackson Ames, PD Chief-phone
Earl Gibson, PW Dir.

Public present: Franklin Tilley, Dilworth Armstrong, Andrew Chamberlain, Jeremy and Kimberlee Dunn

1. **CALL TO ORDER OF REGULAR COUNCIL MEETING-**By Mayor Chesnut at 6:00 pm. He welcomed the audience.
 - a. **Pledge of Allegiance-**Led by Council Member Owens
 - b. **Invocation-**Audience invited to participate-Given by Franklin Tilley
 - c. **Inspirational thought-**Given by Mayor Chesnut
 - d. **Approval of Agenda for May 16, 2018-Council Member Harris made a motion to approve the agenda. Motion was seconded by Council Member Stoor and all voted in favor.**
 - e. **Approval of Minutes for May 2, 2018-Council Member Harris made a motion to approve the minutes. Motion was seconded by Council Member Ross and all voted in favor.**
 - f. **Conflict of Interest Declaration for this agenda-**none stated

2. **PUBLIC HEARING REGARDING \$2 PER GARBAGE CAN RATE INCREASE**
Council Member Harris made a motion to close the regular meeting and go into the public hearing regarding the \$2 per garbage can rate increase. Motion was seconded by Council Member Owens and all voted in favor.

Mayor Chesnut said he wanted to give some background information for the public regarding this issue. He added he knows that many citizens do listen to the minutes when they are posted on the website. He said this is a company that we are running. Enoch started the Refuse Company in 1992. At the time it was created the rate was \$6.50 per can and there has been no increase since then. This is a business that has to repair and replace equipment and pay employees. We have been running a business and have not ever increased our rates. He is not aware of any business that is still in business that has never raised prices due to the costs of running the business. Council Member Harris said we have to run the company so that we can save to replace equipment when it wears out. This is not an arbitrary thing. We are running this government service which is a business and you can't stay in business unless you account for increased costs. He appreciates the concerns of those who say it hurts them even at \$2. This may need to be revisited in the future due to rising costs. We need to save for future equipment purchases. Mayor Chesnut invited public comments.

Mayor Chesnut read a letter submitted by Lynn Pruitt who said she is objecting to the drainage fee increase due to being on a fixed income and everything going up in cost. She said the

developers should have been responsible for that and not the residents. She was fine with the \$2 increase for the garbage truck.

Mayor Chesnut said we need to help the community understand the need for this but he does sympathize with those on fixed incomes who may find this difficult to absorb. Council Member Stoor said we would not do this if we did not have to. The consequences of not acting are that we don't have reliable equipment and service suffers.

Franklin Tilley said his heart goes out to Mrs. Pruitt. He is also on a fixed income and he moved here because this is one of the few communities that are solvent. That means a lot to him. Only six cities in CA are solvent. This needs to be revisited more often. You can't run trucks until the wheels fall off. This is a viable concern. Whenever there are hardship cases maybe an exemption could be given. He suggests that as an option. He is happy to have the new truck and glad to pay the increased cost for it.

There were no other comments.

Council Member Harris made a motion to close the public hearing and go back to the regular meeting. Motion was seconded by Council Member Owens and all voted in favor.

3. RESOLUTION NO. 2018-05-16-A A RESOLUTION AMENDING THE ENOCH CITY FEE SCHEDULE TO RAISE THE GARBAGE CAN RATE FROM \$6.50 PER CAN TO \$8.50 PER CAN

Mayor Chesnut said he likes to have dialog in the public hearing part of the meeting but now is the time for further discussion by the City Council. Council Member Harris asked Ashley how long before we pay off the loan to the General Fund. Ashley said we will pay it mostly this year a little into next year. We saved \$94,000 over many years and we are borrowing from the General Fund and from Capital Funds we have to use. We then have 5 to 6 years to save for another truck. Ashley said we hope we would have the funds when the next truck is needed. Council Member Stoor asked if this covers inflation and City Manager Dotson said no. We drive our truck three days per week. On Wednesday we picked up 848 cans and that is all our driver can do in a 10 hour day. We are at the edge, City Manager Dotson said. We picked up 600 plus cans today and the City is growing. More cans results in more wear and tear. We should check savings every year, Council Member Harris said due to growth coming. Council Member Harris added he would like to track it more closely so we can do increases at a lower rate if needed. Council Member Lee asked if we did not do this what would happen. She was told this is a business and you can't run at a deficit. She asked if \$2 is enough adding maybe we will have to look at it again in a year or two. Council Member Stoor said he appreciates the comment on hardships. Council Member Harris said there are processes for that on property taxes. In the case of rates for services that is not free market economics to favor some over others. Mayor Chesnut said some cities look at it as if you are over a certain age you can be exempted instead of proving hardship. City Manager Dotson said that means all of the other residents have to soak that up if some are given a discount. We also pick up for Paragonah and Kanarraville and they have accepted the rate increase. They make money because they charge more already. Mayor Chesnut asked for a motion.

Council Member Harris made a motion to approve Resolution No. 2016-05-016-A, a resolution amending the Enoch City Fee Schedule to raise the garbage can rate from \$6.50 per can to \$8.50 per can. The motion was seconded by Council Member Stoor and a roll call vote was held as follows:

**Council Member Harris-Yes
Council Member Ross-Yes
Council Member Lee-Yes**

**Council Member Stoor-Yes
Council Member Owens-Yes
Motion passed**

4. PUBLIC HEARING ON THE REVISED 2017-2018 BUDGET

Council Member Harris made motion to close the regular meeting and open the public hearing on the 2017-2018 revised budget. Motion was seconded by Council Member Ross and all voted in favor.

Mayor Chesnut said we have made changes to accommodate the things that come up each year. This is for the past budget that is ending on June 30, 2018. Ashley recapped some changes that came up. One is in the cemetery fund. It is \$3,725 to GIS the cemetery and have it online for people to find graves and information. That would come from savings in the General Fund. In the Water Fund we talked about two larger adjustments in supplies and materials and surveying and engineering. They each need \$5,000 more than expected when invoices come in for needed items. That came from \$10,000 that would have gone to savings. One last item is in the Storm Drainage Fund. We need \$165,000 from savings to put into supplies for pipe for Iron Mountain Park. Mayor Chesnut invited public comments on revised budget. There were no comments.

Council Member Harris made a motion to close the public hearing and return to the regular meeting. Motion was seconded by Council Member Harris and all voted in favor.

5. RESOLUTION NO. 2018-05-16-B A RESOLUTION APPROVING THE 2017-2018 REVISED BUDGET AND CLOSING THE BUDGET

Mayor Chesnut asked for discussion or questions on the update. Council Member Ross asked about the General Fund savings and what that would be with the changes. Ashley said we would not be put anything to savings. We are breaking even. Mayor Chesnut asked for a motion.

Council Member Harris made motion to approve Resolution No. 2018-05-16-B, a resolution approving the 2017-2018 revised budget and closing the budget. Motion was seconded by Council Member Owens and a roll call vote was held as follows:

Council Member Harris-Yes	Council Member Stoor-Yes
Council Member Ross-Yes	Council Member Owens-Yes
Council Member Lee-Yes	Motion passed

6. PUBLIC HEARING ON 2018-2019 TENTATIVE BUDGET

Council Member Harris made motion to close the regular meeting and go into the public hearing on the 2018-2019 tentative budget. Motion was seconded by Council Member Stoor and all voted in favor.

Mayor Chesnut said this is the upcoming budget which we have discussed prior to this meeting. This public hearing is required. Ashley said there is one change we talked about with sales tax revenue. We try to be conservative in our projections. In discussion we bumped that to \$670,000 which is still conservative with the good economy. That will give us the extra revenue to do a bit less on the proposed tax increase. It will be closer to 54% but we need the final numbers from the County. Mayor Chesnut said budgets are just an educated guess. Given a history of the past, we talked and hope to alleviate concerns that we are overtaxing the population. If historic revenues are there we can estimate a bit more from the State and reduce the overall proposal for the tax increase. Given current information we think sales tax will stay approximately the same as this year. We hope that helps with concerns. Council Member Harris agreed saying the economy is good and more dollars will come in. Council Member Lee asked if we are we talking about Enoch City sales taxes. She was told we get a percentage of all sales tax collected in the State based on population and not just on locally spent money at businesses in Enoch. We have a one percent local option to add to our community tax that comes straight to us. The other sales taxes are allocated per population. That is why Cedar City makes more because they have so many businesses for their local option. We rely more on the State allocation. Council

Member Harris said he expects to get what we got last year. Ashley said there is a new 1.8% reduction in taxes that the State is taking for homeless shelters. They are taking that from all cities that don't have homeless shelters in them. Council Member Harris asked Ashley to look up the 2008-09 numbers just for comparison when we were going into the crash. City Manager Dotson said he thought we lost 10-20%, under \$500,000 a year based on census population then. Since then our numbers went up over 5000. Council Member Harris said he is comfortable with that number.

Mayor Chesnut added this budget includes an increase in the property tax for the hiring of two new PD officers. Chief Ames has indicated this is necessary for our PD with our population of nearly 6500 people. The current staff of himself and three officers can't adequately cover the City. Mayor Chesnut referred to Jeremy as being a celebrity after the Channel 4 News broadcast about our PD. It sheds a good light on us and that we have one of the smallest PD's in the State and are serving a lot of people. Chief Ames indicated we have problems that come with growth. He is not comfortable with our level of coverage. When one officer is on call if there is a crisis the City is not covered. We need to add two officers and that is a modest proposal. He hopes the community can understand that. Mayor Chesnut added if we did not add these PD officers we would need no increase. Due to population we have to have more coverage. That is why Truth in Taxation works. We have laid out a proposal to add two officers and we can absorb some cost but an increase is necessary to increase the service for our population. He advocates that we can't neglect those officers. We ask them to put themselves in harm's way and the neglect is doing nothing. Their work load is oppressive.

City Manager Dotson passed out a flyer. (See attached) If approved we want to mail this directly to all residents in Enoch City. After that Mayor Chesnut is going to do a Facebook video with Council Member Harris about the need for this tax increase. We want to get out in front of any concerns about this. The increase is targeted and specific for the hiring of two PD officers only. Council Member Stoor wanted to know what the average increase would be per household. The increase would be about \$162 per year increase for a house costing \$177,000. Dan Jessen, the County Auditor, is figuring this out and is thinking about a \$13.50 per month average increase. That is a ball park figure right now. Some homes cost more and some less. He told about the ¼ page add that is required to be run in the newspaper per the requirements of Truth in Taxation. We are required to have another public hearing and we can do more if needed. Mayor Chesnut said we are out in front of this and we intend to inform the public of exactly what this is for. This is what it is and why we need it.

There was more information about the process given and that the City Council would reject the certified tax rate after the County Assessor mails out the tax notices in June or July. If we reject the certified tax and propose what we are doing then we request the auditor to recalculate the new rate and it goes to the public. We have to accept the new rate no later than August 17th. If any resident wants to do a referendum it goes on hold for the period of time the petition process takes and we work off the tentative budget. Unlike last time, we intend to inform the public of the exact need and the exact cost with nothing else added. That is what Truth in Taxation is about. There is a five day window for any resident to start a referendum. Mayor Chesnut proposes the City Council tentatively approve this information notice so it can go out immediately. We understand there may be concerns and we want to give the community an opportunity to express their thoughts in another hearing. It is specific and truthful and they can disagree but we hope they will understand this pressing need for safety. He hopes those listening to the recording will know that we are open to questions. Chief Ames agreed. Mayor Chesnut asked if Jeremy would comment as a law enforcement officer and resident regarding what happens in a four man department in our community. Mayor Chesnut invited public comments. Jeremy Dunn said he is not a politician but from the point of view as an officer he does not like to lose. He feels he does not have the time to be proactive to identify problems like drugs and DUI's

and it feels like you are losing. There is no time to get things done. They don't have a dedicated investigator. You are the only one on duty. If you have to interview someone in Cedar City then Enoch is not covered. We had five officers when he started and now we have more people with fewer officers to serve the public. The case load is higher and he feels the pressure. We are not adequately policed here. He wants to do the best job he can do. *Mayor Chesnut thanked him saying he appreciates all he does adding Jeremy is very proficient with firearms and we don't want to lose him due to stress. We are falling short on our side as a City. Council Member Lee asked about the police presence in schools.* Jeremy said it is minimal and they would like to be able to do more but have no time to do that. Spending time with kids is one of the most important things however when you do that you neglect something else. Our citizens deserve to have their cases worked in a timely manner.

There were no other public comments. Mayor Chesnut asked for motion to end the public hearing.

Council Member Harris made a motion to close the public hearing and return to the regular meeting. Motion was seconded by Council Member Owens and all voted in favor.

7. RESOLUTION NO 2018-05-06-C A RESOLUTION ADOPTING THE TENTATIVE BUDGET FOR THE FISCAL YEAR ENDING JUNE 30th, 2019

Mayor Chesnut asked if there was any more discussion and there was not.

Council Member Harris made a motion to approve Resolution No. 2018-05-16-C, a resolution adopting the tentative budget for the fiscal year ending June 30th 2019. The motion was seconded by Council Member Owens and a roll call vote was held as follows:

Council Member Harris-Yes	Council Member Stoor-Yes
Council Member Ross-Yes	Council Member Owens-Yes
Council Member Lee-Yes	Motion passed

8. PUBLIC HEARING REGARDING APPLYING FOR UTAH PERMANENT COMMUNITY IMPACT FUND BOARD (CIB) LOANS OR GRANTS TO FUND A FIRE TRUCK STORAGE BUILDING AND A WATER IMPACT FEE FACILITIES PLAN

Council Member Harris made a motion to close the regular meeting and go into the public hearing regarding applying for CIB loans or grants to fund a fire truck storage building and a water impact fee facilities plan. The motion was seconded by Council Member Owens and all voted in favor.

Mayor Chesnut asked City Manager Dotson to give an update. City Manager Dotson said there is a requirement to have a public hearing to notify the public about the costs of this. June 1st is one of the grant application dates that we have to have the application ready to turn in. We are applying for a fire truck storage building to have a fire truck here in Enoch. It will be approximately a \$50,000 grant. We received news from Chief Phillips there is free building available in Ibapah UT. That is about seven hours away from here. He and Chief Phillips are going to measure and look at it and see what it takes to get it here. He thinks it will be about \$50,000 to do the rest like pouring footings and the slab. It will house two vehicles. This building is free except for transporting it here. It is a steel building and it will need to be insulated. The other item is applying for a water impact fee facilities plan. Last year we did the drainage and sewer impact fees facilities plans. This is a half grant and we got a courtesy quote of about \$55,000 to complete the GIS work to make it more accurate. He will apply for the half grant and we have \$25,000 in the budget. For public benefit this helps us to update knowledge for future infrastructure needs in the next six years to cover growth. We have to go through the RFP process and selection committee as before. Last time we updated this was in 2006.

Council Member Lee asked about the fire truck building and where we would put it. City Manager Dotson said we planned to add on to the sewer building but there is not enough space there so we have to find other place. Mayor Chesnut said homeowners insurance will go down with the fire truck located in the City. Chief Phillips would like to house two trucks for the volunteers out here so they have equipment on site. They think the free building can be brought in on a “lowboy” but has to be taken apart. We still need the grant to get a building. If this does not work out for the free building then the areas in the sewer building has to be insulated and we could store the truck there. Mayor Chesnut invited public comments.

Franklin Tilley said in 1977 he had the opportunity to chair the volunteer fire department where he lived. He encourages the City Council to do this to get the essential equipment out here. When he was on the fire district they built a drive through fire house with community support. It made a big difference in response time and lowered fire insurance costs. This is very valuable and appropriate. He reminded them on June 2nd there is a County Preparedness Fair at the library in Cedar City. We will have a CERT booth and he will man that. He gave dates and told about the CERT group reforming.

There were no other public comments.

Council Member Harris made a motion to end the public hearing and return to the regular meeting. Motion was seconded by Council Member Stoor and all voted in favor. No action was required.

9. PUBLIC COMMENTS-none

10. COUNCIL/STAFF REPORT

Earl Gibson reported they laid 2800 feet of 12” pipe on Minersville Highway and will finish tomorrow. The next project is the shelter. They are getting ready for the Saturday groundbreaking. He has ordered the supplies for the drainage pond in Iron Mountain Park. They are doing all the normal clean-up for Memorial Day at the Cemetery and parks. The trails got flush coated and will be good for 5 years. They will start the new trail on Midvalley Road soon.

City Manager Dotson reported we did get the permission to do the trail but there are issues with the State who is managing the Federal grant in the Rec Complex. We have to do a cultural study for Native American artifacts and old buildings and the like which we know are not there. Because it is federal money, that is a requirement. We have to hire a specialist. Nothing in the Rec Complex can move forward without that study. The Groundbreaking Ceremony for the animal shelter/dog park will be Saturday at 5:00 PM. Color Country K-9s and Diane Gil are going all out for this with refreshments and other things. The fence is up for the dog park. It will be a nice event. The final step for the new well operating permit is to get the water rights put into the well. We have a great relationship with Division of Water Rights and they are doing the change application for us which is extensive. He gave more details. All of our wells have all of our water rights in them so we can pump any well. They are doing all of the work.

Mayor Chesnut said he was asked by Color Country K-9’s if the City Council would all sign a letter as a show of support for them to apply for a grant for the dog park. This basically says we are showing support for this and they are doing all the rest. He reported he met with Chief Phillips on the fire budget and they need more money. It is still less under the old system where many needs went unfunded for years. We have a good relationship with them.

Council Member Ross said she would miss the groundbreaking because she will be out of town.

Council Member Stoor said he would be out of town for the groundbreaking. The Tree Committee and Rec Committee are meeting together again and he will be there.

Council Member Harris reported the Planning Commission is looking at moderate income housing for the General Plan. There was no meeting held on May 8th due to no agenda items.

Council Member Lee said she got a text from Jeff Okeson who is the trash truck driver. He wants to challenge the City Council to come and work with them for a day and see what they do. That might be a good thing.

11. CLOSED MEETING REQUESTED TO DISCUSS PERSONNEL MATTERS, IMMEDIATE LITIGATION OR REAL ESTATE TRANSACTIONS-(Requires a roll call vote w 2/3 majority)

Mayor Chesnut said we need a closed meeting for discussion of imminent litigation.

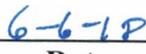
Council Member Harris made a motion to close the regular City Council meeting and go into a closed meeting to discuss imminent litigation. Motion was seconded by Council Member Owens and a roll call vote was held as follows:

Council Member Harris-Yes	Council Member Stoor-Yes
Council Member Ross-Yes	Council Member Owens-Yes
Council Member Lee-Yes	Motion passed

12. ACTION FROM CLOSED MEETING-none

13. ADJOURN-The regular meeting ended at 7:40pm.


Julie Watson, Recorder


Date