

MINUTES
ENOCH CITY COUNCIL
May 17, 2023 at 6:00pm
City Council Chambers
City Offices, 900 E. Midvalley Road

Members present:

Mayor Geoffrey Chesnut
Council Member David Harris
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
Jackson Ames, PD Chief

Public Present: Randy Smith, Brody Johnson, Helen Johnson, Bryce Poulson, Spencer Jones, Jonathan Wilson, Bonnie Mitchell

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-** Given by Council Member Ross
- d. **Approval of Agenda for May 17, 2023- Council Member Jensen made a motion to approve the agenda. Council Member D. Harris seconded and all voted in favor.**
- e. **Approval of Minutes for May 3, 2023- Council Member D. Harris made a motion to approve the minutes. Council Member Jensen seconded and all voted in favor.**
- f. **Ratification of Expenditures- Council Member D. Harris made a motion to ratify the expenditures. Council Member Jensen seconded and all voted in favor.**
- g. **Conflict of Interest Declaration for this agenda-** None stated

2. PUBLIC COMMENTS

Jennifer Hibler said her neighbor put up a massive structure and it looks like it's 30 feet high. She was concerned about it. She would say maybe it's 2 feet away from their shared fence. She is in Legacy Estates. Mrs. Hibler's husband said it's probably 5 feet from the grade. Council Member D. Harris said we could go ask our building inspector to take a look at it. His concern is that it's so high and if it blows down, then it would fall into their yard. Council Member W. Harris said there may be things in their HOA bylaws. Council Member Jensen said other than sending the inspector to check to make sure he is compliant, there isn't much that can be done.

Rodney Johnson said he was representing the Utah Office of Outdoor Recreation, part of the Department of Natural Resources. and he sits on the OHV Advisory Council, representing the ATV interests in the state of Utah. They are giving away over 7.5 million dollars. These grants are open to cities counties, etc. This year they are giving away over 7.5 million dollars in grant form. They encourage the Council to consider applying for a grant. They purchased a large number of helmets to give each law enforcement agency in Sevier County. If officers see someone without a helmet riding an OHV, they could pull them over and ask if they have a helmet. If they don't then they give them a certificate to turn in for a free helmet. It promotes trust in law enforcement and gets helmets on kids. This year they have given over 4.5 million dollars in grants through the

state. They want to do this as a countywide thing. He also talked about an article relating to the turf-by-back program. You can get up to \$3 per square foot. He wanted to xeriscape and Enoch does not have ordinances in place for this. He contacted the Water Conservancy District. Each of the communities has a couple of fears, which are taking away property rights and the question regarding enforcement of the ordinance. There are currently 35 communities in Utah that have enrolled in the turf-buyback program. The goal is to reduce water usage. Enoch has an ordinance in place, which could be the solution to enforce it. It seems like things are going well with water considering all the water we have had. However, we are in a drought and hoped that the council will encourage water conservation.

Spencer Jones said, he was appointed to the Utah Board of Water Resources. He was not in favor of the program because it's he believed that it would be an infringement on property rights. The buyback program should be something that isn't forced but encouraged. There has been significant pushback on a state level and some legislatures said they would look at this again at the next session. Council Member D. Harris said there are areas in St. George where the percentage of lawn is 10% if we don't participate what are the odds that the state would require this anyway? Mr. Jones said he couldn't say a whole lot because he needed more training. Council Member Jensen said he agreed with Mr. Jones. Even if we don't buy in, people are still able to reduce their lawns and use less water. City Manager Dotson said regarding the meeting he had with the state, they are not concerned about the enforcement, they have no provisions requiring that we enforce the 50%. They won't even check to see if we are or not. The challenge with enforcement is that we wouldn't have the time to do it. Council Member D. Harris said he would like the Council to be allowed to regulate water usage and encourage conservation through our water rates.

3. PRESENTATION BY SUNRISE ENGINEERING REGARDING THE TRANSPORTATION IMPACT FEE ANALYSIS

Randy Smith with Sunrise Engineering presented the draft of the Transportation Impact Fee Analysis to provide an overview of what they found. Impact fees are governed by the state code. They work with growth projections. They identify costs and plug them into the formula mandated by the state. They projected Enoch's need through 2050. They identified 2 projects that would be eligible for the 6-year window. The result was an impact fee of up to \$6,458.21 for every single-family unit that is built. Attached meant a multi-family home, such as a townhome. In a ten-year window, there is a 23% increase in 2050 and about a 50% increase in the 27 year-window. He talked about eligible expenses. This, based on the impact fee code, allows the city to charge up to this number and doesn't require it. There were four major projects listed that the impact fees could go towards. There was a discussion about those projects. City Manager Dotson said the last time the impact fee was changed was in 1995 when it was created. This should be updated every five years because of the impact window. UDOT had recently widened Minersville Highway by about four feet on each side. As we look at it now, maybe in the next 5 years, it needs to be widened even more. However, UDOT doesn't have it on their list. Midvalley Road needs to be widened, but there is drainage involved. Council Member Jensen asked if Sunrise Engineering gave them this list or if the staff found projects that needed to be done and prioritized it. City Manager Dotson said it was a collaborative effort because they didn't have access to the new developments coming in.

Council Member W. Harris asked if Highway 91 was on the list of projects. City Manager Dotson said it's not because we have some funding for it.

4. PUBLIC HEARING REGARDING TRANSPORTATION IMPACT FEE ANALYSIS

Council Member D. Harris made a motion to close the regular meeting and open a public hearing regarding the Transportation Impact Fee Analysis. Council Member W. Harris seconded and all voted in favor.

Bonnie Mitchell has been concerned about traffic around her street. There have been a lot of children riding motorcycles and she wondered about the impact fees for new growth, and if any thought had been given to limiting growth. She also said, along with increased impact fees on new homes, it doesn't seem right that because of all of the new construction going in that her fees go up.

Spencer Jones said Ryan Talbot is the director of the Home Builders Association. Mr. Talbot had asked Mr. Jones to speak at the meeting. He was concerned about the first two items on the list, which included working on Minersville Highway and Midvalley Road. Regarding Minersville Highway, we would be collecting impact money that the state says wouldn't be happening. So, we would move that money around, but if it's earmarked for it and it's not going to happen, he would hate to see the money of the Association passed on to the user. They haven't been too adversarial on those decisions. Regarding Midvalley Road, Mr. Jones said most of his traffic is driven on Highway 91. Considering a future impact, he wasn't sure if Midvalley Road would see growth corridors traveling east and west. He expressed concerns that Midvalley Road would only attribute maybe 30-40% of traffic.

Mrs. Mitchell lives on Midvalley Road and there is a huge increase in traffic. In the last three years, things have gotten out of control. She recommended charging more because there is more impact and quick.

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

5. CONSIDER AND SET AN ADOPTION DATE FOR ORDINANCE NO. 2023-05-17 AN ORDINANCE APPROVING THE TRANSPORTATION IMPACT FEE ANALYSIS

Council Member Jensen asked if we were to not consider the things on the list, do we throw those out and readjust numbers? City Manager Dotson said we need to take this information back to Sunrise Engineering and move some of those around. No action was taken. There was a short discussion about population and calculations.

6. PUBLIC HEARING FOR THE 2023-2024 FINAL BUDGET AND CERTIFIED TAX RATE APPROVAL

Ashley Horton went through all of the updates to the budget. She said they haven't gotten the tax rate approval, so they can approve whatever number will be decided. Regarding the wells' repair and maintenance, there was a possibility that we need to chlorinate the water, so we need to increase that to \$350,000 because the state said we failed too many water samples in the last 5 years. They emailed Hayden White the letter informing us that the process has started. Ashley said we also have received a mental health grant for the police department of \$12,700 and that needs to be added. Chief Ames and City Manager Dotson decided that we need to add a part-time employee for the office staff, at \$20,000 to add someone for about 20 hours a week. City Manager Dotson said we are having an issue with the amount of workload on staff and the Police Department. There are currently four staff members, including the Police Department Admin. If one person is gone, when there is an interruption, it typically takes someone away from something they are doing. We thought about increasing the hours for the two part-timers. The other option was to hire someone part-time. That person could handle a lot of the mundane things and take the pressure off of everyone else.

Council Member Stoor said he supported hiring and Council Member Harris agreed. Council Member Ross asked about the “roads” comment. Ashley said Hayden found out it would be costly to chip seal. Hayden said it would be about \$900,000 to do the whole west side.

Council Member D. Harris made a motion to close the regular meeting and open a public hearing, Council Member W. Harris seconded and all voted in favor.

Bonnie Mitchell said she had been concerned about the quality of water because they had to shut down a well, located to the far north of Enoch. She wondered if the pig farm in Minersville could have contributed to the problem. She ultimately wanted to know What was in the water that shouldn't be. City Manager Dotson explained that we have 9 wells within the Enoch boundary. There is no well near that pig farm. He also mentioned that the wells are also tested for total chloroform. When we test the water, those tests tend to be extremely sensitive. We have failed enough times, due to dust, wind, and possible human error. We are testing 10 times per month per well and have failed 10 times in the last 5 years. We failed .1%. We now have to test every week for 18 months. If we fail any water tests in that 18 months we may need to go to the million-dollar solution.

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

7. CONSIDER RESOLUTION NO. 2023-05-17 A RESOLUTION ADOPTING A CERTIFIED PROPERTY TAX RATE AND BUDGET FOR THE FISCAL YEAR ENDING JUNE 30TH 2024

Council Member D. Harris made a motion to approve Resolution No. 2023-05-17 a resolution adopting a certified property tax rate, which will be known at a later time, and budget for the fiscal year ending June 30th 2024. 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: Yea	Council Member Jensen: Yea
Council Member Stoor: Yea	

8. OPEN THE BUDGET FOR 2022-2023 TO MAKE YEAR-END ADJUSTMENTS AND SET A PUBLIC HEARING FOR JUNE 7, 2023 1:29

Council Member D. Harris made a motion to open the budget for 2022-2023 to make year-end adjustments and set a public hearing. Council Member W. Harris seconded and all voted in favor.

Ashley said there were several changes and wanted to note that all the revenues are higher than expenses and she adjusted the revenues to match the expenses that we need to change. She highlighted all of the expenses and explained them in detail. Council Member Jensen asked whether our trips to the County landfill were shortened. Hayden White said yes. City Manager Dotson mentioned that the landfill fees are a pass-through.

9. DISCUSS THE 2023 JULY 4TH CELEBRATION

Council Member W. Harris said there will be a 5k run, hot dogs, and entertainment that we have at the City park. The 5k is covered by Steve Danes. We need help cooking hot dogs before the Wings of Death competition. Council Member W. Harris said we need help with the 5k as well. Council Member D. Harris said he will come up with something for a children's version of Wings of Death. There will be Fireworks on the 24th.

10. COUNCIL/STAFF REPORT

Hayden White reported that they were finishing the 5250 Storm Drain Project. The secondary system is kind of getting hammered on Tuesdays. They have been out grading some roads. They were down four guys this week. Council Member Ross asked about the drainage pond at Enoch Road. Hayden said it's not draining very well and they have plans to put a pump in it. Council Member Ross asked if the weeds around the drainage pond in Settlers Square were sprayed, specifically the weeds around the sidewalk. Hayden said Mayor Chesnut and City Manager Dotson took care of it.

Chief Ames said there will be a 5k run this weekend for the CJC. It's 8:00 am. There has been a slight increase in juvenile calls causing problems. The state legislature had appropriated 5 million to apply for mental health grants and Enoch got \$12,000.

City Manager Dotson reported there had been discussions about building a separate Police Department building, rather than expanding the current building. They are looking at the designs. There was a discussion about funding the project. Council Member W. Harris asked if there was time to push the project out and wait. City Manager Dotson said there was \$84,000 allotted, which came from impact fees. We just have to spend a certain amount of that from about 6 years ago. We have been collecting \$100 per home since 1995. He suggested if we don't get the grant or loan, that they go through the process to get done as much done as they can and spend that money on the design work.

Lindsay Hildebrand reported that she has been working on service orders, cemetery burials, preparing for the election, and keeping busy with administrative work.

Council Member Jensen said he had gold currency. An innovator has created Goldbacks, which is backed by itself. One is worth \$4.10 and people could use them to buy bread eggs, and gas, which you can conduct trade in. They are legal tender. He has talked to City Manager Dotson about the city accepting them as payments. A representative from Goldback will be on the agenda to present how that works. Council Member Ross asked if they need to bring them somewhere special to trade them in. Until our employees could easily take them in, she said she would be opposed.

Ashley said she would have him contact the State Treasure as there are currently no cities that accept it.

13. ADJOURN – Council Member Ross made a motion to adjourn. Council Member W. Harris seconded and all voted in favor.



Lindsay Hildebrand, Recorder

6/7/2023
Date