

**MINUTES
ENOCH CITY COUNCIL
May 20, 2020 at 6:00pm
City Council Chambers
City Offices, 900 E. Midvalley Road**

Members present:

Mayor Geoffrey Chesnut-Zoom
Council Member David Harris
Council Member Jolene Lee
Council Member West Harris
Council Member Katherine Ross
Council Member Shawn Stoor

Staff present:

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

Public present: Andy Losee, Bob Platt and Dallas Buckner

1. CALL TO ORDER OF REGULAR COUNCIL MEETING-By Council Member Stoor for the beginning items and Mayor Chesnut who was on Zoom at 6:00 pm. All City Council Members were in person in the City Council room.

- a. **Pledge of Allegiance-**Led by Council Member Ross
- b. **Invocation-**Audience invited to participate-Given by Council Member Ross
- c. **Inspirational thought-**not assigned
- d. **Approval of Agenda for May 20, 2020-Council Member David Harris made a motion to approve the agenda. Motion was seconded by Council Member Ross and all voted in favor.**
- e. **Approval of Minutes for May 6, 2020-Council Member David 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 COMMENTS-none

3. OPEN 2019-2020 BUDGET-

Council Member David Harris made a motion to open the 2019-2020. Motion was seconded by Council Member Stoor and all voted in favor. No other action taken.

4. ORDINANCE NO 2020-05-20 AN ORDINANCE AMENDING THE ENOCH CITY ZONING ORDINANCE, CHAPTER 8, CONSTRUCTION SUBJECT TO GEOLOGIC, FLOOD OR OTHER NATURAL HAZARDS

Mayor Chesnut asked Council Member Ross about this from the Planning Commission. She said the Planning Commission has discussed this because the fissure brought this up. Requirements are in place in other areas in the County already regarding hazard areas. The Planning Commission sent a favorable recommendation for approval of this ordinance. Mayor Chesnut asked for questions. Council Member David Harris asked if this is a new zone in the area around the fissure. City Manager Dotson said in working with UGS over the past three years we have talked about how to mitigate hazards for those who want to build in areas where there are geologic hazards and to understand the hazards. It was vague before. UGS developed a geologic hazard ordinance and we reduced that to fit our circumstances and make it workable. They have

created new maps that are accessible online. City Manager Dotson showed the maps. This is a study area ordinance so when someone comes in to develop in an area like this they will be required to use the published UGS data and guidelines for evaluating how to build and what is needed to be safe. He elaborated on the wording. He explained the maps in more detail. The nice thing about the map is you can remove some of it and go to one that shows what you are interested in. The bottom line is you can still develop or build in these areas but you have to employ a professional certified engineer to do the design work on any buildings so they can withstand the hazard that is present on the land. That will increase costs but is the price for using some areas in the City. It is meant to inform potential buyers that there are issues to consider before they buy or build. It is the intent to inform and to build in accordance with safety regulations for the conditions. City Manager Dotson said we would not try to enforce any type of other conditions because that part of the UGS study is not finalized yet. Land subsidence and earth fissures are approved. Council Member David Harris said this prevents people from building buildings that would fail. It requires them to have proper engineering so it could stand the stress so they can't come back on the City. It is designed to help protect the City from liability and give proper warning. We are finding the balance of protection but not over-governed.

Council Member David Harris made a motion to approve Ordinance No. 2020-05-20, an ordinance amending the Enoch City Zoning Ordinance, Chapter 8, Construction subject to geologic, flood or other natural hazards. The motion was seconded by Council Member Stoor and a roll call vote was held as follows:

Council Member David Harris-Yes	Council Member Stoor-Yes
Council Member Ross-Yes	Council Member West Harris-Yes
Council Member Lee-Yes	Motion passed unanimously

5. DISCUSS/VOTE ON PRELIMINARY PLAT OF IRON MOUNTAIN SUBDIVISION, PHASE 6

Bob Platt came up to represent the developer. He said this is the proposed Phase 6 of Iron Mountain Subdivision. It has 24 lots all 18,000 SF or larger. They meet all requirements and have been reviewed by the City Engineer. Council Member Ross said the Planning Commission sent a favorable recommendation. Council Member Lee wanted to state she does not like long straight streets as they present a safety problem with speeding. There was discussion of the issues and Bob Platt noted the street looks straight but it actually curves a bit. It was noted there is no other way to do this and it meets all requirements of the Subdivision Ordinance. Council Member Lee said she just wanted to be on the record as not liking this type of street design for safety reasons and just wanted her concerns out there. Bob Platt noted this street ties into 4200 North and Stagecoach so there is good access in and out of there. Council Member Lee said again some of our ordinances cause more safety problems such as allowing semi-truck parking on residential streets. This is not her ideal for a subdivision. There was more discussion and it was noted this phase of the subdivision is defined by the development around it. Council Member David Harris said he sees the point but there a lot of streets in Enoch that fit this issue she described. City Attorney Wayment said there are issues with curved roads too. He lives on a curve at the bottom of a hill and drivers gain speed and they are going way too fast. The reality is people need to be responsible and obey speed laws. It is in compliance so there are no grounds not to approve it.

Council Member David Harris made a motion to approve the preliminary plat of Iron Mountain Subdivision, Phase 6. The motion was seconded by Council Member West Harris and all voted in favor.

6. RESOLUTION NO. 2020-05-20-A A RESOLUTION APPROVING THE FINAL PLAT OF EAGLE VALLEY ESTAES, PHASE 1

Bob Platt said this has come to the City Council for the final plat. It is eight lots plus a retention pond lot. It has been reviewed by the City Engineer and all is in order. This approval is contingent upon providing water, bonding and payment of all other fees due to the City.

Council Member David Harris made motion to pass Resolution No. 2020-05-20-A, a resolution approving the final plat of Eagle Valley Estates, Phase 21, contingent on deeding of water, bonding secured and all fees due paid to the City. The motion was seconded by Council Member Ross and a roll call vote was held as follows:

Council Member David Harris-Yes	Council Member Stoor-Yes
Council Member Ross-Yes	Council Member West Harris-Yes
Council Member Lee-Yes	Motion passed unanimously

7. DISCUSS/VOTE ON PRELIMINARY PLAT OF SETTLERS SQUARE, PHASE 2

Dallas Buckner of Go Civil Engineering came up to say he represents the developer. Phase 2 is much like phase 1 with smaller lots but a nice mix of lot sizes. Lot 38 is a detention pond that will be deeded to the City. This came with a favorable recommendation from the Planning Commission. They discussed road access and it connects to existing streets. City Manager Dotson said so City Council is aware, there is a private irrigation pipe that runs through this phase from north to south. Originally that pipe was in some lots and in the road. This is to help the farmer keep that irrigation pipe out of someone's property and not be under the road where it can't be accessed for maintenance. It is going to be moved and put in a public utility easement. There was more discussion of the location and how the pipe will be moved. It was noted this farmer allows the winter irrigation run off to go onto his land to recharge the aquifer. Working together to solve this issue is in the best interests of all concerned. Council Member David Harris asked if this needs to be approved pending the relocation of the pipe and easement being done. This is just the preliminary plat so this will be done before the final plat comes for approval.

Council Member David Harris made a motion to approve the preliminary plat of Settlers Square, Phase 2 noting the planned relocation of the irrigation pipe and getting new easements. The motion was seconded by Council Member Ross and all voted in favor.

8. DISCUSS/TAKE ACTION RE: THIRD-PARTY FIREWORKS DISPLAY

Mayor Chesnut asked City Manager Dotson to bring City Council up to speed on this issue. City Manager Dotson said in a City Council meeting we talked about Kevin Krzyminski doing a better bigger fireworks show for Enoch on the 4th. The email chain is in the packet. The liability is an issue. City Attorney Wayment thinks this is not a good idea. City Manager Dotson said he was given authority to deal with setting this up but in light of new information he wanted to bring it back to the Council. He gave details of the issues with insurance, liability and the fact that Chief Phillips and others have concerns about using a third party to do the fireworks. This is partly because Kevin does not want the Cedar City Fire Department involved in any way in this. There are issues with who would pay for insurance but also Mayor Chesnut and he discussed this with Chief Phillips and Chief Phillips has concerns. We need insurance and compliance resolved to address the things the City has to do to protect itself. This is not a business but an individual who has offered to do a fireworks show for us using his past connections to buy fireworks wholesale. He is certified to do fireworks shows and can do special things with them but we have to consider other relationships that are of great importance to the City. We wanted a better show but the details of our liability have been fleshed out for us and it is more tenuous as to how to do it.

Council Member Stoor asked how we did it before. City Manager Dotson said we bought the fireworks through a middle man and the Cedar City Fire Dept. set them off for us with their certified individuals. Using Cedar City Fire Dept. makes our insurance issues not an issue. There are so many hurdles with Kevin we may not be able to use his services. The issues are imposed by the insurance providers. Council Member West Harris asked if Cedar would not be involved if we use Kevin. City Manager Dotson said Kevin did not want Cedar City involved in this. He does not want anyone from Cedar there. He wants the neighbors to sign documents of release from liability and we don't work that way.

Council Member David Harris said the idea was with the contingency that the liability issues be settled and if that can't be done we can't move forward with Kevin. Council Member David Harris asked if we are too late to do a normal show with Cedar Fire Department doing them. No, City Manager Dotson said. The fireworks have to be ordered right now and we have nothing in the budget for that. If we do the same as we normally do, Cedar covers the cost until we can pay for it in the new budget year on the 1st of July. Council Member David Harris said we probably need to go back to the regular way and tell Kevin thanks but no thanks because we can't overcome the obstacles. Maybe we can do it next year if we have the time to work out the details. Chief Philips said he prefers we partner with Cedar and Council Member David Harris agreed to follow his recommendation and stay on the good side of him. Mayor Chesnut said he is risk averse and when someone says they don't want the fire dept. involved that makes it dicey. We have a whole year to try to work things out for next year. It would be a good show but that is too much risk. City Manager Dotson said there were people willing to donate to the show in money donations. Perhaps we could make it more of a privately funded public event. People love fireworks and are willing to participate. Council Member Stoor asked if he has any municipal references. No, City Manager Dotson said. City Manager Dotson asked for a motion.

Council Member David Harris made motion that we not contract with Kevin Krzyminski on a fireworks show due to insurance, safety and other liability issues for the City on July 4th, 2020 but try to work something out for the future. The motion was seconded by Council Member West Harris and all voted in favor.

9. RESOLUTION NO. 2020-05-20-B A RESOLUTION OF THE ENOCH CITY COUNCIL EXPRESSING SUPPORT OF THE PINE VALLEY WATER SUPPLY & CONSERVATION PROJECT

City Manager Dotson said this item is a renewal of what we did in 2016. We sent a letter to Paul Monroe at the Conservancy District in support of the west desert water project to seek water outside of this basin. Some things have changed since then. He has a letter from BLM management and an invitation to be a cooperating agency for the environmental impact study. There was more discussion of the need for finding other water sources outside of this valley for the future. The letter of support is to get the BLM more excited about getting on with the EIS and hope to have it done in six months or so. It is better to have all communities join together and then they take it more seriously and give it more weight. The letter is to let them know Enoch is in support of it. This is key Council Member David Harris said, for future water for the whole valley. He gave more details of the issues with water. Enoch City expressing support helps get it done. This will shape the future for better or worse. Lack of water could force a change in our life styles if there is no water. It could also stop growth. Corrections will be made to errors in the BLM letter. Mayor Chesnut asked for motion.

Council Member David Harris made a motion to approve Resolution No. 2020-05-20-B, a resolution of the Enoch City Council expressing support of the Pine

Valley Water Supply & Conservation Plan. The motion was seconded by Council Member Ross and roll call vote was held as follows:

Council Member David Harris-Yes	Council Member Stoor-Yes
Council Member Ross-Yes	Council Member West Harris-Yes
Council Member Lee-Yes	Motion passed unanimously

10. COUNCIL/STAFF REPORT

Earl Gibson reported they are taking this week to mow and clear road sides of weeds and getting the Cemetery ready for Memorial Day. They have also been patching potholes.

Chief Ames reported crime is still happening in the City. They are up to 350 reports for the year. He said with Covid he has not noticed an increase in crime but it is maybe a bit slower than we'd expect. He noted they have come to end of the truck leases and have ordered new trucks on the same deal we have been on.

Ashley Horton reported she is working on the budget adjustments for the current year.

City Attorney Wayment asked the City Council if they have they heard about the government funds called the CARES Act. City Manager Dotson and Ashley responded they have applied for some funds. City Manager Dotson said he is involved in conversations but we haven't seen any funding yet. Ashley said we did apply to receive the funding but we have until the end of the year to see the impact. When we know what we need to request we will submit that. Justin said they are giving funding out right now to spend before the end of the year. He said the funds can be used for improvements to the office for safety and security such as a glass wall in the front office like the one in the PD. We could use the funding for wall mounted hand sanitizer stations in the office. We could use funds for another vehicle so employees are socially distanced when going to jobs. He guesses \$270,000 to \$300,000 could be had. City Manager Dotson said we have not had many disruptions in the way we do things. We've had to work from home more and that cost some money. In the City Office when we opened the doors, they go to the PD side with the glass barrier. We have had no issues or expenses to justify taking federal money when we don't need it. Justin said think about a permanent plexiglass wall up front and the other things he suggested. These things will always be better for security and safety and that is what the funding is for. The State has said you have to expend money for Covid protections. You may spend it all and you may return some if it is not used. City Manager Dotson said the State Legislature is meeting this week to decide how to divide out the money and considering the population base. The two revenues we are most concerned with are sales tax and Class C road funds. Those will take a hit. There was more brief discussion about that we don't know how the reduction in revenues will look yet. When we find out how the State will distribute the funding there may be opportunities to protect residents and employees. Council Member Lee said maybe safety is more important than being super open and friendly. City Manager Dotson said if we can build something to protect us and get the funds to do it is a matter of budgeting for it and getting a plan.

Mayor Chesnut asked Andy Losee to give his thoughts on T-Ball/Coach Pitch going forward. Andy came up and said he thinks we should do it. We have sign ups already and with Cedar City canceling things others will want to come here. He suggested we take applications until June 12th and then set the games for July on Tuesdays and Thursdays with T-Ball at 6:30 and Coach Pitch at 7:30. City Attorney Wayment added we would need a Covid waiver and rules such as hand sanitizing, maybe masks etc. so you could adopt those and proceed. Other cities are doing tournaments but using social distancing. Put rules in place and let the coaches work with the kids. Andy said with the June 12th cut off gives him time to order the shirts. We will get a new form for the Covid waiver.

City Manager Dotson said he got email from Troy Huston who is in charge of the "Ride the Gap" bike race. He said Parowan may not let the race begin there and he asked if Enoch City would let them start from Enoch if Parowan says no. City Manager Dotson said we have no other closures

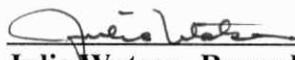
than buildings so other outdoor activities should be fine to do. What does the City Council think about letting them start here if needed? Council Member David Harris said he does not see any risk to the community. The City Council had no issues. Chief Ames said he is ok with it. The PD can manage it. City Manager Dotson said the Office will have a ballot drop box from the County for the Primary election. There will be no voting machines. We are open for business. The last issue is the 4th of July. He has been asked by the 5K director, Alan Sanderson if we want to cancel the 5K or not? That is sponsored by us. There are no sign ups so far. They sign up the last two weeks. Dr. Sanderson is running it and will discuss his concerns and see if he is concerned about risks. We let him decide to cancel or not. The City Council agreed. Also on the 4th, Cedar City canceled the parade in the morning. They are now considering doing it anyway on Main Street however they may not get permission to do that from UDOT. State roads may not allow it. He was asked by the parade Chairman if Enoch would allow a parade here if it can't be done in Cedar City. The City Council said they would be ok with that with no candy throwing allowed. Mayor Chesnut said there is no safe way to make events at the park work out and have social distancing. At this point he is not optimistic we will have it this year. Maybe we could have the "Wings of Death" event sometime later in the year on a different holiday. The hot dogs are out so no there will be no celebration in park due to Covid.

Council Member David Harris reported the Water Board held a meeting and are looking at options for water sources. There may be something coming soon for the City Council to approve.

Council Member Lee said she and City Manager Dotson looked at the RFP's for the Master Transportation Plan. A committee from Cedar City, Enoch and Iron County will be choosing a consultant from the three that submitted RFP's. She reported there will be a Roundabout meeting on the 28th. Council Member Lee asked Council Member West Harris why he wanted a record of all the checks paid out. We approve a budget and they spend the money. She just wondered if he was worried about something. He said he is just learning and wanted to know more about the process. He said some things seem really vague so he wanted to look backwards to learn.

Council Member Stoor reported the RDI people installed the irrigation system at Jones Memorial Park. It is mostly done and then they will go to the dog park and be done by week end. There were no rock issues. He has been helping them in the trenches putting it together. Sheridan and Tyler are also helping. He said he would send an email to the City Council about a study to be aware of on water efficient crops.

11. ADJOURN-Motion to adjourn by Council Member David Harris. Motion was seconded by Council Member Ross and all voted in favor. The meeting ended at 7:55pm.

 6-3-20
Julie Watson, Recorder Date