

MINUTES
ENOCH CITY COUNCIL
November 15, 2023 at 6:00pm
City Council Chambers
City Offices, 900 E. Midvalley Road

Members present:

Mayor Geoffrey Chesnut
Council Member David Harris
Council Member West Harris
Council Member Katherine Ross
Council Member Shawn Stoor - excused
Council Member Bob Tingey

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: Holly Haymond, Mike Mestas, Steve Woolsey, Spencer Jones, Delaine Finlay, Debra Ley, James Thelin, Jonathan Wilson, and Ethan Gale

1. CALL TO ORDER OF REGULAR COUNCIL MEETING

- a. **Pledge of Allegiance-** Led by Council Member W. Harris
- b. **Invocation (2 min.)-Audience invited to participate-** Given by Holly Haymond
- c. **Inspirational thought- Council Member D. Harris will have the thought at the next meeting.**
- d. **Approval of Agenda for November 15, 2023-** City Manager Dotson requested to amend the agenda and move item number 7 to item number 3. **Council Member D. Harris made a motion to approve the agenda as revised. Council Member Ross seconded and all voted in favor.**
- e. **Approval of Minutes for November 1, 2023- Council Member W. Harris made a motion to approve the minutes. Council Member D. Harris seconded and all voted in favor.**
- f. **Ratification of Expenditures- D. Harris made a motion to approve the ratification of expenditures. Council Member Ross seconded and all voted in favor.**
- g. **Conflict of Interest Declaration for this agenda-** There were none.

2. PUBLIC COMMENTS

Holly Haymond, residing on Village Green Rd, expressed her concerns regarding the proposed zoning ordinance change. She highlighted the unique aspects that attract people to Enoch, emphasizing its community feel, friendliness, and peaceful environment. Haymond urged for a balanced approach to growth, emphasizing that Enoch should maintain its distinct identity rather than imitating Cedar City. She raised apprehensions about cluster zoning, fearing its potential impact on her property and the community's character. Specifically, she worried about the shift from R-1-18 to R-1-11 zoning, expressing concerns about the possibility of townhomes or duplexes altering the area's density within the cluster while acknowledging the appeal of high-density housing for a different demographic than Enoch typically attracts. Haymond highlighted the existing lack of paved roads in her area and questioned the proposal's potential to accommodate up to 300 additional residents. Citing concerns about increased violence associated with high-density living, she argued that introducing such density wouldn't serve as a genuine buffer but rather compound existing issues. In summary, Haymond advocated for preserving the

unique qualities of Enoch, expressing reservations about the proposed zoning changes and their potential impact on the community's character, infrastructure, and safety.

Mike Mestas, a resident of Prospector Lane, raised concerns about the condition of 4200 going East from Minersville, which had evolved into a significant road. He questioned who was responsible for maintaining the weeds along this route, specifically pointing out two new homes on the south side and a farm with an extended fence. Mr. Mestas highlighted an incident involving his wife that took place a couple of years back. A deer emerged from the brush a highway, resulting in a car accident that left an enduring impact. She is afraid to drive on 4200 for fear of deer jumping from the brush. Expressing worry about the safety risks posed by the overgrown area, Mestas noted the recent appearance of several cats darting across the road, potentially causing drivers to swerve. He sought clarification on the party accountable for clearing the vegetation along 4200.

Hayden White responded, indicating that the last mowing had occurred in July. Mestas contested this claim, stating that the area had never been mowed. Seeking prompt action, he inquired about the timeline for rectifying the situation. City Manager Dotson assured Mestas that the city would address the issue and take care of the maintenance along 4200.

7. OPEN THE 2023-2024 BUDGET, DISCUSS ADJUSTMENTS AND SET A PUBLIC HEARING FOR DEC. 6, 2023

Ashley Horton said she sent the Council members a copy of the budget.

Revenues

- The first is an adjustment for Class C Road Fund Revenues. There will be an additional \$236,750 in revenues.
- City Manager Dotson is applying for a grant for \$100,000 for a road project. He explained what it is for. It was also on the Cedar City Council agenda to discuss a feasibility study for a potential underpass at the south end of Enoch and highway 91 that goes to the east side of I-15 and would potentially connect to Cedar City. The idea is to take the pressure off of the Maverick intersection. Also, UDOT is considering adding another left turn lane. To get federal funding, they need to have a feasibility study done for a construction project. Initially, it was understood that it would be \$150,000 would be the cost, but it's more like \$100,000. A public process is required to get those federal funds. Cedar City could agree to pay 1/3. The County engineer would pay 1/3. Enoch's portion is 6.77%, which was around \$6,770 to split three ways. Council Member Ross asked which road it would be. City Manager Dotson said it was Canyon Ranch Drive, which would be a part of the feasibility study. They have a preapplication for a development of the east side for about 2,000 residential units. The owner of that property called him and told him that they want to participate on this as well. The budget is the policy statement that we run everything by. Mayor Chesnut said he was excited for it and they have been talking with UDOT about that.
- The next item is \$19,000 to zoning and subdivision fees. This is a passthrough. We have had more commercial businesses come in and they pay fees to us. We also hire a third party to review their plans. Currently we underestimated what those fees would be on the expense side. We will need to add that amount to the building department expense line for contracted services.
- Under the Fund Balance Appropriation there is \$107,200. \$100,000 of that from the impact fee from the streets and roads that we have talked about needing to be spent. We need to adjust that along with the expense line. The 7,200 is going to come from savings to cover other expense.

Expenses

- The annual audit was \$200 more than the past two years.
- In Miscellaneous impact fees were refunded for Velocity Development, which was a pass through.
- In the Police Department there was a new expense. Dues and memberships needed to be increased by \$3,500. However, Ashley did not get with Chief Ames and couldn't remember what it was for. This request was back in July. Mayor Chesnut asked that Chief Ames bring that item back to the Council.
- The Building Department had the previously discussed \$19,000 expense.
- The next is \$100,000 for the possible grant that City Manager Dotson was applying for. It would only be spent if the grant was awarded.
- There was an expense for impact fees for streets and roads that needs to be spent this year.
- The purchase of equipment for the road chipper and two or three trucks for the road department, coming from Class C Roads. The amount was \$375,000.
- On page 7 Ashley highlighted the Water Fund where \$2500 needed to be added for Professional Services Contracted. This was for something spent on our new water system and chlorination. There were some additional unplanned expenses.
- The Sewer Department has an expense of \$29,000. That amount was appropriated to come from savings.

Council Member W. Harris wanted to know what the dues and memberships from the Police Department were going toward.

City Manager Dotson noted that he met with Council Member Tingey regarding a cost analysis for the chipper.

Council Member D. Harris made a motion to open the 2023-2024 budget and set a public hearing for December 6, 2023 for the budget adjustments. Council Member W. Harris seconded and all voted in favor.

3. CONSIDER ORDINANCE NO. 2023-11-15 AN ORDINANCE AMENDING THE GENERAL PLAN LAND USE MAP AND THE ENOCH ZONING ORDINANCE MAP BY CHANGING THE ZONING OF APPROXIMATELY 16.91 ACRES OF PROPERTY OWNED BY PIDDING LLC – See Planning Commission Rec.

Council Member Ross reported that the Planning Commission had presented an unfavorable recommendation, resulting in a three-to-one vote. The Commissioners opposed increased density, with Holly Haymond, a resident, speaking against it during the public hearing.

Spencer Jones, owner of Pidding, LLC, shared the historical background of the Pidding name and his connection to the property dating back to 1870. He aimed to reduce the multi-family footprint, transitioning to R-1-11 zoning to improve the subdivision's layout near power and water lines. He assured compliance with existing zoning regulations if denied. Addressing concerns about cluster subdivisions, Mr. Jones highlighted previous successful developments with similar density and outlined plans to finalize the Village Green Subdivision. Council members questioned the proposed changes' impact on density, zoning history, and infrastructure. Council Member D. Harris noted that the high-density discussion has been going on for 18 years or more. He hasn't seen higher crime rates or terrible traffic issues.

City Manager Dotson presented maps depicting current zoning and explained the road development plans. Discussions touched upon the need for cluster subdivisions due to power lines, potential traffic impacts, and the desire to support moderate-income housing. Council members deliberated on the implications of increased density, citing examples of successful developments, infrastructure considerations, and efforts to mitigate concerns like light pollution and traffic. Mayor Chesnut emphasized state funding linked to affordable housing initiatives, warning of property tax increases if requirements weren't met. Justin Wayment voiced support for the cluster ordinance adoption, emphasizing its economic benefits for both developers and the city, advocating for smaller lots to enhance the tax base and cover infrastructure costs more efficiently. Overall, discussions revolved around balancing density concerns, zoning changes, infrastructure development, and the economic aspects of housing development in the area.

Council Member W. Harris made a motion to approve Ordinance No. 2023-11-15 an ordinance amending the General Plan Land Use Map and the Enoch Zoning Ordinance Map by changing the zoning of approximately 16.91 acres of property owned by Pidging LLC. Council Member Ross 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 Tingey: Yea
Council Member Stoor: Yea

4. CONSIDER A MINOR LOT SUBDIVISION FOR RICHPEG, LLC – Steve Woolsey – See Planning Commission Rec.

Steve Woolsey representing the owner of Richpeg, LLC noted that a couple of months back he came forward with a minor subdivision that was approved. This was a continuation of that. He showed the map of the property. They are creating four parcels. The 4th parcel will be developed later. The hatched area was dedicated to the city. Council Member Ross said this came forward from the Planning Commission with a favorable recommendation. The Commissioners noted that the commercial zone was in a good spot along Minersville Highway.

Council Member D. Harris made a motion to approve the minor lot subdivision for Richpeg, LLC. Council Member Tingey seconded and all voted in favor.

5. PUBLIC HEARING FOR THE ISSUANCE OF SALES TAX REVENUE BONDS

Council Member D. Harris made a motion to close the regularly scheduled City Council meeting and open a public hearing for the issuance of sales tax revenue bonds. Council Member W. Harris seconded and all voted in favor.

City Manager Dotson noted that this signifies to the lender that we are committing a specific portion of the sale tax revenue for that loan.

Debra Ley asked if the bond was like a mortgage where interest would have to be paid. Mayor Chesnut said yes. Ley wanted to know where that money would come from. She also asked how long the bond would be in affect. City Manager Dotson said the sales tax revenue bond will be in effect until its paid off and is estimated 30 year. The interest rate is 2.5% Ley asked what we would cut out of the budget to pay that interest. City Manager Dotson said we will adjust our budget in the Police Department for things, such as, fuel, trainings, etc. Ley asked about the design of the facility. City Manager Dotson said the facility is 6,000 square feet with an unfinished basement. The plans and engineering have been paid from impact fees. Ley asked how many police department employees are expected to be added in the future. City Manager Dotson

said right now we have 7 officers sharing 1100 sq ft. Typically you need 1,000 square feet per officer. Officers are sharing chairs, computers and space. The biggest problem is our evidence handling. Mayor Chesnut said the long-term projection for this building is that we can still grow and our officers can double and not need a bigger facility. City Manager Dotson noted that they initially had planned on expanding the city office building, but determined that it just wasn't practical. So, they decided to build a new building at about 3,500 sq feet. This would meet their needs for 5-10 years. In discussions with the Community Impact Board, they suggested building for a 20 to 30-year horizon. This is when the requested loan doubled from \$700,000 to \$1.4 million. We have 300,000 to put into it. Those are the quotes for construction. Council Member D. Harris said there were a lot of entities that didn't get anything after our request. We had asked for 1.5% first and we were doing everything we could to stretch it. This will put us at a 20 to 30-year life of the building. Ley asked how this was possible because we are in a recession in the city's planning. City Manager Dotson said we are making more money than we have ever made. Mayor Chesnut said we have had discussions with Ashley about talking about that specific concern. The largest foreclosure firm in the state of Utah had closed. They laid off 70% of people during COVID and never came back from it. We are looking at how this macroeconomic circumstance affects us. There is inflation in prices and we are seeing it. We know we need to act so how do we make the payment as feasible as possible? He makes sure that the budget is balanced and would have to cut costs where we can. Property taxes in Enoch are just not a way to fund anything. City Manager Dotson said when the Police department leaves, we would save space for the future in the City Hall.

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.

6. CONSIDER RESOLUTION NO. 2023-11-15 A RESOLUTION AUTHORIZING THE ISSUANCE OF SALES TAX REVENUE BONDS

Council Member D. Harris made a motion to approve Resolution No. 2023-11-15 a resolution authorizing the issuance of sales tax revenue bonds. Council member W. Harris seconded. Roll call vote was held as follow:

**Council Member Ross: Yea Council Member W. Harris: Yea
Council Member D. Harris: Yea Council Member Tingey: Yea
Council Member Stoor: Yea**

8. CONSIDER APPLICATION FOR UDOT TRANSPORTATION PLANNING ASSISTANCE GRANT FOR I-15 UNDERPASS AND CONNECTIVITY TO CEDAR CITY AND SUMMIT

City Manager Dotson presented a map displaying the area under discussion, outlining that Highway 91 extends southward along I-15. The proposal aimed to create a road linking Canyon Ranch Road to the Highway 91 underpass, with plans for UDOT to widen the road to accommodate potential truck traffic. Highlighting the need for a feasibility study to assess the project's potential, Dotson explained that the eastern section of the road connects to Summit and has gained approval from the county. Discussions surrounding this initiative had taken place within the Rural Planning Organization (RPO). City Manager Dotson sought approval to apply for a grant in collaboration with Cedar City. Council Member Ross asked what the terms were. City Manager Dotson clarified that the city would be responsible for 6.77% of the costs, which would be funded through impact fees.

Council Member D. Harris made a motion to approve the application for UDOT Transportation Planning Assistance Grant for I-15 underpass and connectivity to Cedar City and Summit. Council Member W. Harris seconded and all voted in favor.

9. CONSIDER WAIVING A BUILDING PERMIT FEE FOR THE IRON COUNTY HOME BUILDERS ASSOCIATION COMMUNITY SERVICE PROJECT

Spencer Jones reported that Velocity Homes had applied for a building permit to complete the Dupass family's basement. Numerous members of the Home Builders Association expressed their willingness to contribute to this project. Mayor Chesnut elaborated on the family's situation, explaining that Jayzen, a family member, was hospitalized with an uncertain recovery timeline, potentially spanning up to six years. In response, the family approached the Home Builders Association seeking assistance. Ben Batty had met Tyler Allread. 90% of the necessary contributions had been secured. Jessica's mother will move into the finished basement to assist in caring for the children. Mayor Chesnut raised a request to waive inspection fees and permits for this humanitarian effort by the Home Builders Association, given the circumstances. There would be four inspections. The Home Builders Association aimed to complete the project by January. Council Member Tingey expressed support for the initiative and inquired about the potential cost involved. Lynn, the City Inspector, estimated the fees to range between \$500 to \$800, clarifying that the inspection wouldn't significantly consume their resources. The community expressed solidarity and support for this charitable effort aimed at aiding a family in need within Enoch.

Council Member D. Harris made a motion to waive all building permit fees for the Iron County Home Builders Association Community Service Project. Council Member W. Harris seconded and all voted in favor.

10. REVIEW THE DRAFT AGREEMENT WITH CEDAR CITY FIRE DEPARTMENT

City Manager Dotson discussed the Wildland Interface State Program, emphasizing the mandatory service hour requirements. He highlighted the cost implications, citing the considerable expense of operating an airplane within the program, which can range from \$10,000 to \$20,000 per hour. He also explained that achieving a specific ISO (Insurance Services Office) rating could potentially lower homeowners' insurance costs. Enoch had an existing agreement with Cedar, Kanarrville, and County to manage fires. City Manager Dotson presented the revised agreement, detailing alterations such as sharing building costs and adding equipment to the reservation fund. He explained the allocation of service costs, which are based on property tax and sales tax, and the percentage of responsibility for operation and maintenance for each party involved. He mentioned discussions over five years regarding a north fire station closer to Enoch to improve response times and presented cost breakdowns for a potential new building, proposing varying financial contributions from each entity. Mayor Chesnut and others expressed concerns about having a say in decision-making within the agreement. They discussed a potential future Fire District involving all municipalities in the area and aiming for a seamless transfer under the new agreement. Council members discussed the need for action and deliberated on the perceived shortfall in financial contributions and the reasons behind it, with the consensus pointing toward profit as a motivator. The City Manager praised Cedar City's fire department and highlighted their extensive services, including assistance during the 2021 flood. Council members expressed hope that this revised agreement might pave the way for a future Fire District. Council Member D. Harris noted the agreement's potential to facilitate the establishment of a much-needed north fire station, a sentiment echoed by several residents.

