

**MINUTES**  
**ENOCH CITY COUNCIL**  
**October 4, 2017 at 6:00pm**  
**City Council Chambers**  
**City Offices, 900 E. Midvalley Road**

**Members present:**

Mayor Geoffrey Chesnut  
Council Member David Harris  
Council Member Steve Johnson  
Council Member Jolene Lee  
Council Member Dave Owens  
Council Member Shawn Stoor

**Staff present:**

Julie Watson, Recorder  
Ashley Horton, Treasurer  
Gary Kuhlmann, Atty-absent  
Robert Dotson, City Mgr.  
Jackson Ames, PD Chief  
Earl Gibson, Pub. Works-absent

**Public present:** Dilworth Armstrong, Chief Mike Phillips, Fire Marshall Mike Shurtz, John Holdsworth, Jr., Lester Ross, Katherine Ross, Derek Hein, Bennett Ross and Benjamin Howe

1. **CALL TO ORDER OF REGULAR COUNCIL MEETING-**By Mayor Chesnut at 6:00pm. He welcomed the audience.
  - a. **Pledge of Allegiance-**Led by Chief Phillips
  - b. **Invocation-**Audience invited to participate-Given by Lester Ross
  - c. **Inspirational thought-**Given by Council Member Harris
  - d. **Approval of Agenda for October 4, 2017-Council Member Owens made a motion to approve the agenda. Motion was seconded by Council Member Harris and all voted in favor.**
  - e. **Approval of Minutes for September 20, 2017-Council Member Harris a made motion to approve the minutes. Motion was seconded by Council Member Stoor and all voted in favor.**
  - f. **Conflict of Interest Declaration for this agenda-**none stated

2. **PRESENTATION ON INTER-LOCAL FIRE AGREEMENT-Chief Phillips**

Mayor Chesnut invited Chief Phillips to talk to them about the proposed inter-local fire agreement. Chief Phillips showed the local map of those participating. He said we have been in this type of agreement for a long time adding the agreement has not been updated to reflect current conditions in many years. We wanted to look at a different way to reflect how things are done now. Twenty years ago we had one fire station and now there are three stations with all the expenses and operational costs associated with that. He listed all the things they do now that they did not used to do; hazmat work, mitigation of fuels, fire prevention and other services beyond just fighting fires. There are also lots of new regulations and training requirements they have to meet. They are looking at a way to share the costs. He showed the old agreement and the new proposal. He explained the old agreement was based on a five-year average of calls to Enoch for fire suppression. No other costs were covered. He gave many details of the ebb and flow of fires and frequency of them. The new agreement is based on taxable value. And also addresses wildland mitigation requirements for the Wildland Fire Agreement which saved Brian Head from footing the cost of fighting the fire last summer. He passed out the numbers in a handout giving details of how it was figured. (See document attached to these minutes) He proposes the new agreement be run differently now to spread out the actual costs among the participants in the agreement. Enoch's cost is \$115,000 based on actual the budget. Enoch runs a year behind and is billed after use of services. This new agreement has been interesting and there has been much

input from several attorneys. We do not have a final draft yet but the gist of it is we are trying to reach an equitable agreement to share maintenance and service costs. It is fair for all to share the costs. The equipment preservation fund is to preserve or replace equipment and buildings. The parties agree to an increase over a four-year period based on the actual budget each year. He asked for questions.

Council Member Harris asked about fire prevention things they are doing. Chief Phillips said one is mitigation of fuels to help limit fires from spreading to structures. They will be helping Enoch with its obligation of \$8000, in either cash payment or “in kind” labor to do that work. Scouts or other volunteers will be directed and supervised to do some of this work for the “in kind” match. There was brief discussion of the Brian Head fire and the fire in Enoch on the yellow hill. Another new service, although it is twenty years old now, is each year they train second graders with a visit to the “life safety house”. They look for hazards in commercial businesses. In order for someone to have a daycare they inspect the home. They attend safety fairs and do presentations. Chief Phillips noted they will not let this agreement go for fifty years again. This will be reviewed every year and updated using the actual budget figures. The agreement will be for a five-year period with updates yearly.

There was more discussion of mitigation “in-kind” work that we can do as a community and using volunteers. It was noted this agreement can be modified when needed with experience as we see how this goes. That is the year-to year contract part of it. City Manager Dotson summarized saying what people can do helps everybody in the community and scouts are welcome to help. This is the challenge and the risk that we take when we live close to each other. He gave examples of the huge impact a fire can have and the damage it can cause. We hire the Cedar City FD to suppress that fire to protect everybody else. Chief Phillips said there were 30 fires over the 4<sup>th</sup> of July and that is something that is highly preventable. That helps keep costs down for everyone. Mayor Chesnut said kids don’t realize how much harm fire can cause. It is as an awesome responsibility and we depend on everyone including kids to make good choices. The FD puts their lives on the line for us so we need to be as responsible as possible.

Fire Marshall Mike Shurtz told about the life safety house program they started about twenty years ago. This trains second graders about safety and fires. They decided it would be appropriate to look at statistics and went back 40 years to analyze juvenile caused fires. They found around 15% of fires were juvenile caused. When they started that program with the second graders that figure has gone down to less than one percent. That is due to the training they have done. The best fire fight is the one we don’t have to fight. Prevention is the key. Mayor Chesnut thanked them for helping them understand what we are getting. The budget amounts are hard fought and probably are under estimated. We appreciate them.

Mayor Chesnut said a member of the local fire fighter community suffered a tragedy. For the record, his wife was killed in Las Vegas in the recent incident so this struck our community and our first responders first hand. We are grateful for their support of the family in times of need and the City leaders would personally like to lend a hand to the family as well.

### **3. DISCUSS/VOTE ON PURCHASE OF WATER STORAGE TANKS**

Mayor Chesnut asked City Manager Dotson to tell them about this. He said about three months ago a contractor who did our storm drainage told us about an old water tank in Old Iron Town. They are getting a new tank and he asked if we would like to buy the old tank. He gathered information on it and Earl went out to look at it and took a specialist with him. It turned out the tank was not worth restoring and was not a good deal. As we have talked about water situations we had a challenge in June. That was not due to inadequate storage. It was people using too much water. For the time being we have more than adequate storage capacity but it is in our long term plans to acquire a new water tank as noted in our CFP. The third party contractor gave us a quote on two tanks he has access to. City Manager Dotson gave the details attached which are attached

to these minutes. The smaller 230,000 tank would be ideal for the animal shelter where the water from that well would need to be mixed with our other culinary water to pass requirements from DEQ. City Manager Dotson said the 935,000 tank normally would cost about a dollar per gallon or more installed. We have contacted the DEQ who has to approve this just like the wells and water systems. We talked to them to get the process for culinary tanks. The contractor would install them at the price quoted. The question is do we need them now? Right now we are at about 200% of capacity for our citizens needs but we know down the road we will need a tank. Do we pay half the cost now or wait until the future when the costs will be higher. Another question is do we have the money? Ashley said we have about \$730,000 in water impact fees which could be used for this type of purchase as it is related to growth. We have about \$185,000 in water savings so we do have the funds for this purchase now. A water tank is on our CIB/CDBG lists for the next 2 to 5 years. The larger tank would go by Iron Works Park and be fed by that well. There was more discussion of the extra costs of hooking it onto our system and equipment that would be required to do that.

Council Member Johnson said this purchase is in the plan and is a great deal right now. City Manager Dotson noted that we also could use this money to purchase more wells or upgrade wells we have and that could be construed as the more immediate need. There was more discussion of where the tanks would be placed including using the smaller one by the new animal shelter. Mayor Chesnut asked for questions or comments saying this is a lot to digest right now. We could get more information and bring this back at a later date. It was noted the sale of the tanks is not time sensitive so we can take a minute to think about it. Council Member Harris said he likes it and the need for this purchase is inevitable and would save a lot of money if done now. It still would be good to think about it and not rush.

**Council Member Harris made a motion to table this item until the November 1, 2017 meeting. Motion was seconded by Council Member Owens and all voted in favor.**

#### **4. DISCUSS OUTDOOR LIGHTING ISSUE**

Mayor Chesnut asked City Manager Dotson about this issue. City Manager Dotson said the resident who was complaining about the neighbor's lights is not here tonight. He came before and requested this issue be brought back. We have had complaints from other residents upset about street lights. There is one light that is bothering a resident and we will install a shade to redirect the light because that is what good neighbors do.

Council Member Harris said he knows people at the Southern Utah Space Foundation that have ideas about lighting that does not pollute the sky but still provides for safety and dark skies. There was a brief discussion of Cedar City's street lights that shine down rather than blaring out. Council Member Johnson said this is about residential lighting. Do we grandfather all those in who have lights. Changing this won't help and is not doable or enforceable. Commercial property we can make regulations for but not for residential. Mayor Chesnut said this is an individual liberty issue too. Council Member Owens said he has questions about definitions and verbiage. Mayor Chesnut said this was just a jumping off place for the legislation if they are interested in pursuing it.

Council Member Harris said he likes the idea to use lights that help keep dark skies. Mayor Chesnut asked if Council Member Harris could make arrangements for this group to come to present to us. If the City's costs would be high there would be no deal. Council Member Harris said it is not feasible to force all to make changes to lighting because residents have costs too. Council Member Lee said we need to be forward looking as a City and she would like to have that presentation to do this in the best way possible. This is a big government overreach to legislate for one neighbor now. It is not our responsibility to write an ordinance for that situation. Council Member Harris said we could use more education and he will arrange for the

presentation. Mayor Chesnut said to let us know when and we will get it back on the agenda when they can come.

City Manager Dotson said to put this in perspective he has had multiple conversations about this. Those who come from smaller places than Enoch say they can't see the stars here. Many from Vegas say they can see stars they never saw there. Do we legislate perspective too? Chief Ames said they have had more complaints over the years than we used to. He gave the example in Three Peaks of a vacation homeowner who comes up a few times a year. He had cameras and lights all over and he lit up his whole entire yard. These lights were shining directly into the neighbor's bedroom and it was a huge issue. If he wants huge spotlights on his property that is a property rights issue but this is way more than one porch light. The neighbor still has to live with this. That is more of an issue than a regular porch light. They wanted the City to solve the issue. Using the nuisance ordinance is whole different ballgame.

Council Member Lee said she wanted to make a point for scouts attending tonight. We, as a City, have spent a lot of time and effort to try to solve a problem that could be solved if neighbors would just talk to each other and work it out between themselves. That is a frustration. No action was taken. This item will come back when the presentation is available.

**5. PUBLIC COMMENTS-none**

**6. COUNCIL/STAFF REPORT**

Chief Phillips reported the Enoch "open burn" will be from October 15<sup>th</sup> to November 15<sup>th</sup>. Residents who want to burn have to call to let them know when they are ready to start their fire.

Ashley Horton reported she is busy with quarterlies and audit prep. She got the new storm drain account ready to go for next month. She will be gone to Treasurer's Academy next week.

City Manager Dotson said we received a \$10,000 grant for reimbursement for the storm drainage plan. We also received check for \$18.47 from a lawsuit that was filed by the Utah Attorney General on a class action lawsuit filed for state municipalities. That was our portion. We are chip sealing roads on Hwy. 91 south from Enoch Road, Old Mill Subdivision and a couple of other streets so drive slowly. Next year we may collaborate with another local government entity that does their own road work to piggyback with them to save time and money. He reported he went to the Iron County Coordinating Council (ICCC) meeting today where a new prairie dog management plan was presented by Reed Erickson, County Planner. Reed has been working with the State to help Fish and Wildlife create a new conservation plan. Currently only about 40 "takes" are available to builders now. He explained how that works saying when the "takes" are gone it limits building. So far builders in Enoch are getting the "takes" they need. In the new plan actual counts of prairie dogs won't matter anymore. This is very complex and more information will be available later.

Council Member Stoor reported the Tree Committee did an inventory at Cottonwood Park of about 100 trees. One species did not do well and died but some have grown three feet. This is all logged and is a good way to manage trees going forward. The Rec Committee met and the engineering will go forward on Iron Mountain Park which is also a retention basin for storm water runoff. They got a matching grant of \$24,000 for trails which will complete the trail from Horseshoe Drive to the Rec Complex. Roger Olcott is the Chair for that committee and Carolyn Jones is the secretary.

Council Member Harris said he would be absent for the next Council meeting. The Planning Commission meetings have been canceled due to no business. He oversaw a project at Old Enoch Park to paint the trim on the snack shack, pavilion and restrooms.

Council Member Lee said she and City Manager Dotson met with Clayton Wilson and Donna Law of UDOT. They went on a tour of Enoch to explain the transportation issues as we see them. They "got it" and it was time well spent. They looked at the Minersville Hwy. expansion and our

concerns and also the Enoch interchange for the belt route. They had good comments and understood better. She reported we received a check from the Lions Club for \$1000 as part of the Enoch Recreation Association for a contribution to the pavilion effort at the Rec Complex. She brought up the tragedy in our City and what we could do. She said it would be nice if the City could contribute the burial plot. Mayor Chesnut said we are working on that with private donations and not with taxpayer's money. She thanked the City Council.

Council Member Owens said the EDC meets tomorrow and will work on the strategic plan and doing more business outreach. He had questions on the CFP on initial steps so he went on a quick field trip with City Manager Dotson to address his concerns and he got questions answered. He has some suggestions the City Council might look into. He is working on that and it will come soon when we are talking about storm drainage.

**7. ADJOURN-Council Member Harris made motion to adjourn. Motion was seconded by Council Member Owens and all voted in favor.** The meeting ended at 7:18pm.

 10-18-17  
Julie Watson, Recorder Date