

**MINUTES OF ZOOM MEETING
ENOCH CITY COUNCIL
October 21, 2020 at 6:00pm
City Council Chambers
City Offices, 900 E. Midvalley Road**

Members present:

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

Staff present:

Julie Watson, Recorder-Zoom
Ashley Horton, Treas.-Zoom
Justin Wayment-CityAtty.-Zoom
Hayden White, PW Dir.-Zoom
Robert Dotson, City Mgr.-Zoom
Jackson Ames, PD Chief-Zoom

Public present: Meeting on Zoom only. No public in attendance in person. On Zoom: City Council and City Staff, Steve Woosey, Platt & Platt, Go Civil Engineering,

1. **CALL TO ORDER OF REGULAR COUNCIL MEETING-**By Mayor Chesnut at 6:00 pm. He said this is a Zoom only meeting. No public is in attendance in person.
 - a. **Pledge of Allegiance-**Led by City Manager Dotson
 - b. **Invocation-**Audience invited to participate-Given by Steve Woolsey
 - c. **Inspirational thought-**not given
 - d. **Approval of Agenda for October 21, 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-Council Member David Harris made a motion to approve the minutes with the addition of Steve Johnson's comments to be attached when posted. Motion was seconded by Council Member Ross and all voted in favor.**
 - f. **Ratification of Expenditures-Council Member David Harris made a motion to approve the ratification of expenditures. Motion was seconded by Council Member West Harris and all voted in favor.**
 - g. **Conflict of Interest Declaration for this agenda-**none stated by raised hands

2. **PUBLIC COMMENTS-**none

3. **PRELIMINARY PLAT OF IRON MOUNTAIN SUBDIVISION, PHASE 7-Platt & Platt Engineering-The Council will consider the application for the Preliminary Plat of Iron Mountain Subdivision, Phase 7.**

Mike Platt represented the owner and said this is the final phase of Iron Mountain Subdivision, Phase 7. He said the water has been deeded to the City and City Manager Dotson confirmed that. Go Civil Engineering is developing Settlers Square Subdivision just to the east and they are working with them on installing and connecting utilities. Council Member Ross added this was sent forward by the Planning Commission with a favorable recommendation.

Council Member David Harris made motion to approve the preliminary plat of Iron Mountain Subdivision, Phase 7. Motion was seconded by Council Member West Harris and all voted in favor.

4. RESOLUTION NO. 2020-10-21-A A RESOLUTION GRANTING APPROVAL OF THE MINOR SUBDIVISION FOR CREAMER 5, LLC-Woolsey Land Surveying-The Council will consider the application for a minor subdivision.

Steve Woolsey of Woolsey Land Surveying was representing the owner. He said this is located on the south side of 4200 North. Both parcels have frontage on the dedicated road and are in compliance with everything required by the City. Council Member Ross said this also has a favorable recommendation from the Planning Commission.

Council Member David Harris made a motion to approve Resolution No. 2020-10-21-A, a resolution granting approval of the Minor Subdivision for Creamer 5, LLC with a change on the "Whereas" with the incorrect name in it. Motion was seconded by Council Member West Harris 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. RESOLUTION NO. 2020-10-21-B A RESOLUTION GRANTING APPROVAL OF THE MINOR SUBDIVISION FOR RED VELVET DEVELOPMENT, LLC-Woolsey Land Surveying-The Council will consider the application for a minor subdivision.

Steve Woolsey represented the owner. He said this was owned by Grimshaw Drilling and is located where the big steel building is. The current owners, Red Velvet Development, LLC want to split this parcel creating a two (2) acre parcel on the south side. They created a 33 foot wide easement for utilities and he gave the details and widths. Council Member Ross said the Planning Commission sent this with a favorable recommendation.

Council Member David Harris made a motion to approve Resolution No. 2020-10-21-B, a resolution granting approval of the Minor Subdivision for Red Velvet Development, LLC. 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

6. RESOLUTION NO. 2020-10-21-C A RESOLUTION GRANTING APPROVAL OF THE MINOR SUBDIVISION FOR THE BRADFORD TRUST- Woolsey Land Surveying-The Council will consider the application for a minor subdivision.

Steve Woolsey was representing the owner. He said this is located on the north side of Midvalley Road. Mrs. Bradford wishes to split this into two, one acre parcels with a flag lot road for access to the back parcel. The City Ordinance states that the staff or road can't be longer than 250 feet without the approval of the exception written in the Code. In order for Mrs. Bradford to have her house parcel be one acre that caused the staff or road to have to be 367 feet long. Steve said he is hoping the City Council will approve this with that exception that is allowed to be granted in the ordinance. Council Member Lee said she thought the staff part was longer than the regulation but did not understand that was needed to make the front parcel one acre so the road needs to be this long. Steve said they shifted the lot line in order to make her parcel be one acre to comply with zoning. The minimum width for the road or staff is 20 feet and this is 25 feet wide. Steve said this is a private ingress/egress that will be owned by the purchaser of lot 2 and they will convey access to Mrs. Bradford so she can get to her back yard area. This parcel is currently surrounded by homes to the north, west and east. Council Member Ross said the Planning Commission sent forward a favorable recommendation to approve this with the exception as

written in Code. City Manager Dotson explained this is not called a “special” exemption. It is listed specifically as an exception. Council Member David Harris asked if EMS can get in. City Manager Dotson said the only challenge that may come is in the condition of the access road. That is not regulated by the City so no hard surface is required. We could base requirements on the building code when they build something there. We could require some kind of finished surface, even gravel, which has a City standard. The Fire Marshal may require a fire hydrant. The City does not make that call. We could put some provisions in there regarding the staff (road) since that is a concern as potentially it could be an issue for EMS. The longer length of the road does not make it any more or less likely to be maintained in an acceptable manner. City Manager Dotson said they could deny this application based on this exception if they so choose. It could be the basis for denial. However, there is no way Mrs. Bradford could sell the back part without doing this process. Council Member David Harris said he is fine with the exception and hopes they keep road up for EMS. Mayor Chesnut asked for a motion.

Council Member David Harris made a motion to approve Resolution No. 2020-10-21-C, a resolution granting approval of the minor subdivision for the Bradford Trust. The motion was seconded by Council Member West Harris 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. RESOLUTION NO. 2020-10-07 A RESOLUTION ADOPTING THE 2020 ENOCH CITY AFFORDABLE HOUSING PLAN-City Manager Dotson-The Council will consider adopting the 2020 Enoch City Affordable Housing Plan. (See plan sent as a separate attachment)

Mayor Chesnut said this was tabled at the last meeting and has come back hence the date of the last meeting in the title. City Manager Dotson said the State requires an Affordable Housing Plan. The last one was done in 2015 and is supposed to be updated every four years. This should have been done by last December and we are late. He said they changed the requirements and now we are required to report every year. City Manager Dotson said the Council Members have had a copy for a month so he hopes they read it. The first plan was done by The Five County Association of Governments (FCAOG) ten years ago and was rated the top plan in the State. We revised it every four years however the State Legislature changes the rules almost every year about how and when you report and what you have to do. Cities do not create “affordable housing”. We don’t determine building costs or what homes sell for. We do things to encourage and enable it. We can promote this by zoning changes. We do not set the cost of building materials or what builders charge for homes. Developers and private landowners determine what they build for what market. We have taken steps and now allow guest homes and have the M-R-2 zone for multi-family homes which can be a less expensive alternative depending on the developer. We have changed the Zoning Ordinance so homeowners can rent out basements. The goal posts keep moving and we have to keep changing too. We have data as to what the moderate income is in our City and how many residential units fit that to enable living here, referring also to rentals. If we don’t take steps there is no penalty except we may not be able to get some grants from the government. The State has tied it to transportation funds. We have never applied for that type of grant because they are mostly for bigger projects. He explained what type of projects this works for. The State has mandated we do this and revise the plan every four years. We are required to report every year on steps we are taking. Our last report had the three things listed above. The real issues are on the Wasatch Front and in WA County. We don’t

see these problems to the extent they do. Our hands are tied because we don't control building costs. We did due diligence to create the plan and report on the plan as required.

Council Member David Harris made a motion to approve Resolution No. 2020-10-07, a resolution adopting the 2020 Enoch City Affordable Housing Plan. The motion was seconded by Council Member Lee 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

8. ORDINANCE 2020-10-21 AN ORDINANCE AMENDING THE GENERAL PLAN LAND USE MAP AND THE ENOCH ZONING ORDINANCE ZONING MAP BY CHANGING THE ZONING OF APPROXIMATELY 15 ACRES OF PROPERTY OWNED BY SUNVIEW DEVELOPMENT, LLC FROM SINGLE FAMILY RESIDENTIAL R-1-18 TO MULTIPLE RESIDENTIAL M-R-2-Go Civil Engineering-The Council will consider the application for a zone change.

Arlo Fawson of Go Civil Engineering was representing the owners. Arlo said there are a couple of things you can do for affordable housing. Curb, gutter and sidewalk costs are determined on how much you are running so if you can fit in more lots where you have to run that infrastructure then it makes it more profitable for the owner. This allows the developer more flexibility so it has the potential to allow for more affordable homes should the developer choose that option. Developers want to build what will sell and the need for affordable homes is obvious. The Planning Commission held a public hearing. The public said if there is not access to Highway 91 then the public drives through the neighborhoods. Only one resident expressed a desire for more affordable housing in order to live in Enoch. The others thought rental housing brings more crime. The Planning Commission did send a favorable recommendation to the City Council. City Manager Dotson said the property to the north is Sunview Estates, Phase 1, which is 18,000 SF lots as originally designed.

Council Member Lee said she thinks this is a good location but she is concerned there is not an access onto Hwy. 91 and it is a concern. That is her hesitancy without this second access. Council Member West Harris asked if there is a requirement for two exits. City Manager Dotson said that requirement is for larger subdivision of 80 lots or more. Council Member David Harris asked if there could be access off of Hwy. 91 or if that is a difficult permit to obtain due to it being a State road? City Manager Dotson said Hwy. 91 is an Enoch City road and granting them access is not a problem if they ask for it. They did not have enough units to require two ingress/egresses but due to the concern expressed, we could require that when they come in with design work. Council Member David Harris said he shares Council Member Lee's concerns. For safety and other reasons we would want to see primary access off of Hwy. 91. There is access now off of Southern Homestead Blvd. To go clear north through other subdivisions could create new bottlenecks. The zone change is fine but we are creating a possibility of more density so we would want to have the two accesses. Mayor Chesnut said the issue before the City Council tonight is the zone change only and not the design of the development. Council Member David Harris said we want to feel good about the traffic patterns and this conversation has conveyed our concerns to the engineers and the developer for consideration in their future planning of this development. Council Member Stoor said we would not approve the design if it comes in without this. That helps them with the design Mayor Chesnut said, but for tonight's purposes this is hypothetical. Council Member David Harris said this is a good place for an M-R-2 zone in principle. Mayor Chesnut said the Council has stated this concern so Go Civil Engineering can take that back to the developer to factor it into the

future design if they want fewer problems with approvals. For today it is only this zone change we are considering. Mayor Chesnut asked for a motion.

Council Member David Harris made a motion to approve Ordinance No. 2020-10-21, an ordinance amending the General Plan Land Use Map and the Enoch Zoning Ordinance Zoning Map by changing the zoning of approximately 15 acres of property owned by Sunview Development, LLC from Single Family Residential R-1-18 to Multiple Residential M-R-2. The motion was seconded by Council Member West Harris 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

**9. ENOCH EAST BENCH WATERSHED EA CONSULTANT-City Manager Dotson-
The Council will consider awarding the environmental assessment to a consultant.**

C City Manager Dotson said this is the environmental assessment (EA) for the east bench area that is part of the NRCS project from 2014. He brought up a map to show the Council. This is a general study of where levees and debris basins could be placed and is very preliminary. This is not part of the NRCS project. This is something we received a grant to pay for this work. It is a \$425,000, 100% grant from the USDA to do the Environmental Assessment (EA) and also includes design work which we did not know about and that is real plus. They will find the best places to install the infrastructure to control flooding from the east side of I-15. This is mostly on BLM property and we are working very well with them. This EA will layout the issues if there are any and tell us how to mitigate the issues. The next step is to get funding from NRCS to do the actual project. Iron County has requested funding to do this same study to the south of our project. If we do this together we may be able to get that funding in conjunction with the County. We sent out an RFQ and got several proposals. Council Member David Harris, Council Member Stoor and Tim Watson volunteered to be on the committee. They rated different criteria and City Manager Dotson explained how he applied points for each company. Tim Watson has been reviewing the qualifications for two days and has not gotten back to us yet. The companies are very anxious to get going on the project and the funding is in our budget. We just have to award the bid.

Council Member David Harris said when looking through the submittals they all seemed to be qualified and experienced. We looked for local companies and those who had worked with BLM and Enoch City before and were familiar with things unique to Southern Utah. All were qualified to do the job. Council Member David Harris said he checked references as well. Council Member Stoor added his analysis was similar to Council Member David Harris's analysis. Sunrise Engineering is on the top of the list based on other jobs done and how well things went. Sunrise is also local and will do a great job for us as they have in the past on other projects. Lance Smith is the area NRCS representative and he has experience with most of these companies. He gave some positive input because he has worked with them before. Tim Watson is going through the proposals to review their work. Council Member David Harris said Tim's input is valuable and we don't want to put it off. City Manager Dotson added this study will take quite a lot of time to do. We hoped Tim would be done today but he is not. Council Member David Harris suggested tabling this item to the next meeting to wait for Tim's input. Mayor Chesnut asked for a motion.

Council Member David Harris made a motion to table this item until the next meeting on November 4, 2020. The motion was seconded by Council Member Stoor and all voted in favor.

10. COUNCIL/STAFF REPORT

Ashley Horton reported our first quarter revenues are on track. There are no visible shortfalls and that is good news. We received an email that we are going to get the third tranche of Cares Act funding. We got the audit results back and she will give out copies to the City Council. There were no findings and everything looks good.

Hayden White reported the Ravine well is torn apart and is being repaired the correct way. Crack sealing has been in process on various roads. The snow plows are ready just in case. Council Member Lee asked if there were any comments about the flushing of the water lines on Wagon Wheel Drive from the last meeting. Hayden said he did not get any negative feedback. Most were grateful to know we were doing everything possible and he assured them the water was good and safe now. When we found the problem we worked with DEQ and flushed the lines. She commended him for handling that City emergency in the right way. Hayden added the well is off line and will be for a long time due to the high cost to remediate the problem. We may be able to use it for the secondary system later. DEQ said they appreciated our cooperation and the way we took care of the problem.

City Manager Dotson said we need a closed meeting at 7:30 on Zoom and he sent the pass code to the Council Members. He reported we need to open the budget at the second meeting in November. We will discuss the adjustments and set a public hearing for the first meeting in December after which the budget will be closed. City Manager Dotson told the Council that he was approached by a group wanting the City to do a proclamation supporting school choice. After discussion the Council decided they did not want it on the agenda because it is a political issue and the City should probably not take any formal stance. City Manager Dotson said in the near future we have to resurface Old Hwy. 91, along the portion of the road Enoch City is responsible for. He said he contacted an engineering firm to get it on the State Transportation Improvement Plan to help resurface it. We do not have any funds at all now and we don't have that kind of money coming in. We have not committed to anything but will pursue the options. The Council was fine with that. It is very expensive to do this but working with the County makes it doable. City Manager Dotson reported the State election ballot includes an amendment on water in municipalities. It says a municipality can't dispose of water in any way or provide water outside of municipal boundaries unless there is an agreement with those landowners that says they will be cut off first in times of water emergencies. We have to delineate the rates and declare a service area. Some have issues with this so the State Constitution change is contingent on this ballot issue passing. City Attorney Wayment made an ordinance that will come on the next agenda.

Council Member West Harris said he and City Manager Dotson met with Kevin Krzyminski on fireworks and he is more amiable about working with the FD and obtaining liability insurance. Mayor Chesnut said we are all up for a bigger show if we can make it safe. We talked about insurance and why the FD has to be involved. Mayor Chesnut asked if they think it will evolve by spring. Council Member West Harris said he has good ideas but there was too much liability last year. We will keep working on it with Kevin.

Council Member David Harris reported they still have Cares Act funds for businesses but the cut-off date is October 31st.

Council Member Ross asked about the logo'ed masks we were going to get like Parowan did with their Cares Act funds. City Manager Dotson said we were quoted twice the price they paid and the masks would be four weeks out. We have to spend the money by the end of November so we are seeking local places to order them. We are looking for a local company to do them for us. They are about \$12 each with what we were quoted recently. Council Member Stoor said there is a little store next to IFA and he bought some there for \$6 and they were well made. That may be a source to try. The question was asked if masks are mandated. City Manager Dotson said Governor Herbert has a mandate in place currently in Iron County and other counties where

Covid numbers are high. City Manager Dotson said he met with the Covid task force and talked with the Southwest Utah Public Health Department's Dr. Blodgett who said this will go on until the end of the year and well into spring. He told about the categories that mask mandates and limits on persons gathering together are based on. It is Covid positive tests and hospital admissions and deaths.

Council Member Lee asked if we have Cares Act money to buy the masks. City Manager Dotson said we have spent \$20,000 as a down payment on our sign for the City Office out of some \$640,000 we have received. She said she would prefer to spend the money on signs than face masks. Council Member West Harris said if people don't wear masks now they won't ever wear them. We do not have a plan for the rest of the funds other than paying the balance due for the sign after it is installed. Some has gone to Enoch businesses but we still have a lot to use.

Council Member Ross said she is canceling the "Wreaths Across America" meeting due to the election being held in the Council Room.

Council Member Stoor said he went to the small dog park where the RDI system was installed and some grass is coming in. We will have to wait until next year for results on if we are saving any money on watering.

11. **CLOSED SESSION TO DISCUSS ONE OR MORE OF THE FOLLOWING: THE CHARACTER, PROFESSIONAL COMPETENCE OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL, COLLECTIVE BARGAINING; PENDING OR REASONABLY IMMINENT LITIGATION, THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY, INCLUDING ANY FORM OF WATER RIGHTS OR WATER SHARES; DEPLOYMENT OF SECURITY PERSONNEL, DEVICES OR SYSTEMS; INVESTIGATIVE PROCEEDINGS REGARDING ALLEGATIONS OF CRIMINAL MISCONDUCT.**

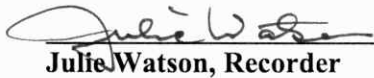
(Requires a roll call vote with 2/3 majority)

Council Member David Harris made a motion to close the regular meeting and go into a closed meeting for the purpose of discussing the purchase, exchange, or lease of real property, including any form of water rights or water shares. The motion was seconded by Council Member West Harris and a roll call 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

12. **ACTION FROM CLOSED MEETING-**

13. **ADJOURN-**The regular meeting ended at 7:30 pm.

 11-4-20
Julie Watson, Recorder Date

Topic: Enoch City Council Meeting (Zoom Meeting Only)
Time: Oct 21, 2020 06:00 PM Mountain Time (US and Canada)

Join Zoom Meeting

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Enoch City Council Meeting
October 21, 2020