

**MINUTES**  
**ENOCH CITY COUNCIL**  
**October 2, 2024 at 6:00pm**  
**City Council Chambers**  
**City Offices, 900 E. Midvalley Road**

**Members present:**

**Mayor Geoffrey Chesnut**  
**Council Member Katherine Ross**  
**Council Member David Harris**  
**Council Member Shawn Stoor**  
**Council Member Bob Tingey**  
**Council Member Debra Ley**

**Staff present:**

**Robert Dotson, City Manager**  
**Ashley Horton, Treasurer- Excused**  
**Justin Wayment, City Attorney - Excused**  
**Hayden White, Public Works Director - Excused**  
**Lindsay Hildebrand, City Recorder**  
**Jackson Ames, Police Chief**

**Public Present:** Mark Glines, Yvonne Glines, Cassie Easley, and Delaine Finlay

**1. CALL TO ORDER OF REGULAR COUNCIL MEETING**

- a. Pledge of Allegiance-** Led by Council Member Harris
- b. Invocation (2 min.)-Audience invited to participate-** Given by Council Member Harris
- c. Inspirational thought-** Given by Council Member Ross. Council Member Tingey will have the inspirational thought at the next meeting.
- d. Approval of Agenda for October 2, 2024 – Council Member Harris made a motion to approve the agenda. Council Member Ross seconded and all voted in favor.**
- e. Approval of Minutes for September 18, 2024- Council Member Harris made a motion to approve the minutes. Council Member Tingey seconded and all voted in favor.**
- f. Ratification of Expenditures-** There were none.
- g. Conflict of Interest Declaration for this agenda-** There were none.

**2. PUBLIC COMMENTS**

Cassie Easley stated that people want to know what the problem with the water is. They are concerned with the fact that they can't drink their water. The concern is all over social media. She said the water is bad. Council Member Harris said the bottom line is the state mandated that we start chlorinating our water. We had to chlorinate it to clean the system out and then we could dial it back to the absolute minimum still required by the state. We test the water several times per day and constantly monitor it. Over-the-counter filters work so you can't taste it. Mayor Pro-tem Stoor said we will have to chlorinate permanently.

Mark Glines stated that he was concerned about the \$250 penalty for paying his water bill and meter maintenance fee ten days late. The excessive penalty conflicted with the Utah State Constitution and the United States Constitutional Protections Against Excessive Fines and Penalties. He read a prepared statement. Council Member Harris shared his thoughts. This late fee was put in place because of abuse from people who were taking a long time to pay their fees. The Council had looked at other cities in the area and they had much more strict policies. They felt they needed to take action to make sure they were protecting the interest of Enoch City and not being taken advantage of. They are dealing with other situations where they are being asked to waive fees and he didn't think he had the authority to override the laws that are in place. He differed in the opinion that it is excessive. It's in line with what others are doing. If it were less, it wouldn't be much of a deterrent. We need to obey the laws that we created. Mr. Glines asked if they would consider a progressive penalty and not penalize first-timers. Council Member Harris said it would necessitate figuring out what that progressive penalty would look like, but he would consider it. They do try to create a situation where people get a warning before the penalty. Mr. Glines encouraged Pimentel V. City of Los Angeles. In that case, a \$63 fine was imposed on a \$63 parking ticket. It was deemed excessive because it was 100% of the initial fee. Council Member Harris said in the case of water meters,

we had city employees having to go out and find the individuals that rented meters and it was taking time out of busy schedules. If we assess what the city had to do before the fee was in place, it would be more than \$250 of time. City Manager Dotson said this was put in place for being late in reading the meter. If it doesn't get read then there is a \$250 penalty. Mr. Glines stated that he understood the penalty if staff had to chase down the meter. He could also see charging for effort. This is an issue that has become more prevalent in cities. Cities use this to balance budgets and fund projects. They are climbing up the judicial system. There is enough information for the city attorney to look at it.

**3. PUBLIC HEARING REGARDING THE CIB GRANT APPLICATION - 2400 N / I-15 Interchange / Main St / I-15 Underpass Feasibility Study**

**Council Member Harris made a motion to close the regularly scheduled City Council meeting and open a public hearing regarding the CIB Grant Application. Council Member Ross seconded and all voted in favor.**

City Manager Dotson noted that there were ongoing transportation issues, particularly south of Enoch at SR-130 and Old Highway 91. Two years prior, he had applied for a grant from UDOT to conduct a feasibility study on expanding the size of the I-15 underpass on Highway 91, as it is currently only wide enough for one vehicle. He explained the location on a map and discussed the plan to widen the underpass and connect it to Canyon Ranch Road in Cedar City. However, the grant was not awarded.

During the monthly transportation meetings, Cedar City raised concerns about 2400 East, and UDOT expressed a desire to permanently close it, proposing a reroute to 100 East. This situation had become a significant issue. City Manager Dotson also mentioned that the project would require a feasibility study and a public hearing for input from involved entities that pledged funding. He explained the process if funding was received.

Delaine Findlay inquired whether the study would consider the impact on traffic along 100 East, which was already congested. She also questioned how the future congestion of the Highway 91 underpass would be addressed. City Manager Dotson confirmed that the feasibility study would examine these concerns. He also noted that a previous study had already been conducted on the Enoch interchange.

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

**4. CONSIDER APPOINTMENT OF NEW RECREATION ADVISORY BOARD MEMBER**

Ricardo Nunez stated that he wanted to offer his services and assist the city. He likes to participate and is willing to learn. He believes in a community.

**Council Member Harris made a motion to appoint Ricardo Nunez to the Recreation Advisory Board. Mayor Pro-tem Stoor seconded and all voted in favor.**

**5. CONSIDER A ROAD VACATION PLAT FOR ENOCH CITY AND SET A PUBLIC HEARING FOR OCTOBER 16, 2024- Go Civil**

City Manager Dotson reported that the Nelson Farm had submitted a Planned Unit Development and recorded a road dedication due to property boundary adjustments for selling individual pods. They intended to vacate most of the roads and redesign them according to new plans, though none of the roads had been built yet. A certain distance in from Minersville Highway was maintained to avoid losing UDOT's approval. They requested to vacate all other streets shown on the maps.

As part of state code, they were required to provide a list of property owners living within 300 feet. Council Member Harris expressed his support for the proposal since the roads had not been built and believed the redesign would ensure proper traffic flow. City Manager Dotson also noted that they were required to contact utility companies, and they had received comments regarding easements.

**Council Member Harris made a motion to set a public hearing for October 16, 2024 regarding a road vacation plat for Enoch City. Council Member Tingey seconded and all voted in favor.**

**6. CONSIDER ORDINANCE NO. 2024-10-02 AN ORDINANCE ADOPTING THE STORMWATER IMPACT FEE FACILITIES PLAN & POLICY AND IMPACT FEE ANALYSIS AND AMENDING THE STORMWATER IMPACT FEE**

Council Member Harris mentioned that they had previously discussed completing projects in phases. The current impact fee was \$1,592, but in his opinion, raising the fee to the level determined by the study would hinder growth. He suggested implementing smaller, incremental annual increases to make it more manageable, proposing an increase to \$5,000 or \$6,000, then discounting it to \$3,200, with potential adjustments to the discount as needed. He also noted that the user fee, currently at \$14.00, required amendment. Council Member Harris emphasized the need to balance both the user fee and the impact fee, especially concerning stormwater drainage, which would rise from \$2 to \$10.

Mayor Pro-tem Stoor agreed, stating that this was part of their due diligence for stormwater management. Council Member Tingey acknowledged that while no one wants to raise fees, it was necessary, citing the recent flood as an example. Council Member Harris reiterated that \$21 million was needed for the project, and they would have to gradually phase in the necessary actions. Ross supported the idea of raising the fee to \$3,200 but suggested the maximum should be \$10,000, which was half of the study's suggested amount. Council Member Harris had no objections, stating that decisions would be made annually.

Council Member Ley inquired about when the project would start. City Manager Dotson explained that the impact fee analysis had been completed, and this change was specific to the NRCS project. The Environmental Assessment (EA) would be completed by the end of the year, after which they could seek NRCS funding. Once the project was initiated, they would need to bond for approximately 25% of the \$21 million project cost, as impact fees alone wouldn't cover everything. City Manager Dotson noted they could adjust impact fees once the full project cost was determined.

Council Member Ley asked if the fee increase was to facilitate the project, and Council Member Harris confirmed it was to ensure they could meet bond payments for the \$5 or \$6 million. Council Member Ley then asked how many bonds they were currently paying for. City Manager Dotson responded that they had just made the final water bond payment, were still paying for a tank bond, and had two water bonds. The police department would also have one in the future.

Mayor Pro-tem Stoor expressed no opposition to raising the fee to \$10, and Council Member Council Member Tingey agreed, stating it was the responsible move to protect citizens. Council Member Ley remarked that citizens had shown a willingness to help one another during the recent flood.

**Council Member Harris made a motion to adopt the impact fee facilities plan and amend the stormwater impact fee to \$10,000 and immediately discounted to \$3200 for the time being. Council Member Ross seconded and a roll call vote was held as follows:**

<b>Council Member Ross: Yes</b>	<b>Council Member Stoor: Yes</b>
<b>Council Member Harris: Yes</b>	<b>Council Member Tingey: Yes</b>
<b>Council Member Ley No.</b>	

City Manager Dotson said this will take effect in 90 days.

7. **COUNCIL/STAFF REPORT**

Chief Ames:

- They applied for the Cops Grant and they did not get it. It's a grant offered through the Department of Justice with a focus on agency hiring and the demands of each city. His thought moving forward would be to get creative with finances. The Council previously mentioned pulling \$70,000 out of savings for a few years. He may bring this back to explore. He wanted to sit down with Ashley and Rob to crunch the numbers.
- They put the new PD building out for bid and received three bids back. They will be meeting with them next week. In conjunction, Rob the Mayor and Chief will go to the CIB board to ask for more money. The bids came considerably higher than they previously thought.
- Council Member Harris saw in the newsletter the plea for vandalism. He thought about putting cameras at the CJC. Chief said they are in the process of working out those details.

City Manager Dotson:

- KJs Ice Barn is open. The public can open skate during the day. Yesterday about 20-30 kids were skating. The high school game was pretty exciting. It's a wonderful place. Mr. Fain has so many plans for it. The Yetis will be playing on Friday night.
- Regarding the PD building, if we get what we are looking for, the payment will be about \$90,000 per year. The land owners of property near the round-a-bout want us to produce a community renewal agency which is the CDRA to hire an attorney to create a CRA. It would be about \$10,000. He has some commitments from the landowners to participate in that. Tax increment financing and opportunities

Lindsay Hildebrand:

- She shared that she was at a UMCA conference last week and earned her Utah Certified Clerks (UCC) designation. She thanked the Council for their support.

Council Member Ross:

- She noted that she would not be able to attend the Planning Commission meeting next week. Council Member Ley volunteered to attend in her place.

Mayor Pro-tem Stoor:

- Regarding parks, he has been working through ideas for improvements. City Manager Dotson suggested looking at Iron Works Park. They paved the road two -three higher than it was. They have been doing a lot of work.

Council Member Harris:

- He attended a Water Conservancy District meeting. They are building a new facility and it's almost finished. They will have a ribbon cutting.

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

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Lindsay Hildebrand, Recorder

Date