

**MINUTES**  
**ENOCH CITY COUNCIL**  
**September 16, 2020 at 6:00pm**  
**City Council Chambers**  
**City Offices, 900 E. Midvalley Road**

**Members present:**

Mayor Geoffrey Chesnut  
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, Treas.  
Justin Wayment, Atty.  
Hayden White, PW Dir.  
Robert Dotson, City Mgr.  
Jackson Ames, PD Chief

**Public present:** Derek Nelson, Steve Woolsey and Arlo Fawson

1. **CALL TO ORDER OF REGULAR COUNCIL MEETING-**By Mayor Chesnut at 6:00 pm.
  - a. **Pledge of Allegiance-**Led by City Manager Dotson
  - b. **Invocation-**Audience invited to participate-Given by Council Member David Harris
  - c. **Inspirational thought-**Given by Council Member Ross
  - d. **Approval of Agenda for September 16, 2020-Council Member David Harris made a motion to approve the agenda. Motion was seconded by Council Member Stoor and all voted in favor.**
  - e. **Approval of Minutes for September 2, 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. **Ratification of Expenditures-n/a**
  - g. **Conflict of Interest Declaration for this agenda-none stated**

2. **PUBLIC COMMENTS-**

Derek Nelson said this is his last meeting as his internship is ending and he thanked everyone for helping him and he said he has had a very good experience being here.

3. **RESOLUTION NO. 2020-09-16 A RESOLUTION GRANTING APPROVAL OF THE MINOR SUBDIVISION FOR GROWING INWARD, LLC-**Woolsey  
Surveying-The City Council will consider a resolution for a minor subdivision submitted by Growing Inward, LLC.

Steve Woolsey came up to represent the owner, Growing Inward, LLC. He said he hopes for approval of the minor subdivision. Steve said these are parcels. The two lots on the road are in not in this minor subdivision. Parcel 1 is larger and contains the roadway which the owner is keeping as a private road to keep his interests secure. When others want to build he can work the roadway out with the new owners. This has a public utility easement in it but is private ingress/egress. He would like to name it Harvest Road and City Manager Dotson will give it a road number based on the County plat and then assign addresses to the parcels. The homes will all face the road. Council Member Ross said the Planning Commission sent a favorable recommendation because it meets all requirements.

**Council Member David Harris made a motion to approve Resolution No. 2020-09-16, a resolution granting the approval of the Growing Inward, LLC Minor Subdivision. The motion was seconded by Council Member West Harris and a roll call vote was held as follows: all yes**

<b>Council Member David Harris-Yes</b>	<b>Council Member Stoor-Yes</b>
<b>Council Member Ross-Yes</b>	<b>Council Member West Harris-Yes</b>
<b>Council Member Lee-Yes</b>	<b>Motion passed unanimously</b>

**4. PRELIMINARY PLAT OF SUNVIEW ESTATES SUBDIVISION, PHASE 1-Go  
Civil Engineering**

Arlo Fawson came up to represent the owner. He said what they have here is an old subdivision started years back and the new owner is ready to get it finished now. They are sticking with everything the same for Phase 1 with R-1-18 lots. The infrastructure will be brought to City standards. In Phase 2 it will go out to Hwy. 91. There was brief discussion of the Issues with lot 8 with high tension power lines overhead but they will work it out with Rocky Mountain Power. Council Member Ross said the Planning Commission sent a favorable recommendation on this because it meets all requirements.

**Council Member David Harris made a motion to approve the preliminary plat of Sunview Estates Subdivision, Phase 1. The motion was seconded by Council Member West Harris and all voted in favor.**

**5. ORDINANCE NO. 2020-09-16 AN ORDINANCE AMENDING THE ENOCH CITY ZONING ORDINANCE, CHAPTER 2, SECTION 2-10 REFERRING TO QUALIFYING REGULATIONS FOR ACCESSORY BUILDINGS-The City**

Council will consider standardizing the Zoning Ordinance referring to the area of a lot that an accessory building can occupy in residential zones.

Mayor Chesnut said this is to standardize the ordinance in residential zones for accessory buildings. Council Member Ross said Lynn Nielson, our Building Inspector, brought this up because there were different requirements in different zones. The Planning Commission recommends taking out the 25% in Section 2-10 and making all of the residential zones 10% of the total lot to determine the size of the accessory building. In the R-R-1, R-R-2 and R-R-5 zones it is 20% of the entire lot. The set-backs will regulate it also. It can be two feet of the property line. If the buildings are larger they may have different set-backs but they did not consider that in this action. Mayor Chesnut clarified saying in front of the City Council now is the question of the 25% in Section 2-10 being removed. There are other valid points to consider. You can still pass this tonight and then send it back to the Planning Commission for more consideration if the Council thinks other changes need to be made. City Manager Dotson said the problem has only been when someone comes in Lynn has to know what to use for what size the building can be. We are not opening issues that have not happened already Council Member Harris said. There is no reason to debate this. It is for 10% of the total lot in residential zones. City Manager Dotson said any land use issue goes to the Planning Commission first. If you want other changes it has to go back to them.

**Council Member Harris made a motion to approve Ord No. 2020-09-16, an ordinance amending the Enoch Zoning Ordinance, Chapter 2, Section 2-10 referring to qualifying regulations for accessory buildings. The motion was seconded by Council Member Ross and roll call vote was held as follows:**

<b>Council Member David Harris-Yes</b>	<b>Council Member Stoor-Yes</b>
<b>Council Member Ross-Yes</b>	<b>Council Member West Harris-No</b>
<b>Council Member Lee-Yes</b>	<b>Motion passed unanimously</b>

There was more discussion of some issues such as changing the set-backs in some cases. Council Member Stoor said he prefers to look at height instead of the SF of the building. Mayor Chesnut said this is about the right to use your property and not affect the neighbors by making them mad about a large building obstructing views and the like. Can we strike a balance here? Council Member Stoor said he would recommend that the footprint is the 10%. The height is allowed to be two stories. City Manager Dotson said this is what the building inspector manages and he had issues with the contradictions. If the house is 5000 SF then you could have a 600 SF accessory building because the house would take up most of the lot. 10% takes all those parameters out. He said if you want the Planning Commission to look at it again you need to give them some specific instructions. Council Member West Harris said he thinks restricting it to 10% is too small. Many want bigger out buildings and shops. City Manager Dotson said you have to direct the Planning Commission. Council Member Stoor agreed saying he wants to build what he wants and should have that right. Council Member Lee disagreed. Mayor Chesnut said it is a balance. Some neighbors may not be happy and how do we strike the balance. Do we send it to the Planning Commission for them to consider setbacks if the building is bigger? This is a political decision. Council Member Stoor makes a good point. They have to look at a bigger perspective without the politics. What do you want them to look at? That is a political value not a planning question. The Planning Commission needs to know where they are coming from. City Attorney Wayment said 10% of land is reasonable and a good thing. If you get a bigger lot you can build a bigger accessory building. The real question is 10% or no regulation? You are trying to get a balance and it is political. This is the balance we have now. Our building inspector does not have to guess now. It is clear. Mayor Chesnut said we could have an agenda item for the City Council to discuss this issue and then they propose from there what to send to Planning Commission for consideration. Council Member Lee brought up a frustration regarding the evolution of the Planning Commission and City Council deciding on how big the guest house can be at 800 SF. Many people are living in structures that don't have foundations and are parked on the property of others. We are not being fair to not enforce the ordinance with two dwellings and there are a lot around Enoch she knows of. Mayor Chesnut said they need to have the discussion and he instructed the City Council Members to come prepared with their issues for the Planning Commission to consider.

**6. IMPACT FEES FACILITIES PLAN CONSULTANT-**The City Council will consider awarding the Impact Fees Facilities Plan update project to a consulting firm.

Council Member Ross who was on the committee to screen the applicants said they went through the packets and interviewed a few companies. They feel Sunrise Engineering is the best choice and we would like to award it to them. City Manager Dotson said the main thing is that they are able to do the project. He told what they discussed with the applicants. When the Master Transportation Plan comes in we will have that tool we can use later. This planning phase is adaptable. They gave a range of what it would cost and they are about the same. The question was who is most qualified. They agreed that Sunrise Engineering was the best choice. Hayden White, who was also on the committee, said they answered all the questions he had. Council Member Ross said they understand the impact fees and how many years it has to cover and they have done this before for Enoch City.

**Council Member David Harris made a motion to award the Impact Fees Facilities Plan project to Sunrise Engineering. The motion was seconded by Council Member Ross and all voted in favor.**

**7. COUNCIL/STAFF REPORTS**

Hayden White reported they were busy with water shut offs today. They are continuing with asphalt and trying to get it done. He is very happy with the new road equipment. He told about

where they have paved and will go on to other places. Mayor Chesnut thanked him for doing a great job. He is hearing rave reviews. 4200 North is now double chipped.

City Attorney Wayment said Parowan City bought masks with Cares Act money and they got logos on them. You can do that and give them out to the public. It is something to spend the money on. He reported the CDC says you can't evict anyone if their job loss is due to Covid until January 1st of next year. They still owe the money later and penalties. Evictions would cause homelessness and spread of the virus. All evictions have stopped. Renters have to verify they used all resources to try to pay rent. It is very broad.

Ashley Horton said she got the second allotment of Cares Act funding.

City Manager Dotson reported we did order the marquee for the office from YESCO. We also have been using the message boards that says don't park cars for sale here etc. They have ordered pipe for the Little Eden well to hook it to the Church and school. When we looked at irrigation water rates they were higher than culinary rates and we will want to lower that since the goal is to get off of culinary water and use irrigation water. We don't want to penalize them with higher rates. We will need to fix that.

Mayor Chesnut asked if you live in Enoch but do business in Cedar City and other places and don't have a home business license can you apply for the funds for business losses? Council Member David Harris said if Enoch money is used up we revert to Iron County money. Their license may be with Cedar but they may have a better shot as an Enoch City company if they live here even though they don't operate exclusively in Enoch. Council Member David Harris said they have turned no one away and if they apply they will make it work. Mayor Chesnut told about issues in declines in his business and an uptick in costs to advertise. Council Member Harris said so far they have been differentiating but they are not running low on funding. They can look at it. They tweaked it to be more generous. They are closer to being on track to award what they have to work with. The focus has been justifying giving it and making them prove it. They must tie the loss to Covid. If they can give the financials the committee will give the funding for proven losses. Mayor Chesnut said we need a closed meeting for discussion of the purchase, exchange or lease of real property including any form of water rights or water shares.

Council Member Ross said there will be a meeting on the 24<sup>th</sup> for "Wreaths Across America". They need committee members. It will be at 6:00 pm here. Have enough money for this year due to last year when we got "buy one get one free" offered after the event.

Council Member Harris reported the Water Board met and was given a report from Willowstick on their findings. The City Council will get the report in a closed meeting at some later date. This is protected information.

Council Member Lee reported there will be a roundabout meeting at Andy Funderburk's shop and he will do a mock-up with the logo and lighting. The next meeting is the 23<sup>rd</sup> at 9:00 pm. The City Council is invited to see it. She reported she went on road trip with Hayden and learned a lot. She appreciates the way he sees things. She discovered the manhole covers have been raised on Midvalley Road.

- 8. 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 Harris made a motion to close the regular meeting and go into a closed meeting. Motion was seconded by Council Member Ross and roll call vote was held as follows:**

<b>Council Member David Harris-Yes</b>	<b>Council Member Stoor-Yes</b>
<b>Council Member Ross-Yes</b>	<b>Council Member West Harris-Yes</b>

Council Member Lee-Yes

Motion passed unanimously

9. **ACTION FROM CLOSED MEETING**-Council Member David Harris made a motion to approve the amended agreement with authorization for Mayor Chesnut to sign it and all voted in favor.

10. **ADJOURN**-The regular meeting ended at 7:25 pm.

*Julie Watson*      10-7-20  
Julie Watson, Recorder      Date

DRAFT