

**MINUTES**  
**ENOCH CITY COUNCIL**  
**September 18, 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**  
**Justin Wayment, City Attorney**  
**Hayden White, Public Works Director**  
**Lindsay Hildebrand, City Recorder**  
**Jackson Ames, Police Chief**

**Public Present:** Bryce Poulson, Jonathan Wilson, Delaine Finlay, Matt Edwards, and James Thelin

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

- a. **Pledge of Allegiance- Led by Council Member Ley**
- b. **Invocation (2 min.)-Audience invited to participate- Man**
- c. **Inspirational thought- Ross next time**
- d. **Approval of Agenda for September 18, 2024 – Stoor and Ross**
- e. **Approval of Minutes for September 4, 2024- Ross and Ley**
- f. **Ratification of Expenditures- Council Member Storr made a motion to ratify the expenditures for the month. Council Member Ross seconded and all voted in favor.**
- g. **Conflict of Interest Declaration for this agenda- None stated**

**2. PUBLIC COMMENTS**

Matt Edwards stated that he lived on Southern Homestead. Five years ago, he built a guest house on his property. His family has lived there off and on. He built on an acre and a half. He split the property. He didn't realize that he needed a water share and impact fees. They won't let them do the addition without paying the rest of the impact fee. That guest house has used the same amount of water for the last 5 years. Now though, he has a \$7,000 impact fee. He either needs a high-interest short-term loan or his son does. It will now be a total of over \$30,000. He asked for consideration in future policies to warn the next people who have this issue. They had no idea about the impact fee. He asked for a waiver of the impact fees. Then let people know that if they split their property, there will be impact fees.

**3. PUBLIC HEARING TO RECEIVE INPUT WITH RESPECT TO THE ISSUANCE OF SALES TAX REVENUE BONDS AND ANY POTENTIAL IMPACT TO THE PRIVATE SECTOR FROM THE CONSTRUCTION OF A PUBLIC SAFETY FACILITY, TOGETHER WITH RELATED IMPROVEMENTS (THE "PROJECT") TO BE FUNDED BY THE BONDS.**

**Council Member Stoor made a motion to close the regularly scheduled City Council meeting and open a public hearing to receive input with respect to the issuance of sale tax revenue bonds and any potential impact to the private sector from the construction of a public safety facility. Council Member Tingey seconded and all voted in favor.**

There were no comments.

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

**4. CONSIDER THE CIB GRANT PLANNING APPLICATION AND SET A PUBLIC HEARING FOR OCTOBER 2, 2024**

City Manager Dotson reported that a grant application was submitted to the CIB for a feasibility study on the south end of Enoch, but the grant was not awarded. In the last month, discussions took place regarding Cedar City's challenge with 2400 N, which connects to SR-130 at the Maverick intersection. UDOT proposed cutting off 2400 N and changing it to 100 East, but local residents opposed the idea. There were talks about an underpass and the possibility of conducting a feasibility study to address congestion. Cedar City fully supported connecting Canyon Ranch Road, and the project. This was on the list with CIB. City Manager Dotson collaborated with Cedar City and submitted an application, which received positive feedback. The county had already committed, and UDOT has offered some funding. If the project is under \$100,000, it can be approved administratively without board approval.

**Commissioner Ley made a motion to set a public hearing for the CIB grant planning application for October 2, 2024. Council Member Ross seconded and all voted in favor.**

**5. CONSIDER OLD ANIMAL SHELTER BUILDING/PROPERTY – Hayden White, Public Works Director**

Hayden White, Public Works Director, reported that parts of the old animal shelter building had slowly been removed. A few months ago, someone expressed interest in leasing the building, but Hayden needed the remaining roofing for another purpose and planned to eventually tear it down for a new city employee fuel station. Council Member Ley preferred not to lease the building. Mayor Chesnut mentioned security concerns, which Hayden confirmed, noting that people had jumped the fence and the corner was out of internet range, requiring extra caution. Council Member Ley inquired if this would affect the fuel station, and Hayden responded that a higher fence would be installed, and the pumps would be secure. Once the pumps were in place, the state would manage everything related to them.

**Council Member Ross made a motion that Public Works do with the property what they would like to do. Council Member Tingey seconded and all voted in favor.**

**6. CONSIDER UPDATES TO COTTONWOOD PARK - Hayden White, Public Works Director**

Hayden reported that meetings had been held, and they had trimmed the trees. He asked for direction on the next steps to improve the park. Council Member Stoor noted that mowing took more time due to sod planted around the trees and suggested installing a mow curb around the bark to help with maintenance. He also mentioned that Frisbee golf should be installed, and the main focus was playground equipment. City Manager Dotson stated that he had spoken with playground equipment companies, but most grants are competitive and focused on equity issues, prioritizing lower-income areas. He reviewed 25 grant organizations, all of which required proof that the project would solve a problem. Council Member Ley noted that this was a neighborhood park, and City Manager Dotson said it wasn't impossible to secure funding. Council Member Stoor mentioned discussions about adding a pavilion with a picnic table, a basketball court, or a pickleball court. Council Member Ross inquired about the cost of a pickleball court, and Hayden

estimated it at around \$80,000. Council Member Ross asked if the community had sought donations, to which City Manager Dotson responded that while the community was willing to help, no further conversations had occurred. Council Member Stoor pointed out that general funds were typically used for critical services. City Manager Dotson mentioned amounts between \$26,000 and \$51,000. Mayor Chesnut expressed optimism about one-time funding and suggested the council might support the project if there were savings. Council Member Ley emphasized that the community could collaborate on funding, and Council Member Stoor cited Garden Park as an example of successful community efforts. Mayor Chesnut noted the Council's support in steering such initiatives. Council Member Stoor and Council Member Ross discussed changes to wood chips and sod maintenance.

**Hayden will start by adding the disk golf.**

**7. CONSIDER HIRING ADDITIONAL EMPLOYEES FOR THE PARKS**

**DEPARTMENT - Hayden White, Public Works Director**

Hayden reported receiving numerous comments and calls from the public. He mentioned that two full-time park employees were trying to keep up with their responsibilities, which included street signs and detention basins. Hayden asked if he could hire additional help and increase wages, noting that seasonal employees do not receive holidays or insurance benefits. Council Member Stoor expressed support for hiring more staff and suggested seriously considering the proposal. Mayor Chesnut noted that the public comments reflected the staff being stretched too thin. Council Member Ross agreed to review the numbers and said they should hire more help if funding was available. Council Member Tingey asked if they sprayed weeds upon residents' requests, to which Hayden replied that they only sprayed noxious weeds.

**Mayor Chesnut requested that Council Members Tingey and Ley work with Hayden to gather the necessary financial data.**

**8. CONSIDER HIRING A PROSECUTOR FOR THE PROSECUTION OF ENOCH CITY ORDINANCE AND CODE VIOLATIONS – Jackson Ames, Police Chief**

Chief Ames said we have fixed this problem and the county attorney's office will continue to prosecute for us.

**9. CONSIDER ORDINANCE NO. 2024-09-18-A AN ORDINANCE AMENDING ENOCH CITY ORDINANCES 11.300.350 CONSTRUCTION AND REPAIR OF STREETS AND SIDEWALKS, 11.300.351 CONSTRUCTION BY PERSONS, AND 11.300.360 SIDEWALK REGULATIONS**

Council Member Ross explained that this item defines who takes care of sidewalks. Council Member Ley asked who enforces this, and Council Member Ross responded that it would be the city's responsibility. Council Member Stoor mentioned that the city owns the sidewalks and supported sidewalk maintenance but questioned how to enforce care if homeowners chose not to participate. Council Member Ross said the 50/50 program was intended to encourage participation. Hayden provided cost estimates: \$9 per square foot for sidewalk replacement, \$7 per square foot for replacement of sidewalk, \$37 per tear out on gutter replacement, and \$26 per square foot for new gutter installation. Replacing 1% of the sidewalks would cost \$110,080, and just gutters, it would be \$216,720.

Council Member Stoor asked if other municipalities used annual contracts for sidewalk repair, and City Manager Dotson confirmed that most cities, like Salt Lake and Washington, do this. In some places, homeowners are responsible but can hire contractors with city approval. The 50/50 program was discussed as a helpful initiative.

Justin raised the issue of sidewalk easements, and City Manager Dotson explained that the property line is usually one foot behind the sidewalk and could potentially be redefined. Council Member Tingey asked if Hayden had sought more estimates, and Hayden said he hadn't yet but would issue a request for proposals (RFP).

Mayor Chesnut pointed out that sidewalk damage is often caused by property owners, and if a homeowner caused the breakage, it wouldn't be fair for them to pay for a neighbor's damages. James Thelin was granted approval to make a comment. He raised concerns about homeowner rights, suggesting that bonds should be in place to cover damage, especially for new developments. City Manager Dotson mentioned that developers provide a one-year bond, while Mr. Thelin noted that a 15-year bond is sometimes allowed for homeowners.

City Manager Dotson emphasized that the city must define what constitutes a "broken" sidewalk and that residents need to know they are responsible for repairs. Justin added that the city wouldn't actively pursue repairs; homeowners would need to request them. City Manager Dotson noted that if the damage was due to natural decay and not the homeowner's fault, the city would handle repairs.

**Council Member Ross made a motion to approve Ordinance No. 2024-09-18-A, an ordinance amending Enoch City Ordinances 11.300.350 Construction and Repair of Streets And Sidewalks, 11.300.351 Construction By Persons, and 11.300.360 Sidewalk Regulations.**

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

**10. CONSIDER RESOLUTION NO. 2024-09-18 A RESOLUTION APPROVING THE 50/50 CONCRETE REPLACEMENT PROGRAM**

Council Member Ross noted that there are specific rules that must be followed, and staff will verify the qualifications and criteria for sidewalk replacement. He mentioned that the city would need to decide what percentage of sidewalks to replace each year, and a waiting list might be necessary to avoid exceeding the budget. Mayor Chesnut added that the program would be homeowner-activated.

City Manager Dotson explained that, while there isn't a dedicated budget line for this, funds could be drawn from an existing item until a more permanent budget is established. Ashley expressed concern that there was no current funding and asked how much would be needed for the program. She stressed the need to plan the funding source. Council Member Ross suggested approving the plan now but delaying its implementation until the next fiscal year, July 2025. Stoor mentioned the possibility of a 1% replacement per year, and Ashley estimated the cost at \$326,000 or more.

Hayden mentioned that there are currently five work orders, but the amount of sidewalks needing replacement is still unknown. City Manager Dotson clarified that homeowners are currently responsible for their sidewalks. Council Member Stoor asked if homeowners could tear out their own sidewalks, and Council Member Ross explained that, according to the resolution, it must be done by a licensed contractor. However, if the resolution is not passed, homeowners could do the work themselves as long as it meets Enoch City standards.

**No action was taken.**

**11. CONSIDER ORDINANCE NO. 2024-09-18-B AN ORDINANCE  
ADOPTING THE STORMWATER IMPACT FEE FACILITIES PLAN & POLICY  
AND IMPACT FEE ANALYSIS AND AMENDING THE STORMWATER  
IMPACT FEE**

City Manager Dotson reported that Council Members Harris and Tingey had met with engineers who proposed solutions to issues related to the impact fee and user rate. The project schedule remained unchanged, and according to the master plan, there was a \$2 million allocation. The engineers suggested adjusting the user fee and using impact fees solely for the NRCS project. Harris requested that no decisions be made during the meeting so he could provide further input.

**Council Member Ley made a motion to table item #11 Ordinance No. 2024-09-18-B until the next meeting on October 2, 2024. Council Member Stoor seconded and all voted in favor.**

**12. COUNCIL/STAFF REPORT**

Chief Ames

- He helped do some traffic enforcement and he was pleasantly surprised at people driving the speed limit.
- They are in the process of swapping out old patrol trucks. They do them on a 5-year lease. They got the trucks in.
- They put out to bid the documents for the PD building and the deadline is the 26<sup>th</sup>. Council Member Ross asked if there were any major changes in the plans. Chief said the details are different. The design is pretty much the same. They have two different options, one with and without the basement.

Lynn Nielson

- Shum Coda filled in last week while he was on vacation. It went well and everyone was taken care of.
- O'Reilly's building is starting to go up.
- Associated Foods called and wanted to know what impact fees would cost them for a building of 55,000 square feet. The plans he has seen before are about 61,000 square feet. This one had an Ace Hardware in it.
- At the ice rink, we did have a partial final last week. The fire department has signed off on all of its requirements. The challenge is the locker rooms where they added a second and third story. Just a few little things.

Hayden White

- The pump at the Little Eden well has been placed.
- They will do a sewer install at Driftwood.
- The well by the freeway is pumping mud. He is waiting to pay until someone takes responsibility.

Ashley Horton

- We made the last payment on the 1994 water bond. Our new tank bond will start this year.

Rob Dotson

- He sent an email and the walk and roll to the school day. The bus drivers will drop kids off on the south side of the school so they can walk. It's going to be cold.

Mayor Chesnut

- The ULCT was last week
- He attended the Willow Glen ribbon cutting. They have an RV park there with a concert. He encouraged everyone to go.

Council Member Ross

- They had a training at the Planning Commission meeting.
- Upcoming in October she will be on and off on Zoom.

Council Member Stoor

- He appreciated the feedback at Cottonwood Park.

Council Member Ley

- She asked about scheduling a night to go ice skating.

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

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**Lindsay Hildebrand, Recorder**

**Date**