

MINUTES
ENOCH CITY COUNCIL
September 4, 2024 at 6:00pm
City Council Chambers
City Offices, 900 E. Midvalley Road

Members present:

Mayor Geoffrey Chesnut -Zoom
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 - Zoom
Ashley Horton, Treasurer
Justin Wayment, City Attorney
Hayden White, Public Works Director
Lindsay Hildebrand, City Recorder
Jackson Ames, Police Chief

Public Present: Jonathan Wilson, Chad Fain, Alyssa Fain, Bryce Poulson, Delaine Finlay, and William Davies

1. CALL TO ORDER OF REGULAR COUNCIL MEETING

- a. Pledge of Allegiance-** Led by Lindsay Hildebrand
- b. Invocation (2 min.)-Audience invited to participate-** Given by Council Member Harris
- c. Inspirational thought-** Given by Council Member Ley
- d. Approval of Agenda for September 4, 2024 – Council Member Harris made a motion to approve the agenda. Council Member Ley seconded and all voted in favor.**
- e. Approval of Minutes for August 21, 2024- Council Member Ross noted that there was a correction. Linday will correct it. Council Member Harris made a motion to approve the minutes with the correction. Council Member Ley seconded and all voted in favor.**
- f. Ratification of Expenditures-** None
- g. Conflict of Interest Declaration for this agenda-** None stated

2. PUBLIC COMMENTS

Chad Fain stated that he was the owner of Iron Ice and KJs Ice Barn. He was present with Alyssa Fain. They wanted to update everyone on the ice rink. They wanted to express gratitude. They will have a soft opening from the 23rd to the 27th of September. They want to get all of the Enoch City staff and their families to come out for free. At the end of the month, they will have some of their first high school games on the 27th. Council Member Ley asked if they wanted all staff on one day. They said yes, but are open to working with everyone. They offered the Enoch police officers and their families the use of the gym. They asked that they park their PD car while watching a game with their family in uniform. Council Member Tingey asked what the hours would be. They said during the school year they won't be open until about 4 pm. The kids are practicing from about 8 to noon. They had three kids move here already. Council Member Ross asked if they found enough families to host students. They said no, the older athletes still need a place. They can possibly live on their own if they are over 18, but they don't really want that. They are going to school online. Their first game is in a week or so in Washington. They will have to travel to several games. They are kind, athletic, and hard-working. They will have 20 home games and 20 away games. Council Member Ley asked how they are advertising games locally. Alyssa said by bulletins, Facebook page, etc. Chad provided information about games and what to expect.

3. CONSIDER RESOLUTION NO. 2024-09-04-A A RESOLUTION TO AMEND THE ENOCH CITY FEE SCHEDULE REGARDING WATER CONNECTIONS AND WASTEWATER

Hayden White reported that for newer subdivisions, such as 5200 where a lot was split, the city installed water and sewer connections. The cost for connecting the sewer was \$650, and connecting the water was \$1,850. However, there were issues with some connections, requiring over 100 man hours and 70 equipment hours. Hayden proposed that property owners should hire a licensed and bonded contractor to handle these connections, relieving the city of the workload. It was noted that nine connections had been made so far. Council Member Ley inquired if inspections were required, and Hayden clarified that compliance was based on engineering standards, not inspections. Property owners would need to obtain a dig permit and complete a form to ensure compliance and licensing. Additionally, they would be responsible for paying for the water meter and a \$250 deposit upon creating an account. Council Member Stoor expressed agreement, noting that the proposal seemed prudent and reasonable.

Council Member Harris made a motion to approve Resolution No. 2024-09-04-A, a resolution to amend the Enoch City Fee Schedule regarding water connections and wastewater. Council Member Tingey seconded and a roll call vote was held as follows:

Council Member Ross: Yea

Council Member Stoor: Yea

Council Member Harris: Yea

Council Member Tingey: Yea

Council Member Ley: Yea

4. CONSIDER ORDINANCE NO. 2024-09-04-A AN ORDINANCE TO AMEND ENOCH CITY ORDINANCE 12-1200 PLANNED UNIT DEVELOPMENT (PUD)

Steve Nelson stated that the main focus was on the language regarding how to handle different road sections without codifying them, suggesting a more specific approach to avoid complications. He recommended changes to the wording in Section R, which covers public and private streets, to ensure safety.

Council Member Harris mentioned receiving an email from the fire department. Council Member Ley shared that she had contacted the state, which provided a document indicating a minimum road width of 20 feet. Steve noted that this standard would be under the land use authority, with one-way streets in front and back alleyways providing 26 feet of fire access. He added that planners have systems in place across the country to ensure addresses are easy to find. Council Member Ley expressed concerns about narrow streets.

Council Member Tingey inquired about the reasoning behind not having parking requirements for single-family homes. Steve explained that focusing on the number of bedrooms and parking spaces often leads to unnecessary complications, suggesting that the market should regulate itself. He cited examples from townhome projects where parking requirements were avoided, such as by double stacking, and questioned whether all provided parking spaces were actually used.

Council Member Stoor supported the proposal as long as it complied with fire and safety codes, seeing it as a positive addition to the community. Steve emphasized that fire access standards are well-studied within the industry, questioning why they should be overridden with additional local standards. Council Member Harris shared that his son lives in a similar community, highlighting historical planning issues in eastern regions where roads were designed for horses rather than cars.

Council Member Ross advocated for including parking requirements in both single-family and multi-family residential areas due to the lack of public transportation. She suggested 1.3 parking spaces per bedroom. Steve demonstrated the challenges of applying such requirements, noting that a five-bedroom home would necessitate seven parking stalls, making it

difficult to maintain small, affordable lots. He clarified that his focus was solely on single-family homes while leaving multi-family requirements unchanged. Council Member Ross pointed out that in multi-family settings, garages could be counted as parking spaces, allowing properties with driveways and two-car garages to meet the requirements.

Council Member Harris noted that Steve had mentioned many homes would not have garages, and Steve clarified that garages would be an optional add-on. Council Member Harris asked if there would be parking pads, and Steve confirmed that there would be. Council Member Harris suggested setting a standard of three parking spaces per unit, but Steve expressed concern that designers might focus solely on that number and emphasized the need for adequacy relative to lot sizes. Council Member Ley inquired about parking pads behind the houses, and Steve confirmed they would be there. Steve questioned if the three-space standard would apply even to small one-bedroom houses, to which Council Member Harris replied affirmatively if written that way. Council Member Ross proposed a per-bedroom approach, suggesting one spot per bedroom plus an additional 0.3. Council Member Stoor supported allowing the market to decide on parking needs.

Council Member Harris questioned the implications of requiring 1.3 spaces per bedroom, particularly for homes with multiple bedrooms, which could lead to requiring seven parking spaces. Steve asked if limiting it to one space per bedroom, up to a maximum of three, was preferred. Council Member Ross suggested capping the requirement at one space per bedroom, with a maximum of six spaces. Council Member Tingey expressed concern about the lack of parking, suggesting at least one required parking spot. Council Member Ley asked about the availability of on-street parking, including in alleys, and Steve noted that there would be street parking in the 12-foot right-of-way with overflow parking on every street, highlighting that buyers in the community typically do not own trailers or multiple cars. Council Member Ross mentioned that such a community might appeal to university students who could have multiple occupants per home.

City Manager Dotson shared an example of a home with six to eight cars parked on the property. It is a six-bedroom home, illustrating why decisions should not be based on isolated cases. Council Member Ross recounted her experience with similar communities that faced parking issues. Delaine Finlay was granted permission to comment. She mentioned a community where there was an area of overflow parking allowed for anyone in the community to use. Council Member Harris noted that an overflow parking area was a possibility, and suggested a maximum of four spaces per unit, emphasizing that decisions should not be based solely on complaints.

Steve emphasized that most families statistically would not need more than three cars, advocating for a three-space parking limit. Council Member Ley raised concerns about fire hazards associated with narrow streets, particularly the 12-foot width indicated in Exhibit A. In response to Council Member Tingey's inquiry, Steve confirmed that the alleys were 24 feet wide and met engineering standards. Council Member Ley noted that parking would not be feasible on such narrow streets, and Steve reiterated that one-way streets must comply with fire access requirements or they would not be approved.

Council Member Ross suggested designating streets narrower than 26 feet as private due to challenges such as snow plowing. Steve reassured those discussions with staff confirmed that the city had trucks capable of servicing these roads, which would allow for flexibility in community design. Council Member Ross expressed concerns about potential failures of HOA responsibilities in the future and emphasized the need for safeguards if the HOA could not maintain the roads.

Mayor Chesnut expressed concerns about making the streets private. There would be bigger problems than allowing the city to manage facilities and personnel for trash, snow removal, etc. It could undermine the goal of affordable housing. Council Member Harris pointed

out that making streets private was unnecessary and could lead to accessibility issues. Council Member Ley referred to the presentation that she went to, which indicated that the CC&Rs (Covenants, Conditions, and Restrictions) would handle snow plowing and street maintenance, and sought clarification. Steve clarified that the intent was for the streets to be part of the city, and therefore the information about CC&Rs managing these responsibilities was incorrect.

Council Member Harris made a motion to approve Ordinance No. 2024-09-04-A, an ordinance to amend the Enoch City Ordinance 12-1200 PUD as written with additional with parking standards for single-family dwellings of one parking space per bedroom up to four maximum required. Also adding the statement regarding the International Fire Code and American Association of State Highway and and Transportation Official standards. Council Member Tingey seconded and a roll call vote was held as follows:

Council Member Ross: No	Council Member Stoor: Yea
Council Member Harris: Yea	Council Member Tingey: Yea
Council Member Ley: No	The motion passed.

5. CONSIDER ORDINANCE NO. 2024-09-04-B 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 apologized but didn't have time to put a spreadsheet together for the repair part of the ordinance regarding sidewalks. Council Member Tingey wanted to see the numbers.

Council Member Harris made a motion to table item number five on the agenda. Ordinance No. 2024-09-04-B, until the next City Council meeting on September 18th. Council Member Stoor seconded and all voted in favor.

6. CONSIDER RESOLUTION NO. 2024-09-04-B A RESOLUTION APPROVING THE 50/50 CONCRETE REPLACEMENT PROGRAM

Council Member Harris made a motion to table item number 6 on the agenda. Resolution No. 2024-09-04-B until the next City Council meeting on September 18th. Council Member Stoor seconded and all voted in favor.

7. CONSIDER RESOLUTION NO. 2024-09-04-C A RESOLUTION APPROVING THE CONTRACT PROPOSAL WITH SHUMS CODA ASSOCIATES, INC. FOR PROFESSIONAL SERVICES

Lynn Nielson, the City Inspector, mentioned that he needed coverage when he went on vacation, and finding coverage was sometimes a challenge. He noted that Iron County could not cover him because they were already covering another town. Currently, the city contracts with Shums Coda for some commercial plan reviews, and Lynn suggested amending the contract to include building inspections as needed.

Council Member Ley asked if the city would reimburse Shums Coda and if it was the same process as before. Lynn clarified that they do not charge other surrounding entities. This was the only available option. He would have to pay Shums Coda from the building budget. He suggested the possibility of certifying someone within the city for future coverage. Lynn explained that the contract amendment was necessary because they were in a bind.

Council Member Tingey inquired if there was a minimum usage requirement, to which Lynn responded that there was none. Council Member Ross asked if inspections needed to be completed within a specific timeframe. Lynn confirmed that inspections had to be done within three days; otherwise, the city would have to pay for someone else to perform them.

Council Member Harris made a motion to approve Resolution No. 2024-09-04-C, a resolution approving the contract proposal with Shums Coda Associates, Inc. for professional services. Council Member Ross seconded and a roll call vote was held as follows:

Council Member Ross: Yea
Council Member Harris: Yea
Council Member Ley: Yea

Council Member Stoor: Yea
Council Member Tingey: Yea

8. CONSIDER ORDINANCE NO. 2024-09-04-C 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 he had started the process of reducing the impact fee while maintaining the viability of the impact fee analysis and associated projects, noting the difficulty of finding funding where there was none. He explained that if the fees were not paid, the projects would not be completed. He also mentioned that Sunrise Engineering reviewed the situation and identified some potential solutions. They proposed a plan to implement a smaller fee initially and gradually increase it over the next ten years.

City Manager Dotson requested to revisit the proposal at a later time and asked Council Members Tingey and Harris to review it with the engineers. Council Member Harris expressed that he found the study satisfactory and had no issues with the stormwater plan, but he emphasized the need to make the fees reasonable for residents. He suggested an approach where the fees would be increased to a certain amount, then discounted, with incremental increases over time.

No action was taken.

9. ADJOURN REGULAR MEETING AND CONVENE THE CDRA MEETING –
The Council will convene the Community Development & Renewal Agency meeting.

Council Member Harris made a motion to close the regularly scheduled City Council meeting and convene the CDRA meeting. Council Member Ross seconded and all voted in favor.

10. RETURN TO THE REGULAR CITY COUNCIL MEETING

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

11. COUNCIL/STAFF REPORT

Chief Ames

- He updated the Council on the Police Department building. They are in the final phase of architecture.
- He received a notification from Chad Dotson. He is the county attorney. They can't prosecute code offenses. Enoch does not have a prosecutor for city ordinance violations that the PD would cite residents for. He met with Justin Wayment, City Attorney, and City Manager Dotson. He has directed all officers in the meantime that if there is a state code option that meets the elements of a crime to use that instead of city code. There may be a budget impact if they have to hire someone to prosecute those for us. Historically when they first created the PD, they sent all justice court offenses to the Parowan court and they eventually switched over to the Iron County Justice Court. Council Member Ley asked if Parowan could handle Enoch's code prosecutions. Chief Ames noted that they

currently prosecute their own and he hasn't talked to them. Cedar City also has its own prosecutor.

Lynn Neilson

- He said O'Reilly's has started building. Dollar General has started as well.
- We are sitting at 140 active building permits. Out of those, 63 are homes. A lot of people want to build.

Hayden White

- They have been out patching within the city.
- There have been a bunch of water and sewer installs.
- He is trying to plan for the future by looking into new wells and water sources.
- The pump for Little Eden has arrived and they start installing it next week. Then they will start putting the building together. It will probably shut down the secondary system.
- They are down a guy and will post the job next week.
- Council Member Stoor asked if the tank was in the system. Hayden replied that it was not. There are discrepancies that the engineers are trying to work out.

Ashley Horton

- The city audit was completed. The water fund recovered from the deficit it had last year. Our only issue was the storm drain and now it's in the negative. When they talked about impact fees, she noted that user fee needs to be raised. It's currently not enough to maintain that fund.

City Manager Dotson

- He sent an email to the Council from resident, Mark Glines. He doesn't live here but he is building a home in Enoch and should be moving here the next day. He was requesting a reimbursement for the user fees of the hydrant meter. He sent them the information Mr. Glines gave him. Council Member Harris said those fees were set up for a reason. We treat everyone the same and fairly. He didn't agree with his argument about the fee being unfair. He has to pay for it, unfortunately. Ashley said Cedar City gives you a fee and there is no way of removing it. Enoch offers many opportunities to pay for it.

Lindsay Hildebrand

- She has a business licensing conference next week in St. George.
- She will also be attending a conference for the Utah Municipal Clerks Association in two weeks.

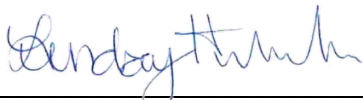
Council Member Tingey

- He attended the homeless council meeting. There are about 12 different agencies doing different things. He thought about putting together a report about what they do.

Council Member Ley

- She updated everyone about Wreaths Across America. It will be December 14th and we will start advertising within the community.

14. ADJOURN – Council Member Stoor made a motion to adjourn. Council Member Ross seconded and all voted in favor.



9/19/2024

Lindsay Hildebrand, Recorder

Date