

**MINUTES**  
**ENOCH CITY COUNCIL**  
**April 17, 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, PD Chief

**Public Present:** Delaine Finlay, Valerie & Alan Wade, Megan Stead, Jonathan Wilson, and CJ & Jennifer Zeigler

**1. CALL TO ORDER OF REGULAR COUNCIL MEETING-** by Mayor Chesnut

- a. **Pledge of Allegiance-** Led by City Manager Dotson
- 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 April 17, 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 April 3, 2024- Council Member Ley had a correction in the minutes. She noted that “Huff” should be spelled as “Hough”. Council Member Harris made a motion to approve the minutes with the noted correction. Council Member Ross seconded and all voted in favor.**
- f. **Ratification of Expenditures-** There were none.
- g. **Conflict of Interest Declaration for this agenda-** There was none stated.

**2. PUBLIC COMMENTS**

Delaine Finlay noted that she lived off of Horseshoe Drive. She had heard about people squatting in homes while the homeowner was on vacation. She wondered if Enoch could look at this within the city. She wanted to make sure that if that should happen, then we can call the police and trespass them.

**3. CONSIDER RESOLUTION NO. 2024-04-17-A A RESOLUTION APPROVING THE ENOCH CITY DETAIL R3.1 “TYPICAL 50’0” ROAD DETAIL”**

City Manager Dotson noted that Utah State legislation passed a law stating that the city can’t require asphalt in a neighborhood street, which we consider a 50-foot right-of-way, to be more than 32 feet wide. The current standard is 35 feet wide of asphalt, so it needs to be updated. We have a new detail in place for a 50-foot right-of-way that mandates 32 feet of asphalt instead of 35 feet. Council Member Ley needed clarification regarding the diagram of the detail. City Manager Dotson showed the diagram on the screen and explained the sides. Council Member Tingey wanted to know what the difference was between both diagrams. These were given in the Council’s packet. Council Member Harris explained. The second diagram showed a mow strip that was 3 feet wide before the sidewalk and the easement is only one extra foot beyond the sidewalk. The first diagram shows the sidewalk meeting up with the curb and gutter. So, the easement extends 4 feet beyond the sidewalk. For water purposes, Council Member Harris would rather not allow the second option. City Manager Dotson noted

that grass is not allowed in a mow strip. Mayor Chesnut said either diagram could be utilized by an engineer. The only thing changing is the asphalt portion. Council Member Ley asked to see the previous detail. City Manager Dotson noted that it can be viewed on the Enoch City website. He showed it on the screen. Council Member Ley asked if the easements were still in place. City Manager Dotson said yes. Council Member Tingey said he still didn't agree with the mow strip. Mayor Chesnut said grass can only be put in a mow strip by a PUD. Which would require that it's maintained by the PUD. Council Member Tingey said weeds would most likely grow with decorative rock and suggested removing the mow strip. Council Member Ross said we did have one developer say that he wanted those strips to complete the look he was going for. Council Member Tingey asked if they only approved option one, would it eliminate a developer from using option two? City Manager Dotson said yes.

**Council Member Stoor made a motion to approve Resolution No. 2024-04-17-A, a resolution approving the Enoch City Detail R3.1 "Typical 50'0" Road Detail". Council Member Ross seconded and a roll call vote was held as follows:**

<b>Council Member Ross: Yea</b>	<b>Council Member Stoor: Yea</b>
<b>Council Member Harris: Yea</b>	<b>Council Member Tingey: Yea</b>
<b>Council Member Ley: Yea</b>	

**4. CONSIDER RESOLUTION NO. 2024-04-17-B A RESOLUTION APPROVING A 2024 PIONEER LEGACY SPONSORSHIP**

City Manager Dotson said we typically do the fireworks on the 24<sup>th</sup> of July. Merrill Osmond and his production have contracted with Cedar City and SUU to bring their pageant to SUU. It includes a controlled fireworks show. They are doing the fireworks show on the 24<sup>th</sup>. The production is free to the public. We can either compete with the Pioneer Legacy or support it. The proposal is that Enoch City be a sponsor and donate the \$10,000 usually spent on fireworks in Enoch on the 24<sup>th</sup> of July. Council M Harris asked if this was one year. City Manager Dotson said this is for three years. This year they will honor Henry Lunt. This was a sponsorship, so if the pageant fell through, we could get the money back. Council Member Harris recognized that there will be citizens who will miss having fireworks here in Enoch, however, he was open to combining it. Council Member Ley said she was against it. This is a charitable organization and donations should come from citizens and businesses. She thought fireworks should stay in Enoch. Families with small children and elderly may not want to attend a big production. Enoch's fireworks show builds our city culture. Let's keep it an Enoch tradition. Council Member Ley also recognized that there are also those that would go to those big productions and could see teenagers and young adults going. However, she would prefer donations from individuals and businesses. If they said the donation was for kids who are hard of hearing then people may be apt to donate. Council Member Ross suggested trying it for one year and seeing if people enjoy it. City Manager Dotson said it's a sponsorship and not a contract. Council Member Harris said Council Member Ley brought up some good points. However, he would like to try it for a year. A survey was also suggested to get input from residents. Council Member Harris noted that they generally don't get a lot of response. Council Member Tingey said the upside of this outweighs the downside.

**Council Member Harris made a motion to approve the Resolution No. 2024-04-17-B, a resolution approving a 2024 Pioneer Legacy Sponsorship for one year. Council Member Stoor seconded and a roll call vote was held as follows:**

<b>Council Member Ross: Yea</b>	<b>Council Member Stoor: Yea</b>
<b>Council Member Harris: Yea</b>	<b>Council Member Tingey: Yea</b>
<b>Council Member Ley: Nay</b>	<b>Motioned Passed</b>

**5. CONSIDER ORDINANCE NO. 2024-04-17 AN ORDINANCE TO REPEAL ENOCH CITY CODE 13.1000.1116 FAILURE OF PROSECUTING ATTORNEY OR LAW ENFORCEMENT OFFICERS TO PROSECUTE OFFENSES**

Justin Wayment noted the prosecutor has complete discretion on whether to bring the charges. Once the charges are brought then they enter the court. Then the prosecutor loses discretion and only a judge can dismiss the case. This is an old law and it should have been removed a long time ago.

**Council Member Harris made a motion to approve Ordinance No. 2024-04-17, an ordinance to repeal Enoch City Code 13.1000.1116 Failure of Prosecuting Attorney of Law Enforcement Officers to Prosecute Offenses. Council Member Ross 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**

## **6. CONSIDER APPROVAL OF THE 2024-2025 TENTATIVE BUDGET**

Council Member Ley said she has been working on funding for a youth council and she asked Cedar City's Council what they do. It is funded at \$5,000. She looked into why they spend that much money. They have a yearly conference for training, which is \$165 per person for participation and hotel. She wondered about incorporating youth into policies and working with the Council. Maybe we could work it at \$2,500. It would cover five people going to a conference with the expenses for mileage. The larger the program, the more funding we would need. Council Member Harris asked if there was a way to carpool and combine some expenses. Council member Ley said yes. Council Member Tingey asked for more information regarding the organization that sponsors this. Council Member Ley noted that it's a National Youth Council with a charter and requirements. They would have to fill out an application to become a member. The youth will be involved with services in the city. Some even have a youth court and work with their police. She envisioned youth becoming involved with Enoch in different ways, such as history/culture and the City Council. City Manager Dotson was at the City Manager's Association Conference and they had a workshop on youth councils. Utah State University is facilitating the State Youth Council Association. He believed they traveled to Bear Lake for their conference. None of them get sponsorships. They don't do fundraisers. It's all paid for by city funds. Council Member Tingey asked how many adults would have to be involved. City Manager Dotson said about 4-6 adults. Council Member Ley noted the ages start from 12yr.-18yr. She suggested starting with middle school at 9<sup>th</sup> grade. It's a year-to-year application. She would also reach out to the homeschoolers. Council Member Harris thought that it was a worthwhile thing to do. He wasn't sure where to fit it into the budget. Ashley noted that they could potentially take the money from savings. They would appropriate the funding from the general fund. City Manager Dotson suggested that adult volunteers be on board at first. Council Member Ross asked about adding the cost of background checks. Chief Ames said the police department could take care of it in-house, depending on how extensive the background check was without a cost. City Manager Dotson suggested that they take the funds from the Community Development line item in administration.

Ashley went over the changes to the budget. There was a potential for a property tax increase with some of the needs that were being requested. Some council members didn't agree. The current copy is balanced and doesn't include a new police officer and some requests from the Police Department. Mayor Chesnut wanted the budget to be balanced without a tax increase. He was mindful of the burden that it put on the police for the next year. He didn't think it was something to do all at once. Council Member Harris asked if they were planning on an addition for Public Works. City Manager Dotson said yes but that comes from a different fund. City Manager Dotson said there was another proposal for the Police Department. The Cops Grant provides funding to hire an officer for the police department and would pay out what a new officer starting would require for wages and benefits. He gave detailed information about wage amounts and years required with Enoch. Council Member Tingey asked if the officer left early, would the city have to pay the grant money back? Chief Ames didn't know. City Manager Dotson said typically when we hire someone and send them to Police Officers Standard Training (POST) we have them sign a contract requiring that they pay a portion back to the city if they leave before the contract states. The problem with POST is a timing issue. It's costly. Mayor Chesnut stated that we either hire and send them to post or we hire from other agencies. Council Member Ley asked what the cost was for a year. Ashley said the city would pay their wage while they are at POST. There is no cost for POST other than food and we provide a vehicle. Council Member Harris suggested applying for the grant and revisiting hiring another officer. Mayor Chesnut said the building was bigger than initially discussed and was mindful of a potential tax increase.

**Council Member Harris made a motion to approve the 2024-2024 Tentative Budget with the addition of the youth council. Council Member Ross seconded and all voted in favor.**

**7. CONSIDER THE APPLICATION OF ORDINANCE 12.300.321 SINGLE-FAMILY AND TWO-FAMILY DWELLING STANDARDS FOR PARCELS; A-1014-0012-0000 & A-0916-0002-001C**

Mayor Chesnut said there had been some progress on this issue. He proposed a closed meeting on this item to start, then they would come back into the room to continue the public meeting.

**Council Member Harris made a motion to go into a closed meeting for the discussion of item number 7 on the agenda, which could involve imminent litigation and potential real estate issues. 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**

**Council Member Harris made a motion to direct City Council and administration to continue final negotiations as discussed in the meeting to come up with a solution as soon as possible. In regards to the ordinance on the agenda, it is not our intent to make any changes and to not bring it up on future agendas. Council Member Stoor seconded and all voted in favor.**

Mayor Chesnut clarified that the Council will not make any changes to the ordinance and will continue discussions that have been ongoing to finalize as quickly as possible.

**8. COUNCIL/STAFF REPORT**

Chief Ames

- The Police Department had a successful Easter Egg Hunt. The weather was good and everyone had a good time. They are still a little bit short-staffed. They have a couple of officers still on light duty.

Hayden White

- They have been working on Ravine Road going to the ice rink. They have the water line across Highway 91. They will pave it. The ice rink is putting in curb and gutter.
- They had a secondary line blown apart over in Dairy Glen. They still have one more line to repair.
- They are getting ready for Arbor Day and the Enoch City cleanup on the 27<sup>th</sup>.

Lynn Nielson

- The Children's Justice Center (CJC) is getting close to finishing. The sheetrock is up.
- There was a uniformity meeting as building inspectors. Legislation passed HB 185 which requires that if he can't get the inspection done in three days, he has to have a list of 3<sup>rd</sup> party inspectors posted on the city website that they can hire. The city would be responsible for paying for that inspection. By May 1<sup>st</sup> we have to have the list on our website. At the Uniformity meeting, they talked with Beaver County, Iron County, Brianhead, and Cedar City about collaborating together to help each other without charging one another. Council Member Ross asked if we would list these entities on our website. Lynn said they would call us and the city would contact the 3<sup>rd</sup> party. City Manager Dotson noted that the County is going to review the contract and get it back to all other entities. It would need to be approved by all.

Ashley Horton

- She has been working on the quarterly reports.
- The office got their new phone calling tree. There have not been any issues.

City Manager Dotson

- He was contacted by Home Serve Insurance for sewer and water lateral. He asked the council if they wanted to do the same thing with a spring campaign. We have a few issues with it. Sometimes they send it to non-residents and then the staff get phone calls. Council Member Harris suggested declining the request. Council Member Tingey could see a small benefit but thought it was inappropriate. The council voted no.
- He read a letter he received from the Members of our Utah Congressional Delegation. There is a proposed waiver to permit the California Air Resources Board (CARB) to enforce a zero-emissions railroad locomotive starting in 2030. The letter is asking us to participate and urge the EPA to evaluate the potential consequences of approving the CARB regulation and to reject the waiver. Mayor Chesnut said he would be in support. Right now, there is expansion of the rail in Iron County around BZI. Estimates show nearly 1,000 semi-trailer trucks off the road every day because of what we can move on rail throughout our state. Justin noted that if they don't reject the waiver, it could affect the inland port. The Council agreed.

#### Lindsay Hildebrand

- She had been renewing business licenses
- Yesterday was water-shut offs, so the staff were taking a lot of calls.
- She is also working with Mindy to move all park/room rental reservations online.

#### Mayor Chesnut

- He met last week with KJ Ice Barn. The Casper Ruffnecks are a junior hockey league team in Casper Wyoming. They are in final negotiations to transfer to Enoch and make it their home ice. They are excited about having the facility close to transportation. They wanted to make sure the city knew that there was a request by Casper that they apply for a beer license to be used during just the junior league hockey games. City Manager Dotson said we have to give Local Consent. They are anticipating opening in July. Long term the legacy of what the Fains have done has the potential to persist far beyond any of us as far as the youth. City Manager Dotson said he wanted to put together a tour.

#### Council Member Ross

- The Planning Commission has been working on signing ordinances. It's been suggested to bring the ordinances together.
- They have also been training on the General Plan.

#### Council Member Stoor

- Arbor Day is coming up on the 27<sup>th</sup>. Word has gone out about it being the cleanup day with the dumpsters open from 9am-1pm. Everyone will meet at Tyner's to plant trees and bushes. It starts at 9:00am. The local arborist, Ryan Johnson, will be there to instruct.

#### Council Member Tingey

- He attended the school board work meeting. Last month they had a motion to change the name of "Cedar High Reds" to "Cedar High Redmen" but leave the mascot the same. After an hour of discussion, they decided not to deal with it themselves and send it to the county for election. However, the attorney and county said it wasn't legal. Yesterday, they decided to do a poll or their own election. Then they talked about how difficult it would be to put on their own election. They will decide next week in their regular meeting whether or not to do a poll or a vote. There is an opening on the school board. You have to live in a certain district within the county.
- He was asked to serve on the Vision Iron County Committee, specifically the cultural sub-committee. He has given the council and staff a survey to think about for a couple of weeks. He asked what is the identity of Enoch. He requested permission to poll the entire community. Once he gets the results, he will work with others on developing things that we might want to do as a community to preserve that identity.

**11. 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**