

MINUTES
ENOCH CITY COUNCIL
July 17, 2024 at 6:00pm
City Council Chambers
City Offices, 900 E. Midvalley Road

Members present:

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

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: Emily Langston, Cathy Pace, Arlene Ball, Bryce Poulson, Mike Mestas, Chree Bohn, Delaine Finlay, B J, and Jonathan Wilson

1. CALL TO ORDER OF REGULAR COUNCIL MEETING

- a. **Pledge of Allegiance-** Given by Council Member Tingey
- b. **Invocation (2 min.)-Audience invited to participate-** Given by Council Member Harris
- c. **Inspirational thought-** Given by Council Member Ross
- d. **Approval of Agenda for July 17, 2024 - A motion was made by Council Member Harris to approve the agenda. Council Member Ross seconded and all voted in favor.**
- e. **Approval of Minutes for June 19, 2024- A motion was made by Council Member Harris to approve the minutes. Council Member Ross seconded and all voted in favor.**
- f. **Ratification of Expenditures- Council Member Harris 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

Chree Bohn was at the meeting to follow up on her ideas and concerns regarding Cottonwood Park. Council Member Stoor said our committee meeting was held last month at Cottonwood Park. There has been some discussion about adding playground equipment. City Manager Dotson said he had gotten a few quotes for some equipment. The smallest equipment quoted was made for 2 to 13-year-olds. That was \$34,700. A larger set was \$54,000. Chree said she would like to come to the Rec meeting tomorrow night. City Manager Dotson noted that it would be held at 6:30 in the Council Chambers. She requested that some of the trees be cut out and the landscaping be redone. Council Member Stoor said the State Arborist was there at the meeting last month and he said that the trees were wild. Chree stated that she appreciated the city's willingness to help and listen.

Delaine Finlay said she wanted to complain about Enoch's water. It used to taste the best but is now tasting like Cedar City's water. She understood that it is due to chlorinating. City Manager Dotson said it won't taste like that forever. The chlorine will do its work and the taste should improve.

Emily Langston stated that she lived in Legacy Estates. She had been thinking about starting a business and started looking at where to do that. She passes the old Enoch City Animal Shelter. She reached out to City Inspector Lynn Nelson and that building should be coming down. City Manager Dotson met with Hayden and Emily. She requested that the council consider leasing it or selling it to her. She would fix it up and make it something useful for Enoch City residents. She would like to put in a laundry mat. Council Member Harris said the official process should be putting it on the market and taking the best offer. She wondered how the process works. City Manager Dotson said we have to get an appraisal then it goes to public auction. Or, the council could choose a different method. It isn't defined. It has to be public, and fair so anyone that is interested can bid on it. Typically leasing to a non-profit is easier than a business. City Manager Dotson said he would be in touch.

Mike Mestas stated that he lived on Prospector Lane. His previous requests have been met. They closed 4200 N. to do a paving project, which was fantastic but they didn't complete it. He wondered why. There is a section that develops a pot-hole every winter. He requested to have the road finished. He also stated that he could hear trucks running over that portion of the road and it sounded like it was loosening up the pavement. Hayden said they paved only where they will be putting in a water pipe for now until the rest of the water line is in. Mike said the second request was regarding the speed issues on 4200. The first thing the police department did was put up the speed trailer. No one does 25 miles per hour there. He wondered if there was something that he could do to get the neighborhood together to slow people on that road like maybe add a speed bump. He asked what the procedure would be. City Manager Dotson said stop signs don't control speeding, typically what slows down speeding is narrow roads and sight obstructions off to the side of the road, such as trees and bushes. Sometimes we do dips which we can only do for drainage. We would have to go through an engineering process for that. For now, the police being on that road and enforcement is typically the most productive way. Mike said he sent an email to the police department and a couple of days later they put a patrol truck there. His wife observed a string of cars driving by and the officer took off after the last one. However, they only gave warnings. "The cops don't want to give a ticket to their neighbors" is the dialogue that he hears among his neighbors. There are a couple of cities in Davis County where he used to live that have speed bumps in the neighborhoods. He asked where he should go from here. City Manager Dotson said we don't have a solution because we can't guarantee that a speeder will be there any time an officer is there. Chief Ames noted that officers will typically only issue warnings for a first offense. He recognized that 4200 N. is a problem with speeding.

Council Member Harris said we are amending the sick leave and funeral leave. City Manager Dotson said it needs to be updated to be in compliance with what we do. When an employee needs to go to a doctor's appointment or an appointment for their children, they can use their sick leave. However, they can't take the whole day off. Council Member Tingey asked how sick pay accrued. Ashley said we have some employees who aren't at 40 hours a week but get the benefits. The sick leave rolls over. City Manager Dotson said the sick leave is a benefit and not a property right.

City Manager Dotson also mentioned the second item in this portion of the agenda, which was the Juneteenth holiday. Enoch City employees took that day off on a Wednesday. However, the State took it off on the Monday before, so we had some challenges with everyone taking it off at different times. Council Member Ross said the state is considering changing that. It was hard to know what was going to be open on that Monday or Wednesday. Council Member Tingey noted

for the record that he was against sick leave at all. He didn't think it was a good concept and at the end of the year, people use it and abuse it.

Council Member Harris made a motion to approve Resolution No. 2024-07-17-A, a resolution to amend the Enoch City Personnel Policies and Procedures Manual, Article XI Benefits. Council Member Stoor seconded and a roll call vote was held as follows:

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

Mayor Pro-tem Stoor: Yea
Council Member Tingey: Yea

4. CONSIDER RESOLUTION NO. 2024-07-17-B A RESOLUTION TO AMEND THE ENOCH CITY FEE SCHEDULE

City Manager Dotson said we used to have a book for all subdivisions and different things. People would request a copy of the entire book. Now, everything is available online. We don't usually have anyone asking for copies and when we do, we need to charge them. We are adapting that in the fee schedule. The police department gets around 200-250 GRAMA requests per year. Typically, when the media request information it is relatively vague and it can take days to get that information together. We should look at increasing our fee for that GRAMA request fee. A flat fee makes more sense. Council Member Ross asked how we figure the cost per hour. Justin said you have to use the lowest reasonable person who can acquire that information at their hourly rate. He suggested adopting the state code and using that language. You take into account their benefits and their wage and it's at least \$20 per hour. City Manager Dotson said this fee amount hasn't changed since he has been working here. Council Member Tingey asked if we ever waive this fee. Chief Ames said we want to work with people. Bailey the access to our records, so even if someone else is capable of fulfilling the request, they don't have access. In domestic violence situations or if the requestor is a victim of a crime, we can waive the fee. Some agencies just charge the media no matter what. It depends on the circumstance. People will be very general in their requests and maybe don't know the scope of what they are asking for. For example, there are times when it takes hours of work to gather the information requested and the fee is about \$50. The requestor doesn't want to pay that much so they don't want the record. We try to clarify what they want and anticipate the cost for them. Justin read the state statute. Justin said he bills his clients by minutes. City Manager Dotson said that is a challenge because you may be sidetracked and it could take you more than one day. Council Member Harris suggested billing for a minimum of one hour. On the fee schedule, just post the state code. For example, "charged hourly of a lowest paid employee with the necessary skills and training to perform the request".

City Manager Dotson talked about the other portion of this proposed fee schedule amendment. There were staff members who wanted to update the language for our park use. He listed the proposed amendments. Council Member Tingey asked how the bathrooms worked in regard to the deposit. Ashley said we are trying to get auto locks and security cameras. Council Member Ross said how many times per year staff kept a bathroom deposit. The answer was we are always able to return the deposit.

Council Member Harris made a motion to approve Resolution No. 2024-07-17-B, a resolution to amend the Enoch City Fee Schedule including the changes to GRAMA requests as noted and the formatting. Council Member Ross seconded and a roll call vote was held as follows:

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

Mayor Pro-tem Stoor: Yea
Council Member Tingey: Yea

5. CONSIDER THE STORM DRAINAGE IMPACT FEE ANALYSIS

Brittney Darnell introduced herself. She works with Sunrise Engineering in conjunction with Chris Daughton and Joe Phillips who was on Zoom. Brittney presented the information and update to the Storm Water Master Plan from 2017. She explained the final numbers over a ten-year period with a 3% inflation. She showed projects eligible for impact fees related to new developments. Council Member Harris clarified that the smaller the lot the larger the fee. He wondered why. City Manager Dotson stated that it's a ratio based on how many are available in that zone over ten years of growth. She said the majority is R-1-11. Council Member Harris noted that single-family R-1-11 had \$6,020 storm drainage impact fees. Single-family R-1-18 was lower because of the run-off ratio. Mr. Phillips noted the rationale was that with smaller lots the ratio of hard scape to soft scape tends to be higher. He explained. Council Member Harris said our current impact fee is \$1,593. Council Member Ross said if you build a half-acre lot, then you double the fee shown. Council Member Stoor asked if we completed projects for storm drainage, such as across Highway 91. City Manager Dotson said Sunrise took all projects in the future needed to make our system work for a certain sized event and look at the projects that we could most likely complete in the next ten years. The whole impact analysis was for 20 years. Council Member Harris said he noticed that some of the projects mentioned curbs and gutters in older areas. City Manager Dotson said 17% of those projects are impact fee eligible. City Manager Dotson said we have to go through the process of noticing. Once it's adopted then there is a 90-day period before we can adopt it. City Manager Dotson said there is an aspect of getting a loan for some of the projects or we just do one or two at a time.

6. CONSIDER ORDINANCE NO. 2024-07-17 AN ORDINANCE TO AMEND ENOCH CITY ORDINANCE 12.200.215 HEARING, PUBLICATION, AND NOTICE BEFORE AMENDMENT

City Manager Dotson said the state code changed and it defines different methods of public noticing. We just want to refer to the state code. They have taken out publishing certain notices in the newspaper. Council Member Ross where we give notice. Lindsay stated that we give notice on the office on the cork board at the city offices, on the front window of the city office, on the door of the Enoch library, on the door of the animal shelter, on the Public Notice Website, and on the city website. These notices are for zone changes, ordinance amendments, etc. Annexations are still required to be noticed in a local newspaper.

Council Member Harris made a motion to approve Ordinance No. 2024-07-17, an ordinance to amend Enoch City Ordinance 12.200-215 Hearing, Publication, and Notice Before Amendment. Council Member Ross seconded and a roll call vote was held as follows:

Council Member Ross: Yea	Mayor Pro-tem Stoor: Yea
Council Member Harris: Yea	Council Member Tingey: Yea
Council Member Ley: Absent	

7. CONSIDER DISPOSAL METHOD OF CITY-OWNED PARCELS A-0938-0104-0000 and A-1014-0012-0000.

Council Member Tingey said he owns the lot next to one of these parcels. He has no financial interest.

City Manager Dotson said these are the two properties that the city had acquired by a trade. We do have appraisals and there are two ways we dispose of them. One is through a public auction or bidding process and the other is to say so on public record in a meeting. He didn't think we would get the desired value in a public auction. The other option is to get bids as we do with other projects. The third is to list it with a real estate agent or list it ourselves. Council Member Stoor said if we go the route with a realtor and it's taking too long then we can decide to

change it. Council Member Harris suggested advertising them and just sell them ourselves. Justin suggested going into a closed session. They will have a closed meeting.

8. CONSIDERATION FOR AND ADOPTION OF A PARAMETER RESOLUTION AUTHORIZING THE ISSUANCE OF SALES TAX REVENUE BONDS OF ENOCH CITY, IRON COUNTY, UTAH AND THE CALLING OF A PUBLIC HEARING TO RECEIVE INPUT WITH RESPECT TO THE ISSUANCE OF SUCH BONDS AND ANY POTENTIAL IMPACT TO THE PRIVATE SECTOR FROM THE CONSTRUCTION OF THE PROJECT.

City Manager Dotson said this is in regard to the public safety building. He is our finance advisor for this project and represents Cruise and Associates.

Marcus said there are probably price adjustments. They have called CIB. Enoch City was approved for 1.46 million dollars at 2.5% for 30 years. They talked to Candice from CIB and she noted that if we need to come back for additional funds then they could probably get us on that scheduled September meeting. We may need to adjust the parameters resolution that they set last time. It was set for 2 million dollars. The coverage limit was 2.5 million dollars. To save time, they suggested adopting the parameters resolution now. This is an abundance of caution and gives more flexibility as we get ready for bids. Council Member Harris asked what the time frame was. City Manager Dotson said we are hoping to have the architecture done by the first of August but maybe the end. Council Member Tingey asked when we need the bids. Marcus maybe the week of August 22nd. The closer it gets to the September date the harder it will be to change it.

Council Member Harris made a motion to adopt the Parameter Resolution for the Sales Tax Revenue Bonds of Enoch City, Iron County, Utah at 2.5 million dollars and set a public hearing for August 21, 2024 to discuss the public impact of said municipal bonds. Council Member Tingey seconded and all voted in favor.

9. CONSIDER ORDINANCE NO. 2024-07-17-A AN ORDINANCE ANNEXING PROPERTY OWNED BY ROBINSON FAMILY TRUST, PARCEL D-0570-0000-0000 INTO THE CORPORATE BOUNDARIES OF ENOCH CITY

Lindsay Hildebrand noted that the Lt. Governor's Office emailed after submission and stated that this ordinance will need to go before the City Council as it was past the 60-day time frame.

Council Member Harris made a motion to approve Ordinance No. 2024-07-17-A, an ordinance annexing property owned by Robinson Family Trust, parcel D-0570-0000-0000 into the corporate boundaries of Enoch City. Council Member Ross seconded and a roll call vote was held as follows:

Council Member Ross: Yea

Council Member Harris: Yea

Council Member Ley: Absent

Mayor Pro-tem Stoor: Yea

Council Member Tingey: Yea

10. COUNCIL/STAFF REPORT

Chief Ames:

- He reported that they have between 650 and 700 cases in the year. Council Member Ross asked about giving warnings on 4200. She asked if it would help deter speeders if they gave tickets. Chief Ames said it depends on the person who is speeding. Some people will change their behavior and others will keep speeding. Council Member Harris asked if the speeders are people who live on 4200. Chief Ames said it's a mix. Some are contractors or subcontractors. They have prioritized 4200 and get there when they can.

Hayden White:

- They started chlorinating the water. He has been getting calls about it.
- They poured the floor at Little Eden Well. The pump is scheduled to go in the next month.
- There are a lot of sewer tie-ins and water meters.
- The chlorination has made its way through the city, so they will start testing and will change the dosage rate to become more tolerable. We can go to 0.2 parts per million, which is a very low dose. If it doesn't help then we go to a 2 which is 2 million parts per gallon. We don't have the water to flush out 2 million gallons.

Ashley Horton:

- She has been finishing up end-of-year things. Reporting, the new budget year.
- We also scheduled our audit for about the end of August.

City Manager Dotson:

- We received a draft MOU to use the wastewater treatment facility for 30 years. It ended last month. They want to extend it. He sent it on for review. It includes some clauses for the effluent.
- He would like to get someone involved in conversations in the process of replacing sidewalks. We don't have a budget or policy but we could implement one. Some cities require the homeowner to replace the sidewalk in front of their home and some have a 50/50 agreement.

Lindsay Hildebrand:

- She is looking at moving business licensing online through MyCityInspector.

Council Member Ross:

- She reported on the 4th of July. It was smaller but the Planning Commission including Delaine, Leonard, and Andy, did a great job. Council Member Ley and Tingey were also there helping as well.
- In the Planning Commission, some public hearings are coming up.

Council Member Stoor:

- The Rec. Committee would like to come to a solution for playground equipment for Cottonwood Park. Ryan Johnson is the State Arborist and he gave some suggestions regarding the trees. Council Member Stoor suggested having him come back to do a pruning class and tree removal. He said those trees grew from a graft, which wasn't the original trees.

Council Member Harris:

- Thanked everyone who helped with the 4th. Council Member Ross commented on the kid's event. The dunk tank was a huge success.

Council Member Tingey:

- He attended a bunch of meetings. The school board is trying to get some money.
- He attends the Homeless Council meeting every month. They are always looking for grants from the state. Every time they present, the state wants numbers. So, he asked for help. Council Member Tingey volunteered for that.

Council Member Harris made a motion to close the regularly scheduled meeting and go into a closed meeting for the purpose of buy sell or trade or real property, personal items, or pending litigation. Council Member Tingey seconded and a roll call vote was held as follows:

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

Mayor Pro-tem Stoor: Yea
Council Member Tingey: Yea

- 11. 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.**
- 12. ACTION FROM CLOSED MEETING-**
Council Member Harris made a motion to instruct the city staff to proceed as discussed in the closed meeting for the disposition of the discussed property. Council Member Ross seconded and all voted in favor.
- 13. ADJOURN – Council Member Harris made a motion to adjourn. The motion was seconded and all voted in favor.**



Lindsay Hildebrand, Recorder

8/8/2024

Date