

MINUTES
ENOCH CITY COUNCIL
August 6, 2025 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: Clark Arnold, M. York, Amber Weaver, Jim Rushton, Richard Dawson, Bryce Poulson, Andy Losee, Alan Caplin, Austin Rosssi, Locke Hahne, Paul Hendrix, Anthony Sykes, Heather Sykes, Desaree Chesnut, Taiga Rohrer, Kimberlee Trower, Susan & Noel Wells, Glen Pearson, Doug Grimshaw, Jonathan Wilson, Danny Stewart, Kaleb Caplin, Jim & Carrie Stutte, Delaine, Finlay, Mark Melheim, Linda Hahne, Jacob Minor, Carlynn Barton, Matt Barton, B. Goodwin, Alfredo Montiano, West Harris, and Andy Funderburk

- 1. CALL TO ORDER OF REGULAR COUNCIL MEETING by Mayor Chesnut**
 - a. Pledge of Allegiance-** Led by Lindsay Hildebrand
 - b. Invocation (2 min.)-Audience invited to participate- Given by Alan Caplin**
 - c. Inspirational thought-** Given by Council Member Ross
 - d. Approval of Agenda for August 6, 2025 – Council Member Harris made a motion to approve the agenda. Council Member Tingey seconded and all voted in favor.**
 - e. Approval of Minutes for July 16, 2025- Council Member Harris made a motion to approve the minutes. Council Member Tingey seconded and all voted in favor.**
 - f. Ratification of Expenditures-** None
 - g. Conflict of Interest Declaration for this agenda-** None stated

2. PUBLIC COMMENTS

Alan Caplin emphasized the importance of thorough planning before beginning construction projects, noting that once construction starts, unpredictability, stress, and second-guessing can increase. He encouraged trusting one's instincts and reflecting on times when decisions were made confidently without stress, advising the Council to stick with those sound choices. Alan highlighted that August 8th will mark the anniversary of annexing 16.5 acres into Enoch City, which has been zoned as residential in accordance with the city's general plan. He urged the Council to be cautious in making decisions that go contrary to established plans, underscoring how significant adherence to long-term strategies is for the community's well-being. Alan shared his personal background as an asset manager with licenses in securities and financial planning, explaining that he has chosen to re-engage in building homes and communities out of passion. He spoke about overcoming challenges with subcontractors and mistakes, emphasizing his commitment to quality and community development. Concerns were raised regarding the long-standing plans for the Enoch

Bypass, which has been discussed for nearly 50 years, and the need to protect residents' assets and property values, which historically appreciate 5-8% annually. He stressed the importance of being cautious with zoning changes that could impact these assets and highlighted the industrial park in the general plan, located near the bypass, which is awaiting development. Alan expressed confidence that once development begins, it will foster economic growth and opportunities. He praised Byron's business success in Enoch, noting that attracting international corporate attention to a small town is an exceptional achievement, and encouraged directing future business expansion toward the industrial park zone to the north to maximize growth potential. Alan concluded by urging the Council to consider these insights carefully, emphasizing the importance of thoughtful planning for long-term community prosperity.

Taiga Rohrer addressed the Council, expressing concern about the zoning change discussion impacting the property at 690 East 50 80 North. He noted that he had previously spoken on this subject and was surprised to see it listed on the agenda, specifically regarding the community benefit agreements. Taiga emphasized the importance of the city's general plan, which he described as the foundational vision of the community. He reminded the Council that the policies in the plan promote development in accordance with established zoning, encouraging projects that align with the city's vision, and discouraging those that do not. He explained that potential residents and businesses often base their decisions on the city's planning and zoning, highlighting his own experience of choosing a location for his property over 15 years ago because of foresight regarding zoning regulations. Taiga expressed concern that without proper planning, industrial developments could spring up next to residential areas, undermining property values and community character. He pointed out that MCM, the company requesting the zoning change, is owned by a South Korean multinational corporation, whose vision he referenced as posted on their website, indicating a focus on profit. Taiga acknowledged that while such zoning changes might benefit MCM and potentially the city financially, they could also send a message that Enoch is a place where undesirable uses can move next door if they are willing to pay enough. He stressed that the location requested for industrial expansion is not ideal and noted that there are better, more suitable sites a mile or two away. Taiga concluded by affirming his respect for the company but firmly believing that industrial zoning in this area is the wrong decision, especially considering the investments and community stability of existing residents. He thanked the Council.

Dallin Staheli, who lives at 4996 North 1000 East just a few blocks away, addressed the Council to share his personal experience and support regarding MCM. He explained that he has been involved with MCM since 2012, initially as a customer of theirs for electrical subassembly work he needed while based in Illinois. Once he moved the work to Enoch, MCM was able to provide more consistent, precise, and faster service, which contributed significantly to the growth of his business, Staley West. He also shared that MCM is their biggest customer for Western Powder Coating, supporting several families and local employment. Dallin emphasized that MCM employs many local residents and supports other businesses in the community, which he asked the Council to keep in mind. He has personally visited MCM's facilities regularly and holds no concerns about their operations being near residential areas, as they observe large setbacks and landscaping standards, with existing industrial zones bordering parts of the property. He noted that their current facilities and neighboring businesses, such as Trent Gleaves' feed store, are already industrial, making the location suitable for an industrial park. Dallin expressed a desire for the city to reconsider some of its plans and allow MCM to expand, believing that their business is stable, long-standing, and poised for continued growth, which he sees as a positive asset for Enoch. He concluded by affirming his confidence in MCM's future and its benefit to the community and thanked the Council for their time.

Noel Wells, residing at 632 East, 5140 North, addressed the Council and presented a slideshow to illustrate his perspective on MCM. He praised the facility as being impeccably maintained, with a welcoming atmosphere reflected by staff who greeted visitors warmly. However, he expressed concern that the "artist renderings" shown by MCM are only representations of their future plans, and the actual development may differ significantly. Noel pointed out the current state of the property, noting the presence of weeds over six feet tall immediately adjacent to the Alton's property, despite the inside of their facility being well-maintained and attractive. He warned the Council to consider what they might be approving, emphasizing that entering into a legally binding agreement with such a large corporation could leave the city vulnerable, as once the deal is signed, MCM could legally do as they please. He questioned whether the city's officials are prepared to enforce the law against a billion-dollar company, implying that the city may be outmatched in such negotiations. Noel raised concerns about increased traffic on already overburdened roads and argued that the apparent economic benefits are limited, since most of the work will be sold outside of Enoch. He criticized the current aesthetic and questioned the city's capacity to uphold the promises made, warning that enforcement might be ineffective. Citing the municipal land use act, he reminded the Council that their role is to protect property values, but questioned why property owners like the Altons, the Bergs, and Deborah Holmes are absent, implying possible nondisclosure agreements, adding that MCM's presence seems to be negatively impacting property values. He urged the Council to consider these concerns seriously and to reflect on their responsibilities to safeguard the community.

Amber Weaver, an Enoch resident living on Tomahawk Drive, spoke in support of MCM, emphasizing that they are a valued customer of hers, consistently spending between three to four hundred thousand dollars annually on steel supplies. She praised their integrity, noting they always fulfill their commitments without issues. However, her primary concern is the lack of employment opportunities in Enoch and Iron County. Having lived here since 2021 and being born and raised in Utah, Amber shared that jobs are scarce across Parowan, Enoch, Cedar City, and surrounding areas. She recounted her daughter and son-in-law's recent struggles in finding stable, well-paying jobs with benefits; her son-in-law had to move to St. George and commute daily, wasting time and money, while her daughter worked part-time at Home Depot with no insurance despite being highly qualified. Amber highlighted that the limited job market in Iron County makes it difficult for families to support themselves. She praised MCM as a great employer that could provide high-paying jobs with benefits. She expressed hope that by allowing MCM to expand at their current location, it could foster more economic growth and attract additional businesses to Enoch and Iron County. She urged the Council to seriously consider supporting MCM's expansion to help the community prosper and create more employment opportunities.

Danny Stewart, a resident of Iron County who does not have an Enoch address, spoke to provide a different perspective as an economic developer. He shared his 12 years of experience as Director of Economic Development for Cedar City and Iron County, and his current role with the Utah Inland Port Authority, where he oversees projects in Iron, Beaver, and Juab counties. Danny explained that initially, Iron County's main export was educated young people, many of whom leave seeking better opportunities, though he personally was able to keep one of his three children here. His work over the past 14 years has focused on helping local businesses grow, attracting new companies to provide primary employment opportunities, particularly in advanced manufacturing that offers higher wages, requires some qualifications, and uses minimal water resources. He emphasized that communities across the state, from Salt Lake City to Blanding, seek companies like MCM because they align with these goals. Danny expressed strong support for MCM, viewing them as more than a

good option, they are a valuable asset that should be allowed to expand and grow within Enoch. He warned that losing MCM's expansion efforts outside the community would be a significant setback. Additionally, he highlighted the importance of the property taxes contributed by such businesses, which fund essential city, county, and school district services. Danny urged the Council to consider the broader economic and fiscal benefits of supporting MCM's growth, viewing their continued success as vital for the community. He concluded by thanking the Council for their time and consideration.

Anthony Sykes, who previously resided in Enoch and now lives in Minersville, Utah, introduced himself as the CEO of Sykes Power and Iron Cliffs Gym in Cedar City. He reflected on his personal experience, sharing that in 2012 he was hired by MCM and moved to Enoch, where he was given opportunities for growth and positive change in his life. Thirteen years later, he now operates his own businesses, and he credited MCM as having played a significant role in his success. Anthony highlighted the positive impact MCM has had on the community, including contributing to local growth, donating multiple times to the Fourth of July celebrations, and supporting numerous families with jobs and security. He emphasized that MCM is a vital supporter of surrounding businesses, and noted that even the mayor recently spoke at their open house. Anthony pointed out that the presence of businesses like MCM has increased property values and made Enoch a desirable place to live, due to employment and growth. He warned that losing MCM would result in the loss of nearly 100 jobs and trigger a domino effect that would negatively impact many other local businesses and employment opportunities. He posed a critical question to the Council: whether the community is prepared to lose MCM and the benefits it brings. Anthony concluded by urging the Council to consider the broader implications of their decisions and to recognize the importance of supporting MCM's continued presence and growth in Enoch.

Kimberlee Trower, residing at 4496 North Blue Sky Drive East, addressed the Council with her perspective on the potential benefits of MCM's presence and growth in Enoch. She emphasized that MCM is bringing in business, people, and homes, which she believes benefits the community as a whole. Kimberlee pointed out that while higher-value homes, such as \$500,000 or \$6 million properties, can attract residents, they are dependent on residents having jobs, which she implied is a crucial factor that still needs to be addressed. She expressed concerns about the current state of city beautification, noting that weeds outside her neighbor's property are overgrown and suggesting that beautifying the area is tied to economic development. Kimberlee also highlighted safety issues, such as the lack of streetlights and the danger of vehicle speeds on her road, which she feels needs to be improved for community safety. She encouraged the Council to consider the organizational funding that could help improve city infrastructure, safety, and community resources. Kimberlee spoke of her trust in the integrity of the people involved with MCM, emphasizing that they are honest and reputable. She urged the Council to seek a balance, recognizing that supporting organizations like MCM can be mutually beneficial for community growth and progress, and advocating for discussions focused on how both the community and the organization can grow together, rather than framing the situation as entirely good or bad. She concluded her comments by emphasizing the importance of finding a balanced approach to community development.

Alan Caplin reiterated his support for MCM, emphasizing that he agrees with the positive remarks about the company and recognizing Byron's successful efforts in the community. However, he clarified that his presence was not to criticize MCM but to highlight that there is an alternative location for expansion just a mile away from the current industrial park that the city has designed. He noted that the city paid approximately \$137,000 per acre for 60.5 acres in the designated industrial park, while nearby parcels of 168 acres and 38 acres are available for less than \$50,000

per acre. Alan expressed that these parcels could provide more room for growth if incentives and accommodations were made to move the business there, even considering the existing easements that might limit expansion in the current location. He affirmed that the city's general plan aligns with this approach and urged the Council to consider supporting MCM's growth in the alternative area to facilitate their expansion and economic development. He concluded by encouraging the Council to do whatever is necessary to help MCM move and grow in a way that benefits the community, thanking them for their time.

Jared Nielsen, regional director for the Utah Manufacturing Extension Partnership, expressed his support for MCM, Byron, and local community members such as Clark Arnold and Richard Dawson, whom he has come to know over the past year. He shared that his organization provides resources to manufacturing companies across the state, particularly in Central and Southern Utah, where he has been working in Cedar City for about ten years. Jared offered his perspective on the importance of supporting rural Utah communities in creating jobs and growing their economies. He emphasized that the individuals involved with MCM are excellent community members, and he highlighted that many other areas in the state would love to have a business like theirs. Jared clarified that he was not there to pressure the Council but appreciated the previous comments about working together to find solutions that benefit everyone. He shared a personal story from the 1990s, when his hometown had the opportunity to bring in a Shopko, but local residents voted against it because they wanted to keep their community unchanged. That decision ultimately led to missed opportunities for growth, while a neighboring town who accepted the facility experienced significant development. Jared concluded by reiterating that he respects the community's autonomy and simply wanted to offer a broader perspective on the importance of supporting local businesses for long-term growth and development. He thanked the Council for their time.

Scott Jolly stated that his purpose for speaking was to publicly thank the Council for their service to Enoch City. He reminisced about a conversation nearly twenty years ago with Larry Bruff in what is now Rob's office, where they discussed the city's vision for attracting businesses that support housing, community, and the ability for families to raise their children locally. Scott emphasized that his primary reason for speaking was to publicly commend any company, regardless of ownership or size—such as Family Dollar, a billion-dollar holding company—that is willing to take the risk of investing in Enoch, creating jobs, and fostering future growth. He expressed his hope that, regardless of tonight's decision, the city continues to pursue a vision of job creation, economic growth, and prosperity. Scott concluded by thanking the Council for their time and commitment.

Carol Rohrer, residing at 690 East, 5080 North, shared that she received a message from one of her neighbors expressing concerns about the property and the potential zone change. The neighbor's comment suggested that this decision could become a historic moment for Enoch, either shining by standing up to a one-sided deal or revealing the true political stance of the city officials, depending on the outcome. The neighbor reflected on how the responses from supporters of MCM focus on how wonderful the company is and what a great place it is to work, noting this is not surprising given the property's proximity to their existing buildings. Carol pointed out that those buildings are just economical metal structures, much cheaper to construct than the large, costly project currently proposed, which could cost significantly more and might be better suited to the existing industrial area. She raised concerns about the potential expansion into the adjacent 20 acres behind the current site, warning that there could be land issues the city might not be aware of. Carol emphasized that it is easier to promote the positive aspects of MCM when they are not directly impacting residents' homes, property values, and the aesthetics promised in the general plan. She urged the Council to consider these factors carefully as they make their decision, implying that approval could have

lasting effects on the community's character and future.

3. SET A SPECIAL CITY COUNCIL MEETING FOR TUESDAY, AUGUST 26, 2025 TO CANVASS THE PRIMARY ELECTION AS REQUESTED BY THE IRON COUNTY CLERKS OFFICE

Council Member Harris discussed meeting at 5:00pm. It will be a quick meeting.

Council Member Harris made a motion to set the special city council meeting for Tuesday, August 26, 2025 at 5:15pm. Council Member Tingey seconded and all voted in favor.

4. CONSIDER A CONTRACT WITH LUMEN UTILITY CONSULT - Presentation by Lumen

Council Member Harris made a motion to table item #4 Consider a contract with Lumen Consult until August the 20th 2025 meeting. Council Member Tingey seconded and all voted in favor.

5. CONSIDER ACCEPTING PROPOSALS FOR THE WATER AND WASTEWATER IMPACT FEE FACILITIES PLAN UPDATES

Council Member Harris noted that they met with two engineering companies, Ensign Engineering and Sunrise Engineering, who presented their proposals for the updates to the wastewater and water impact facilities. Both companies are highly qualified, and we have worked with them successfully in the past. Sunrise presented proposals for both water and wastewater projects, while Ensign primarily focused on the water project. After reviewing their proposals and discussions, the consensus was to award the water impact facilities plan to Ensign Engineering and the wastewater impact fee facilities plan to Sunrise Engineering. Council Member Harris proposed that these contracts be awarded accordingly. Many council members appreciated the efforts of those involved during the interview process along with assistance in facilitating the discussions. Council Member Ley was also present during the interviews. No other questions or concerns were raised by the council members.

Council Member Ross asked if the cost between the two was similar. City Manager Dotson said they didn't give any costs until after, but Ensign Engineering came in about \$10,000 less than projected and Sunrise Engineering was about right on \$54,000 for wastewater and Ensign was at \$42,000 for the water. Council Member Harris noted that Ensign has been doing some regionalization work with Enoch, Cedar City, and the Iron County Water Conservancy District. So, they know more about our water system.

Council Member Harris made a motion to accept the proposals and award the wastewater impact fee facilities plan to Sunrise Engineering and the water impact fee facilities plan to Ensign Engineering. Council Member Ross seconded and all voted in favor.

6. CONSIDER RESOLUTION NO. 2025-08-06-A, A RESOLUTION APPROVING A “COMMUNITY BENEFITS AGREEMENT” BETWEEN LS ELECTRIC D/B/A MCM ENGINEERING II, INC. AND ENOCH CITY

Council Member Tingey inquired if there was anything additional that Justin believed the Council needed to consider regarding this issue. City Attorney Wayment responded that they had reviewed the matter multiple times, making several reiterations to ensure that the agreement was balanced, responsible, and addressed most issues with the administration. While he had not discussed the agreement with the full Council, they had made extensive efforts to develop a fair contract. Council Member Harris noted that the discussion could not be fully understood without also considering item number seven, as they are related; approval of item six would logically include approval of item seven, and he acknowledged that elements of seven might be incorporated into the agreement.

Council Member Harris stated that he has taken great care in deliberating this issue and aims to find a solution that offers a win-win or at least a tolerable outcome for all parties. He acknowledged that public comments about pollution, waste, and building height raise valid concerns, but he personally visited the MCM facility and observed that it operates cleanly with minimal noise and no offensive odors. Regarding traffic, he explained that impacts are comparable to what a fully developed residential area would generate, with either scenario increasing traffic, possibly in different patterns. A significant concern about building height and views was raised, particularly regarding the “monstrosity” building, which he clarified is not part of the current project or development agreement. The agreement specifies 100-foot setbacks on the north and east sides, which he believes are actually more protective than many residential zones, citing examples like sheds that block views. He emphasized that there will be no structures within 100 feet of property lines, which reduces visual impact. Noise and odors are minimal, and the development plan ensures compatibility with surrounding uses, including green space buffers that have been incorporated to address community concerns. Harris highlighted that the plan’s modifications aim to minimize impact and promote economic prosperity by attracting outside investment, which benefits Enoch City. Based on his extensive experience with planning and development over 16 years, he reassured that urban concerns such as crime and density have not resulted in negative outcomes like skyrocketing crime or degraded neighborhoods, citing examples like subdivisions and urban growth that have successfully balanced development and safety.

Council Member Tingey stated that during his 16 years of service on both the Planning Commission and City Council, he has never been accused of corruption, and he took that responsibility very seriously. After thorough review, he was unable to find any violations of the general plan or ordinances in the permits issued for the last building or in the current development. He expressed strong support for the community benefits agreement and aligned with Council Member Harris’s sentiments, emphasizing his confidence in the integrity of the process and the agreement.

Council Member Ross expressed that while she would not want the red building next to her home, she acknowledged that MCM followed all existing ordinances, though she emphasized the need for future ordinance improvements. She appreciated that MCM came forward with a community benefits agreement and supported the inclusion of setbacks and dark sky provisions. She noted that these issues only became problematic after the

building was constructed, and she believes the community agreement helps address some of those concerns.

Council Member Ley reflected on her own experience, noting that when she moved to Enoch, she did not have a power station across from her, so she considers the proposed development an improvement. She shared that her neighbor has a 35-foot workshop, and based on current ordinances, a 10-foot setback could allow a 35-foot, 10-story home near her property, highlighting the importance of community planning. She emphasized that the community has contributed input which has helped the company find a solution that aligns with citizen concerns. Ley mentioned that some aspects of the community benefits agreement, such as green belts and buffers to separate housing from industrial areas, are worth considering, despite her disapproval of small parks. She sees this agreement as a positive step for buffering and preserving community character.

Council Member Stoor expressed hope that the community can live and work together harmoniously. He acknowledged the valuable contributions MCM makes to the community and emphasized that for the business to continue operating, they need to stay, which would allow an additional 100 employees to support local families. He pointed out that the existing zone and the industrial park to the north are in residential areas, and he appreciated the community's comments and sentiments. Stoor supported MCM's growth, noting that within the 100-foot setbacks, additional features such as green buffers could be incorporated. While he questioned the necessity of a park, citing concerns about access and maintenance costs, he overall supported helping MCM expand to benefit the community.

Council Member Ley inquired about whether the community benefits agreement needs to be explicitly attached to the property in the resolution. She noted that, upon review, the agreement is included within the document but suggested it might be beneficial to explicitly reference that it runs with the land and is recorded as necessary to ensure future clarity. She mentioned this concept was new to her and that such agreements could be useful for future projects. Mayor Chesnut responded that the resolution could be modified to include this language. City Attorney Wayment explained that if the agreement is approved, it will become a public document. Under the Government Records Access Management Act, draft versions of such agreements are not required to be disclosed until finalized, to prevent confusion caused by multiple versions. Once finalized, the agreement becomes part of the public record, ensuring transparency and clarity regarding property obligations.

Council Member Harris added that any future owners of the property would be required to abide by this agreement, which is legally binding and cannot be altered without city approval, ensuring long-term adherence to the terms.

Council Member made a motion to approve Resolution No. 2025-08-06-A, a resolution approving a “Community Benefits Agreement” between LS Electric D/B/A MCM Engineering II, Inc. and Enoch City. Council Member Stoor seconded and a roll call vote was held as follows:

Council Member Ross: Yes
Council Member Harris: Yes
Council Member Ley: Yes

Council Member Stoor: Yes
Council Member Tingey: Yes

7. **CONSIDER ORDINANCE NO 2025-08-06-A, A ZONE CHANGE OF PARCELS A-0794-0005-0000 & A-0794-0006-0000 FROM RURAL RESIDENTIAL (R-R-1) & SINGLE-FAMILY RESIDENTIAL (R-1-8) to RESEARCH/INDUSTRIAL PARK (R/IP) - LS ELECTRIC D/B/A MCM ENGINEERING II, INC.**

Council Member Ley said she wanted the attachment to the agreement.
City Attorney Wayment said the zone change is contingent upon execution of the agreement.

Council Member Harris made a motion to approve Ordinance No. 2025-08-06-A, an ordinance to change the zone change of parcels A-0794-0005-0000 & A-0794-0006-0000 from Rural Residential (R-R-1) & Single-Family Residential (R-1-8) to Research/Industrial Park (R/IP) contingent upon the legal execution of the “Community Benefits Agreement”. Council Member Ross seconded and a roll call vote was held as follows:

Council Member Ross: Yes	Council Member Stoor: Yes
Council Member Harris: Yes	Council Member Tingey: Yes
Council Member Ley: Yes	

8. **CONSIDER ORDINANCE NO. 2025-08-06-B, AN ORDINANCE AMENDING ENOCH CITY ORDINANCE 14.100.113 APPLICATION FOR WATER CONNECTION, TO INCORPORATE A WATER RIGHT CREDIT AND ASSIGNMENT PROGRAM**

City Manager Dotson noted that historically, water rights were brought to the city, and those rights were allowed as credits to assign to properties. This practice has been ongoing for as long as anyone could remember in Enoch. The original settlers, when they incorporated Enoch City in 1966, consolidated their water rights into a system that was used as credits on properties. For example, properties along old Enoch Road at the north end still retain their original water rights registered with the city. When a subdivision request was made, the city required applicants to present valid water rights, which involved thorough research to verify priority dates, usage, and validity, due to the complex nature of water rights. Once verified, water rights were credited to the subdivision, with current standards set at 0.88 acre-feet per residential lot, or 0.3 acre-feet per unit for multifamily dwellings like duplexes or twin homes in the MR2 zone. For properties outside subdivisions, owners had to bring valid water rights to be credited accordingly. The city owned these water rights in perpetuity, preventing sale or disposal, aligning with Utah’s constitution. The city did not purchase water rights but acquired them through development contributions, with builders required to provide water rights for their projects. The system included detailed maps and spreadsheets maintained with the help of the state, documenting each property’s dedicated water rights. However, challenges arose with some owners, who were distrustful of the government, and with water rights that had liens against them, often involving banks, which complicated crediting processes. Council Member Tingey asked how he would know that there is a lien on against the owner. City Attorney Wayment said they will do title searches but they won’t ensure the water. They wont issue insurance. He explained the process.

City Manager Dotson said supervising water rights was one of the city manager’s responsibilities, including conducting extensive searches to verify the usage of water rights, sometimes even visiting the wells where the rights were located before submitting change applications. This was done to confirm whether the rights had been actively used recently, such as within the last 10 days or years. Although the city did not have a formal

program embedded in its ordinances, there was an acknowledged agreement, which was included in the packet for the city council to review. The ordinance, which was not directly in the packet but referenced, was part of Chapter 14 and established the water assignment program. This ordinance created a formal process and included a notarized and recorded agreement on the water rights, providing a guarantee that once someone assigned their water rights to the city, those rights could be transferred to a property or successor, preventing the rights from being sold or otherwise disposed of. This system allowed individuals to effectively assign their water rights to the city for long-term use, giving a documented assurance of the rights' transfer and use.

City Attorney Wayment stated that the Utah State Constitution did not permit the city to take water rights and then give them back. Once a water right was deeded to the city, the city could not divest itself of that right, although recent legislation on a constitutional amendment had opened some possibilities for trading. This restriction created an advantage for the city because landowners were more willing to transfer water rights, knowing they could retain some benefit through assignments and other arrangements, even if they couldn't get the rights back. Without this understanding, some individuals believed they could simply give the water rights to the city and later reclaim them, which was not possible under current law. The city had experienced conversations with property owners who had donated water rights years earlier but then wanted them returned, unaware that such rights could not be reclaimed. Clarifying the rules about assignment rights would help property owners understand that once rights were transferred, they could not be taken back.

Council Member Harris made a motion to approve Ordinance No. 2025-08-06-B, an ordinance amending Enoch City Ordinance 14.100.113 Application For Water Connection, to incorporate a water right credit and assignment program. Council Member Ley seconded and a roll call vote was held as follows:

Council Member Ross: Yes

Council Member Stoor: Yes

Council Member Harris: Yes

Council Member Tingey: Yes

Council Member Ley: Yes

9. CONSIDER RESOLUTION NO. 2025-08-06-B, A RESOLUTION APPROVING AMENDMENTS TO THE ENOCH CITY PERSONNEL POLICIES AND PROCEDURES MANUAL ADDING FLEX TIME

Ashley Horton explained what flex time is. Some employees were considered full-time but worked only 32 hours per week. Issues had arisen when employees worked over their 32-hour limit, such as taking a sick day and then a holiday, which could push them past the cap. Usually, sick hours were simply given back, with the understanding that they could not go over the 32-hour limit. However, this approach effectively prevented them from using their sick leave when needed. To address this, the proposal was made to implement a system similar to compensatory time, where employees could transfer excess hours over 32 into a flexible time bank. They could then use these hours later, preferably in the next pay period or as soon as possible, to take time off, providing more flexibility while maintaining the 32-hour workweek limit. Council Member Ley asked how this would affect the budget. City Manager Dotson said it will be budget-neutral.

Ashley also explained that the proposed system would also benefit employees who worked fewer than 32 hours per week, giving them the option to use the flex hours as well. It was emphasized that any work over the allowed hours had to be approved and justified by a need, rather than just working excess hours voluntarily.

Council Member Harris made a motion to approve Resolution No. 2025-08-06-B, a resolution approving amendments to the Enoch City Personnel Policies and Procedures Manual, adding Flex Time. Council Member Stoor seconded and a roll call vote was held as follows:

Council Member Ross: Yes

Council Member Stoor: Yes

Council Member Harris: Yes

Council Member Tingey: Yes

Council Member Ley: Yes

10. CONSIDER RESOLUTION NO. 2025-08-06-C, A RESOLUTION AMENDING A COOPERATIVE AGREEMENT FOR BUILDING INSPECTION SERVICES BETWEEN BRIAN HEAD TOWN BUILDING DEPARTMENT AND ENOCH CITY

City Manager Dotson explained that over the past five years, the city had only conducted two inspections, one of which was for a power substation due to a specific issue. The other inspection was for a commercial building, which seemed unusual because the area had numerous condos and other structures, but those fell under the International Residential Code (IRC) rather than the International Building Code (IBC). The town had recently hired a new inspector for residential projects, but the inspector lacked the required commercial certifications. The city was approached after Lynn performed a commercial inspection, and the town manager expressed concerns that they might be inadvertently taking advantage of the situation. It was clarified that the city council would need to amend their agreement to allow for payment for commercial building inspections. The proposed fee was calculated to be slightly less than what a private firm, Shums Koda in St. George, charged for similar inspections, which sometimes also helped out in other locations. The fee was considered reasonable and aligned with market rates.

Council Member Harris made a motion to approve Resolution No. 2025-08-06-C, a resolution amending a cooperative agreement for building inspection services between Brian Head Town Building Department and Enoch City. Council Member Tingey seconded and a roll call vote was held as follows:

Council Member Ross: Yes

Council Member Stoor: Yes

Council Member Harris: Yes

Council Member Tingey: Yes

Council Member Ley: Yes

11. CONSIDER AMENDING THE PUBLIC SAFETY IMPACT FEE FOR MULTI-FAMILY AND ADDING COMMERCIAL AND SET A PUBLIC HEARING FOR AUGUST 20, 2025

City Manager Dotson noted that the impact fee for the original single-family dwelling was charged at \$1,300, but there was no impact fee set for multifamily or commercial developments. It was noted that the single-family impact fee had been applied to commercial projects as well, which should have included the commercial rate of 90 cents per square foot and an additional \$1,300 for multifamily units. Clarification was made that the impact fee for multifamily units was based on per dwelling unit. For example, the Lins building, a commercial property of 61,000 square feet, would face an impact fee of approximately \$54,900 for the commercial rate alone, with additional fees for police, fire, and transportation. This would total around \$120,000, including the building permit. This transportation impact fee reflected only the reduced amount due to traffic impact considerations. It was emphasized that these impact fees should be explained to applicants, and there was a consensus that the current approach aimed to keep impact

fees from pricing out affordable housing. The existing impact fee for a single-family dwelling remained at \$19.37, but for multifamily developments, the fee would increase to around \$1,300. It was also noted that there is limited new multifamily construction at the moment, mostly around the planned unit development on Penny Farm, where every four units would add approximately \$5,000 to \$6,000 in impact fees.

Council Member Harris made a motion to set a public hearing for August 20, 2025 for the amendments to the Public Safety Impact Fee for Multi-Family and adding commercial. Council Member Stoor seconded and all voted in favor.

12. CONSIDER RESOLUTION NO. 2025-08-06-D A RESOLUTION SUPPORTING AMERICA250 UTAH AND RECOGNIZING AND APPROVING OF THE IRON COUNTY UTAH250 COMMUNITY COMMITTEE

City Manager Dotson said this is for the Iron County Committee. Council Member Ross said cities throughout Iron County have gotten together to be represented. They also have members of the Interfaith Alliance, the history department from SUU, the special collection, and Frontier Homestead, which are all part of that committee. Council Member Ley asked about the language. It read that this committee would be the official committee. Council Member Ross suggested changing “its” to “an”. Council Member Ley also had a question about number 3. It talks about using the logo “as intended”. Council Member Ross said they want to make sure that we use it in appropriate ways. Council Member Ley asked what signature programs were. It was suggested to remove signature programs. Council Member Ross explained signature programs and said this was talking about putting those programs on our website, for example. It's making them available.

Council Member Harris made a motion to approve Resolution No. 2025-08-06-D, a resolution supporting America250 Utah and recognizing and approving of the Iron County Utah250 Community Committee an official committee and support the programs. Council Member Ross seconded and a roll call vote was held as follows:

Council Member Ross: Yes	Council Member Stoor: Yes
Council Member Harris: Yes	Council Member Tingey: Yes
Council Member Ley: Yes	

2. COUNCIL/STAFF REPORT

Hayden White

- The department has been changing out 400 meters and this week alone they have changed 300.
- The seasonal employees are leaving this week so they have been painting at the parks.
- They are pouring concrete around the yard.
- Council Member Ross noted that there have been a lot of positive comments on how well the parks look

Chief Ames

- They have been focused on the new building. The pavement and asphalt should be finished this Friday.
- The ribbon cutting is not a public event.

Ashley Horton

- The auditors came today and will be here the rest of the week.
- She will have a workers comp audit tomorrow.

City Manager Dotson

- The Utah Department of Emergency Management has helped to get the Silver Jackets here. They're coming on August 15th to start an emergency action plan creation for flooding. We do have emergency operations plan, but not specific to our issues here. This will be in conjunction with the Department of Emergency Management's new floodplain maps that they're creating. That's going to take a couple more years. There's a whole group of them from the Silver Jackets, and the US Army. That's a really big deal. He's been trying to get them for years now and they got approval to come.
- We talked about having the park and street impact fee updated. Some of those projects are huge and we aren't collecting enough to pay for them. The bids came at \$7,400 each. It can be paid from impact fees. It'll go over our budget by \$2,400 for each one.
- RCAC consultants are doing a water rate study again. They have one person do it and they give us a snapshot in time. Water Worth is web-based and gives a continual analysis. It's a constant picture. The cost is \$9,000 per year so that would be another budget line item change. Council Member Harris said its using technology to keep up on what our water rates should be. Rather than wait to increase rates all at once, we should review yearly. He asked if they have enough data. City Manager Dotson said this gives us the information. This helps us learn if we are doing this correctly. Council Member Ley asked if we have to feed this software the information. How do they acquire all of that information? City Manager Dotson said we provide them with the spreadsheets from our software. It's better than waiting for months on one firm. Mayor Chesnut said we are getting better data and more data.
- UDOT got bids back from the Old Highway 91 project. The low bidder came in at 75 % of the engineers estimate. The contractor is the same as the point of the mountain.

Lindsay Hildebrand

- She has had weekly check-in calls from the LT Governor's office regarding the election.
- She has been working on updating software for business licenses.

Council Member Ross

- There will be a lecture series through Aug. 20th at 7:00 pm at the America First Event Center. It's about the 1987 USA USSR Goodwill Gymnastics tour that came to Cedar City, right in the middle of the Cold War. They did one last month about the Adams Theater. There is an Iron County website. Visit www.cedarcity.com and find the Tourism Bureau; they have all the America 250 events that are happening.

Council Member Stoor

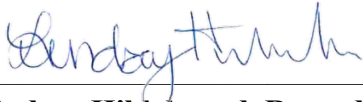
- He noted that he sent the RDI material back. We should get a check.
- There will be a Recreation Advisory Board meeting. They talked about Iron Works Park at the last meeting.
- Council Member Ross asked if they had decided that the refund from the RDI would go to playground equipment for Cottonwood Park. City Manager Dotson explained that he applied for a grant, and they tried to upsell him. 80% of the

price would come from a grant. It's a 40% match that they would give us. We have budgeted \$16,000, and we will do some of the work.

Council Member Harris

- He met with the Water Advisory Committee today. Mayor Green is ready to move ahead with regionalizing our system. There are a lot of questions that need to be answered. Ron Thompson may answer some of those questions. He asked to meet with Rob and Hayden to put together a list of questions to be asked. It will be a really positive thing for our watershed, our aquifer, and the whole valley.

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



08/21/2025

Lindsay Hildebrand, Recorder

Date