MINUTES
ENOCH CITY COUNCIL
August 5, 2026 at 6:00pm
City Council Chambers
City Offices, 900 E. Midvalley Road

MEMBERS PRESENT:	**STAFF PRESENT:**
Mayor Jim Rushton	**Ryan Robinson, City Manager**
Council Member David Harris	**Ashley Horton, Treasurer**
Council Member Shawn Stoor-Excused	**Lindsay Hildebrand, Recorder**
Council Member Debra Ley	**Jackson Ames, Police Chief**
Council Member Kimberlee Trower	**Justin Wayment, City Attorney**
Council Member Jacob Miner	**Hayden White, Public Works Director**

Public Present: Delaine Finlay, Byron Black, Scott Robinson, Jonathan Wilson, Reed Page, and Kevin Morris

1. **CALL TO ORDER OF REGULAR COUNCIL MEETING** by Mayor Rushton
    a. **Pledge of Allegiance-** Led by Byron Black
    b. **Invocation (2 min.)-Audience invited to participate- Given by Council Member Harris**
    c. **Inspirational thought-** Given by Council Member Miner
    d. **Approval of Agenda for August 5, 2026 – Council Member Harris made a motion to approve the agenda. Council Member Ley seconded and all voted in favor.**
    e. **Approval of Minutes for July 15, 2026 – Council Member Harris made a motion to approve the minutes. Council Member Trower seconded and all voted in favor.**
    f. **Conflict of Interest Declaration for this agenda-** None stated

2. **PUBLIC COMMENTS**

Reed Page and Kevin Morris of Pronghorn Development addressed the Council to introduce themselves and open lines of communication. Mr. Page explained that Pronghorn Development is a development arm of Integrated Energy Companies, a Utah-based firm headquartered in Salt Lake City. He described their project, referred to as Project Antelope, as a natural gas-fired power generation facility to be situated on-site adjacent to a data center off Antelope Springs Road, designed to be built out in five phases.

Mr. Page noted that their conditional use permit had been approved by the county, but that an appeal was filed on the tenth day of the appeal period, and the matter is currently being handled by legal counsel. He indicated the process was expected to be resolved within the coming weeks.

In response to Council questions, Mr. Page addressed concerns regarding potential impacts to natural gas rates, stating that the facility would operate off-grid and that any effect on ratepayer costs through Enbridge would likely be negligible. He also addressed water usage, describing the facility's closed-loop cooling system as a recycling process that does not discharge or waste water in the manner that some other data center designs do. Mr. Page made his contact information available to the Council through Council

Member Kimberlee Trower.

3. **CONSIDER ORDINANCE NO. 2026-08-05, AN ORDINANCE AMENDING THE ENOCH CITY CODE 12.1400.1402-1403 PERMITTED AND CONDITIONAL USES IN THE R-1-18 ZONE -**See Planning Commission Rec.

City staff presented the Planning Commission's recommendation regarding the R-1-18 zone's permitted and conditional uses. During the Planning Commission's review, it was noted that "congregate living" was listed as a conditional use permit but lacked a corresponding definition in the city code. The concern was that, without a definition, the term could be interpreted too broadly, potentially allowing uses the city did not intend to permit.

City Attorney Justin explained that the state and federal law—including the Americans with Disabilities Act—already governs many congregate living arrangements, such as group homes for youth and long-term care facilities, and that cities have limited authority to restrict these uses where residential uses are otherwise permitted. The recommended approach, supported by both the Planning Commission and city staff, was to retain "congregate living" as a conditional use permit rather than remove it, so that the city maintains awareness of where such facilities are located, while adding language specifying compliance with state and federal law. Staff indicated that a formal definition would be incorporated into the definitions section of the city code at a future date, as part of an ongoing review of all undefined uses across all zones.

Council Member Harris expressed support for retaining the conditional use designation so that the city could track the locations of such facilities for public safety purposes.

Council Member Trower made a motion to approve Ordinance No. 2026-08-05, an ordinance amending the Enoch City Code 12.1400.1402-1403 Permitted and Conditional Uses in the R-1-18 Zone and add in compliance with federal and state code. Council Member Miner seconded and a roll call voted was held as follows:
Council Member Stoor: Absent **Council Member Harris: Yes**
Council Member Ley: Yes **Council Member Trower: Yes**
Council Member Miner: Yes

4. **CONSIDER RESOLUTION NO. 2026-08-05, A RESOLUTION RENAMING THE PORTION OF MINERSVILLE HIGHWAY WITHIN THE ENOCH CITY BOUNDARY**

Mayor Rushton introduced this item, explaining that there is no formal documentation requiring the road to be named "Minersville Highway," and that the state indicated the city could submit a request to rename the portion of the road within Enoch's boundary. The Mayor noted that the road would still be required to display its state route designation (SR-130), and that renaming it would not affect existing property addresses.

The Council discussed the merits of giving the road an Enoch-specific name as a matter of civic identity and economic development, particularly given the commercial growth occurring along that corridor. Council Member Trower suggested soliciting public input rather than selecting a name unilaterally, and Council Member Miner agreed, adding that the process should be timely so the new name could potentially be in place before the opening of a major new commercial anchor in the area. The Mayor proposed that staff generate a list of candidate names—each incorporating the word "Enoch"—and circulate them to Council members by end of day Friday, with the goal of narrowing the list to approximately five names for public input. The item was then tabled to the first meeting in September to allow for this process.

Council Member Harris made a motion to table Resolution No. 2026-08-05, until the first meeting in September. Council Member Miner seconded and all voted in favor.

5. DISCUSSION ITEM- IMPACT FEE FOR THE HUB PIZZA & LS ELECTRIC

Hub Pizza

City staff presented a request from Hub Pizza owner Scott Robinson, who asked that his establishment be reclassified from a "fast food" establishment to a "quality restaurant" for the purpose of calculating transportation impact fees. Under the current fee schedule, the fast food designation results in an impact fee of approximately $32,000, while a quality restaurant designation would result in a fee of approximately $6,000.

City staff reviewed the existing definition of a fast-food establishment, which requires a business to meet two or more of five criteria. Council discussed that Hub Pizza technically meets at least two criteria, including the presence of a drive-up window for order pickup, though Mr. Robinson clarified that the window is solely for the pickup of previously ordered food and functions more like a rear parking area than a traditional drive-through, with no menu board or order capability at the window itself.

City Attorney Justin cautioned the Council that impact fees cannot be waived or reduced arbitrarily and that any reclassification must be based on defensible definitions applicable to all similar businesses. He advised that the fairest path forward would be to clarify or broaden the existing definitions, particularly the distinction between fast food and quality restaurant, so that they accurately reflect the volume of traffic each type of establishment is expected to generate, which is the fundamental basis of the impact fee study.

City Inspector Lynn Nielsen noted that the current fee schedule provides only two categories for food service establishments, fast food and quality restaurant, and that he has no clear definition for "quality restaurant" in the city code to guide his determinations. He further noted that the disparity between the two categories is significant, with fast food assessed at $12,636 per thousand square feet and quality restaurant at $2,629 per thousand square feet.

The Council agreed that additional categories and clearer definitions were needed, and that staff should engage the city's engineering firm, Sunrise Engineering, to review the existing impact fee study and provide guidance on how to more precisely define and differentiate food service establishment types. The Council did not make a final determination on Hub Pizza's classification pending that review.

Council Member Harris made a motion to direct city staff to work with the engineers to obtain additional definitions and clarification for food service establishment impact fee categories. The motion was seconded Council Member Trower and all voted in favor.

LS Electric

A representative of LS Electric, Byron, presented a letter requesting that the Council consider a project-specific calculation of transportation and police impact fees, arriving at a proposed payment of $297,571.51. The representative indicated that the letter provided cost drivers specific to the LS Electric project and applied the city's existing published methodology to arrive at that figure, rather than requesting a waiver or categorical reclassification.

Mr. Nielsen explained the difficulty in calculating impact fees for a facility of this complexity, which contains multiple occupancy types, including warehouse, office, assembly, factory, and storage spaces, each carrying different per-square-foot multipliers. He noted that the building's automated components and relatively modest employee count raised questions about whether the standard methodology, applied across all square footage, accurately reflected the anticipated traffic and public safety burden.

The Council acknowledged the legitimate questions raised by both the applicant's letter and Mr. Nielsen's analysis. Council Member Harris noted that the proper path forward was to involve the engineering firm rather than make an arbitrary determination. Staff was directed to review the LS Electric letter with the engineers and bring a recommendation back to the Council.

Council Member Harris made a motion to direct staff to discuss the LS Electric impact fees with the engineers and return with a recommendation. Council Member Ley seconded and all voted in favor.

6. DISCUSSION ITEM- BULLDOG WATERLINE DISCUSSION -HAYDEN WHITE

Public Works Director Hayden White introduced a request from a property owner on Bulldog Road who is experiencing problems with their private well and wishes to connect to the city's culinary water system. No city water infrastructure currently exists in that area. Mr. White presented a preliminary cost estimate of approximately $30,000 for the city to extend a waterline to the area, with the property owner expected to bear similar costs for connection fees, impact fees, and meter installation.

City Attorney Justin provided relevant context from Utah Code regarding designated service areas, explaining that municipalities are required to serve all properties within their designated service area at the same rate, and that serving properties outside that area must be done by contract. He confirmed that under a 2021 change in state law, cities may no longer charge differential rates to customers outside municipal limits simply because they do not pay city taxes.

The Council discussed whether it would be appropriate to provide water service to properties outside the city's current annexation declaration area. Mayor Rushton and other Council members expressed concern that extending services without annexation could reduce the property owner's incentive to annex and could set a precedent that would be difficult to revisit. City staff noted that the properties in question lie just beyond the city's current annexation declaration boundary on Bulldog Road, and that the city is already working on expanding that boundary. Staff also noted the possibility of using a line extension agreement, under which the property owner would fund the line extension and other connecting properties would reimburse a proportionate share upon connection.

The Council reached a consensus that any extension of water service to this area should be conditioned upon a commitment by the affected property owners to annex into the city at the earliest available opportunity. Staff was directed to communicate this position to the property owner and explore the logistics of proceeding on that basis.

7. DISCUSSION ITEM- COMMITTEE APPOINTMENTS NEEDED:

a. WREATHS ACROSS AMERICA

The Council confirmed that Mayor Rushton serves as the Council liaison for Wreaths Across America. Staff indicated that the committee is seeking additional volunteers and asked Council members to submit names of interested individuals by Friday. Staff also noted that a new sound system, purchased with a $2,700 stipend received for the Fourth of July event, had been acquired and would be available for future events.

b. WATERBOARD

Staff reported that the current chair of the Enoch City Water Board had indicated he no longer has the time to fulfill the role. Staff presented the name of Ross Peterson, a recommended candidate who had previously been suggested as a potential board member, and asked Council members to submit any additional names for consideration. The item was noted as one that would return as an action item at a future meeting for formal appointments.

c. PARKS & REC.

Council members suggested several names for potential Parks and Recreation committee appointments and were asked to submit additional recommendations to staff by Friday.

8. DISCUSSION ITEM- SCHOOL DISTRICT PROPERTY POTENTIAL PARK. -

City staff reported on the Parks and Recreation Committee's extended discussions regarding the possibility of partnering with the Iron County School District to develop a park on approximately 60 acres of school district-owned land south of the Ridley Stop. The Parks and Recreation Committee had invited Hunter Shaheen, the school district's Facilities Director, to present to the committee. Mr. Shaheen indicated that the district's long-range plan, within the next ten years, is to develop the site in a manner similar to the Canyon View campus, with both a middle school and a high school.

Given the uncertainty of the school district's timeline and the risk that any city investment in park improvements could be displaced by future school construction, the Parks and Recreation Committee recommended not moving forward with a park development on that site at this time. Staff noted that a potential alternative, acquiring other land to trade with the school district, was discussed but would require funding the city does not currently have available. The Council accepted the committee's recommendation and took no further action on this item.

9. CONSIDER APPROVAL OF PROPOSED UPDATE TO THE ROAD BREAKING & TRENCHING PERMIT

City staff presented a proposed update to the road breaking and trenching permit. The key addition was a new provision stating that if a road cut or trench repair is not inspected and finally approved by the Public Works Director within one year of completion, the city reserves the right to perform the necessary repairs and bill the responsible party for the cost. City Attorney Justin reviewed the proposed permit and recommended several clarifying amendments: that all road cuts must be saw-cut prior to patching; that a standard traffic control plan be referenced and attached to the permit; and that the warranty language in the new provision be clarified. Staff was authorized to finalize the language in coordination with the City Attorney.

Council Member Harris made a motion to approve the proposed update to the road breaking and trenching permit as amended per the recommendations of the City Attorney. Council Member Trower seconded and all voted in favor.

10. REVIEW AND CONSIDERATION OF CITY EMPLOYEE COMPENSATION ADJUSTMENTS

The Council considered two compensation adjustments.

First, the Council approved a pay increase and formal title change for Building Inspector Lynn Nielsen, elevating him to the position of Building Official and department head, consistent with discussions held at a prior meeting. Staff noted that the pay adjustment brings Mr. Nielsen's compensation to the amount previously agreed upon.

Council Member Harris made a motion to approve the compensation adjustment for Lynn Nielsen and formally designate him as Building Official. Council Member Trower Seconded and all voted in favor.

Second, the Council approved a compensation adjustment for City Administrator Ryan Robinson, consistent with the terms of his employment contract, which included a scheduled pay increase upon successful completion of a six-month probationary period. The adjustment was noted as retroactive to the date on which the probationary period concluded.

Council Member Harris made a motion to approve the compensation adjustment for City Manager Ryan Robinson as stipulated in his employment contract. Council Member Miner seconded and all voted in favor.

11. APPROVE THE FRAUD RISK ASSESSMENT FOR FISCAL YEAR ENDING JUNE 30TH 2027

Treasurer, Ashley Horton, noted that the auditors wanted her to go over the Fraud Risk Assessment at the beginning of the year instead of the end of the year. Our score is the same as it was last month. The Council never formally accepted it and that is a requirement.

Council Member Harris made a motion to accept the Fraud Risk Assessment results for the fiscal year ending June 30th, 2027. Council Member Ley seconded and all voted in favor.

12. COUNCIL/STAFF REPORT

<u>Building Official Lynn Nielsen reported:</u>

- The Johnson Fort Church has received plan review approval and construction is expected to begin soon on Half Mile Road.
- Lins Marketplace is targeting a September 17th opening. The store interior is substantially complete, with shelving, refrigerator cases, and paint in place. Ace Hardware, Starbucks, and Arctic Circle are also progressing and expected to open concurrently.
- MCM Engineering's facility is progressing rapidly, with nearly all spot footings expected to be complete within the week and underground plumbing underway. Tilt-up wall construction is anticipated to begin in the near future.
- Iron RV, located further along the commercial corridor, is nearing completion as well.
- A slight dip in new home permit activity was noted for the month.
- The city has taken on building inspection services for Parowan City, with the arrangement including use of a city vehicle.
- Inspector Mindy is in training as a plan reviewer and is expected to take her certification examination soon, followed by her building inspection certification.

<u>Public Works Director Hayden White reported:</u>

- A highway striping project is scheduled for August 17th, with equipment expected to arrive for staging the following week. Staff confirmed the project will not be delayed again, as required grades must be completed this year.

- The Anderson Well is being developed this week, with a test pump of up to 3,000 gallons per minute expected to occur the following week. The test requires continuous pumping for up to 24 hours, and discharge will flow down the adjacent roadway.
- The BLM Well is offline due to electrical issues. Three specialists have reviewed the situation, and the well is scheduled to be pulled for inspection and repair of the motor and electrical connections.

Treasurer Ashley Horton reported:

- A three-day audit concluded on the day of the meeting. Preliminary findings were described by staff as minor and consistent with common findings seen across the state. A formal presentation of audit results is expected at a future Council meeting.

City Administrator Ryan Robinson reported:

- Enoch City and MCM Engineering were featured on the main stage of the 1 Utah Summit, leading a discussion on how rural communities can attract major businesses.
- Staff is working with an SUU intern to update the city's social media presence and develop a formal social media policy. Council was asked for approval to create an Enoch City Instagram account to broaden outreach. No objections were raised.
- Staff is developing standards for organizations requesting city funding, including requirements to demonstrate public benefit, report on use of funds, and present outcomes to the Council.
- Council members were reminded to sign up for individual meetings with the Mayor and City Administrator prior to Council meetings.
- A well-being survey conducted in partnership with Utah State University yielded approximately 49 responses. The top concern among respondents was water, both quantity and quality. Overall community well-being scores were favorable.
- The tree in front of City Hall partially obstructing the marquee sign is to be trimmed to improve visibility. Additionally, a banner near the entrance was noted as fading and will be addressed.

Mayor Rushton reported:

- A Mayor's Movie Night in the Park is scheduled for August 14th at Old Enoch Park. The film will be *The Sandlot*, shown on the baseball field. Vendors will be set up beginning at 7:00 PM, with the movie starting between 8:30 and 9:00 PM depending on darkness.
- The Mayor and City Administrator have a Friday meeting scheduled with a developer interested in a 50-plus-acre parcel between Highway 91 and Interstate 15. The developer is considering a primarily commercial and industrial project, potentially with a higher-density residential component, and may approach the city with a development agreement in the future.

Council Member David Harris reported:

- He had a recent meeting with the Water Conservancy District

Council Member Deborah Ley reported:

- The Enoch Historical Society replaced 20 historical signs throughout the city using a $1,000 city contribution. The new signs are larger than the originals and are expected to last at least ten years.

Council Member Kimberlee Trower:

- The Commissioners on the Planning Commission Board have been looking at different uses for certain zoning areas.
- A student at SUU who was also a 1st Lt. was killed in action. It would be good to look at how we can incorporate a memorial for that person.

<u>Council Member Jacob Miner reported:</u>

- The Parks and Recreation Committee and Planning Commission continue working through zoning area reviews.
- A memorial for 1st Lieutenant Feehan, a SUU student killed in action, is being organized through Rotary. Council Member Miner encouraged the city to explore incorporating a memorial into Enoch as well, suggesting an outreach to Rotary given that the organization's new president resides in Enoch.
- The Iron County Cares golf tournament is scheduled for September 23rd at 12:00 PM.
- Canyon Creek Services is holding its annual gala at the end of the month.
- A homeless pit count is scheduled for August 27th at 8:00 AM. Interested volunteers were encouraged to contact James Jetton.
- Council Member Miner read a letter of appreciation from Justin Osmond on behalf of the Pioneer Legacy Committee, thanking the city for its sponsorship of the Pioneer Legacy Musical and Fireworks Spectacular.

13. **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.**

Council Member Harris made a motion to close the regular meeting and convene in closed session for the purpose of discussing the purchase, exchange, or lease of real property, pending or reasonably imminent litigation, or personnel matters. Council Member Trower seconded, and a roll call vote was held as follows:

Council Member Stoor: Absent **Council Member Harris: Yes**
Council Member Ley: Yes **Council Member Trower: Yes**
Council Member Miner: Yes

14. **ACTION FROM CLOSED MEETING –**
Council Member Harris made a motion to accept the offer as presented with the condition on the addendum, and if the addendum isn't accepted, then we cancel due diligence. Council Member Ley seconded and all voted in favor.

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

Lindsay Turnbull 08/19/2026

Lindsay Hildebrand, Recorder **Date**