MINUTES
ENOCH CITY COUNCIL
August 3, 2016 at 6:00pm
City Council Chambers
City Offices, 900 E. Midvalley Road

Members present:
Mayor Geoffrey Chesnut
Council Member David Harris
Council Member Steve Johnson
Council Member Jolene Lee
Council Member Dave Owens
Council Member Shawn Stoor

Staff present:
Julie Watson, Recorder
Dan Jessen, Treasurer
G. Kuhlmann, City Attorney
Robert Dotson, City Manager
Jackson Ames, PD Chief-absent
Earl Gibson, Pub.Works-absent

Public present: Dilworth Armstrong, Michelle Pritchard, Brent Carter and Valerie Mecham

1. **CALL TO ORDER OF REGULAR COUNCIL MEETING-**By Mayor Chesnut at 6:00pm. He welcomed the audience.
   a. **Pledge of Allegiance-**Led by Dan Jessen
   b. **Invocation-**Audience invited to participate-Given by Council Member Johnson
   c. **Inspirational thought-**Given by City Manager Dotson
   d. **Approval of Agenda for August 3, 2016-Motion to approve the agenda by Council Member Harris. Motion seconded by Council Member Owens and all voted in favor.**
   e. **Approval of Minutes for July 6, 2016-Motion to approve the minutes by Council Member Owens. Motion seconded by Council Member Harris and all voted in favor.**
   f. **Conflict of Interest Declaration for this agenda-**none stated

2. **RESOLUTION NO. 2016-08-03 A RESOLUTION IN SUPPORT OF CENTRAL IRON COUNTY WATER CONSERVANCY DISTRICT LETTER OF RESPONSE TO "PROTECTING AQUATIC LIFE FROM EFFECTS OF HYDROLOGIC ALTERATION, DOCKET ID NO. EPA-HQ-2015-0335"**

Mayor Chesnut asked City Manager Dotson to tell the Council about this. Council Member Harris asked if Brent Hunter wrote the letter adding it was well written. Mayor Chesnut said he did write it with input from legal counsel. City Manager Dotson said this is how policy is created on the federal level. Experts put a proposal on the docket and then onto the federal register for the public to comment. This came to the attention of the Conservancy District and they brought it to us and other municipalities in the area. This report promotes a policy change to the EPA Clean Water Act and the Water Quality Acts in their permitting process. He gave more details about how this would come into play if approved. Groundwater withdrawal from the aquifer would have to be permitted by the EPA. That opens up many negative impacts on localities when managing their water. We would have to fund studies regarding impact on aquatic life whenever we pull water out the ground causing huge time delays and costs. There is science available that altering the groundwater has impact on other things however in the desert where our groundwater does not impact aquatic life the impact on us could be large. This is an attempt to make a "one-size fits all" approach for the whole country. Regulations like this would be good for altering rivers but the way it is written it also impacts groundwater. The Conservancy District asked for our support for their protest letter. They will send our resolution along with

others to the EPA as a comment from our area with our concerns. Mayor Chesnut asked for a motion. **Council Member Harris made a motion to approve Resolution No. 2016-08-03, a resolution in support of Central Iron County Water Conservancy District letter of response to "protecting aquatic life from effects of hydrologic alteration, docket ID No." EPA-HQ-2015-0335". Motion was seconded by Council Member Johnson and a roll call vote was held as follows:**

Council Member Harris-Yes	**Council Member Stoor-Yes**
Council Member Johnson-Yes	**Council Member Owens-Yes**
Council Member Lee-Yes	**Motion passed unanimously**

3. ORDINANCE NO. 2016-08-03 AN ORDINANCE GRANTING APPROVAL OF THE PLAT VACATION OF LOT 69 OUT OF SADDLEBACK VIEW SUBDIVISION AND THE PLAT AMENDMENT PLACING LOT 69 INTO NICHOLS LANDING SUBDIVISION AS PART OF LOT 48

Brent Carter of New Horizon Engineering came forward to represent the property owner saying there is one owner of this land and they would like to vacate lot 69 out of Saddleback View Subdivision and add it to lot 48 in Nichols Landing Subdivision. They want to be able to have the two lots as one large lot. Council Member Harris said the Planning Commission looked at this and held a public hearing to which there was no comment from the public. Mayor Chesnut said we recently changed the Zoning Ordinance regarding fences to allow for this type of situation regarding backyard fencing. Mayor Chesnut thanked Brent and asked for a motion. **Council Member Harris made a motion to approve Ordinance No. 2016-08-03, an ordinance granting approval of the plat vacation of lot 69 out of Saddleback View Subdivision and the plat amendment placing lot 69 into Nichols Landing Subdivision as part of lot 48. Motion was seconded by Council Member Owens and a roll call vote was held as follows:**

Council Member Harris-Yes	**Council Member Stoor-Yes**
Council Member Johnson-Yes	**Council Member Owens-Yes**
Council Member Lee-Yes	**Motion passed unanimously**

4. DISCUSS AND TAKE ACTION ON OUTDOOR RECREATION GRANT

Council Member Lee said she originated this item. She said she is working with a group of citizens to develop a trail system for the City. She and City Manager Dotson did a webinar from the ULCT and there is a grant available for outdoor recreation which covers trail development and how to apply for it. She asked City Manager Dotson to explain the financial details. City Manager Dotson said there are different levels of this grant from under $20,000 and up. This is a matching grant and we have to expend the same amount we are asking for. It has to be based on a plan and how it will impact the community in a positive way. You can apply for one or more grants. This trails committee Council Member Lee put together has created a vision to connect the community through trails, points of interest on the trail, physical fitness and outdoor recreation. There was more discussion of the possibilities with emphasis on tying historical areas such as Johnson Fort, Iron Works and the Old Spanish Trail into the trail system and adding logoed historical markers at the sites. There will also be an information kiosk, benches and stationary exercise equipment all themed with an Enoch logo to develop a community identity. City Manager Dotson added the trail system is an element in our General Plan. Council Member Lee said the grant is due August 11th so they don't have all of the details worked out at this time but would like to apply. The whole price tag is $35,000 and the City will give half for a match. Some of the half can be "in kind" with volunteer/staff labor.

Council Member Johnson said some are committed to smaller government saying those who use it should pay for it. Council Member Harris liked connecting the historical sites into the

trail and expressed confidence in Council Member Lee's ability to get things done. Council Member Owens said he would be fine to apply if they don't need the whole fully developed plan at application time. Council Member Lee assured the City Council that the committee will continue to work to develop the plan fully. Mayor Chesnut suggested that people have contributed cash for a specific purpose before and donations may need to come into play at some point due to our budgetary constraints. Council Member Johnson asked about the strings attached. Council Member Lee said it has to be completed within a 24 months and that is the only string. Council Member Johnson said it is being pitched as a fitness opportunity and people pay to go to a gym so maybe it could be funded that way. Mayor Chesnut said the City needs to lead by being out in front and then the donation part could get started. There was more discussion of some of the things that could be implemented into the trail system.

Mayor Chesnut asked what Council Member Lee needs from the Council tonight. She said she wants their permission to apply for this grant and they have to commit to our match. Dan said it is not budgeted at this time and it would have to be in the budget to sign for the grant if approved. Council Member Harris asked Dan if we could open the budget and put some donations into the budget. Dan said we had allocated $83,000 for park development. That grant did not happen so there is money but it is tied to the revenue line. He briefly discussed what could be done to make it work out in the budget. Council Member Harris said if other revenue sources come about then the City does not have to give cash for the match however we have to have it in our budget to apply for the grant. Dan said all of the money would have to go through the City. Mayor Chesnut asked for a motion to instruct the administration to assist the trails group in applying for this grant. Council Member Harris said he likes it and wished it were more developed however Council Member Lee has a well-deserved reputation for getting things done and she will see it through. If it were anyone else he would want more planned details.

Council Member Harris made a motion to direct City staff to write, submit and apply for the grant. Council Member Owens seconded the motion and all voted in favor except Council Member Johnson who voted no.

5. PUBLIC COMMENTS-

Dilworth Armstrong said he is thrilled with the way the Council is working with the Conservancy District on this EPA comment. If it were to go through it would affect Enoch in a negative way and he supports their decision to comment against this.

6. COUNCIL/STAFF REPORT

Dan Jessen updated the Council saying XpressBillpay has a new app for Apple users to enhance their bill paying experience and we sent out a flyer about that with the newsletter. He said we have a very good working relationship with XpressBillpay.

City Manager Dotson reported the new animal shelter building will be started sometime this year. They went to LaVerkin to see their new shelter and got some information that there is a grant for up to $4000 for design work from a private company. He would like to apply for the grant and he is ready to do that asking the City Council if that would be ok. We already have the money set aside. He said tomorrow is POST graduation for our two new officers. They passed and did well. He invited anyone to go with Chief Ames to Salt Lake for that. He met with the Iron County Rural Transportation Advisory Committee today and talked about the north belt route adding it will affect Enoch. Next year UDOT has the money to widen Minersville Hwy. from Midvalley south and he gave details. It will go to five lanes with a turn lane in the middle.

Julie Watson reported on the next agenda.

Mayor Chesnut said we will need an executive session for the purpose of strategy discussions and also reasonably imminent litigation. He said he got a letter from a concerned citizens of Garden Park today and has not had a chance to dig into it but will look at it and see if there is any action

the City should take in regard to this letter. Council Member Lee asked if he was concerned it was not signed. He said he is not a fan of anonymity when concerns are being raised. You should come forward to state your case when you are asking the government for action. Nothing may come of this as it may not be our purview.

Council Member Johnson said he has a minor concern with the City website. He went on and tried to find the Code of Revised Ordinances and he had to join something to download the City ordinance. Also the code was not searchable. City Manager Dotson said he would try to fix that.

Council Member Stoor said the Tree Committee wants to be on the agenda for next time. Also he would like to look at impact fees and how best to use those for parks, streets and other things and to have a discussion to better the City using those funds. City Manager Dotson said they can read the CFP which outlines where impact fees are to be spent. Council Member Stoor said we should look at the money we have committed to see where we can take action. The motion was seconded by Council Member Harris for the agenda item. Council Member Stoor reported the Tree Committee is formulating a plan for Cottonwood Park and they will present the plan at the next meeting and ask for City resources for that.

Council Member Harris said the Planning Commission has been working on two big projects regarding commercial zone changes and changes to the CUP process that will be coming to the City Council soon.

Council Member Lee thanked the City Council for being responsible people on her request. It is good for us to work as a group and have patience when we are public servants. This group hopes to have public input on the trails so they can consider the wishes of the public.

Council Member Owens said the EDC is working on Iron Days and he talked with them today.

7. CLOSED EXECUTIVE SESSION REQUESTED-(Requires a roll call vote w 2/3 majority)

Council Member Harris made a motion to close the regular meeting and go into Executive Session to discuss pending litigation and real property negotiations. Motion was seconded by Council Member Owens and a roll call vote was held as follows:

Council Member Harris-Yes	**Council Member Stoor-Yes**
Council Member Johnson-Yes	**Council Member Owens-Yes**
Council Member Lee-Yes	**Motion passed unanimously**

The regular meeting adjourned at 7:15 pm.

8. ACTION FROM EXECUTIVE SESSION-

The City Council returned from Executive Session at 8:25pm and Mayor Chesnut recalled the meeting to order.

Council Member Harris made a motion to instruct staff to approach the person on the escrow situation they discussed. Motion was seconded by Council Member Owens and all voted in favor.

Council Member Harris made a motion to instruct staff to approach the bank about the property. Motion was seconded by Council Member Owens and all voted in favor.

Council Member Harris made a motion to instruct staff to do nothing regarding the notice of claim served to the City. Motion was seconded by Council Member Owens and all voted in favor.

9. ADJOURN-Motion to adjourn by Council Member Harris. Motion was seconded by Council Member Owens and all voted in favor. The meeting ended at 8:30pm.

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Julie Watson, Recorder Date