

MINUTES
ENOCH CITY PLANNING COMMISSION
July 9, 2019 at 5:30pm
City Council Chambers
City Offices, 900 E. Midvalley Road

MEMBERS PRESENT:

Commissioner Paul Hardy
Commissioner Greg Peterson
Commissioner Andrew Meacham
Commissioner Debra Ley
Commissioner Bob Tingey-absent

STAFF PRESENT:

Rob Dotson, City Manager
Katherine Ross, CC Member-absent
Julie Watson, City Recorder

PUBLIC PRESENT: none

1. **CALL TO ORDER OF REGULAR MEETING**-By Chairman ProTem Hardy at 5:30 pm. He excused Chairman Tingey.
 - a. **Pledge of Allegiance** –Led by Julie Watson
 - b. **Invocation** –Audience invited to participate. Given by City Manager Dotson
 - c. **Inspirational thought**-Given by Commissioner Peterson
 - c. **Approval of agenda for July 9, 2019-Commissioner Ley made a motion to approve the agenda. Motion was seconded Commissioner Peterson and all voted in favor.**
 - d. **Approval of minutes for June 25, 2019-Commissioner Meacham made a motion to approve the minutes. Motion was seconded by Commissioner Peterson and all voted in favor.**
 - e. **Conflict of Interest Declaration**-none stated

2. **DISCUSSION AND CLARIFICATION OF CHANGES TO SUBDIVISION ORDINANCE FROM LAST MEETING**

Chairman ProTem Hardy asked if anyone sees anything that needs to be discussed. Commissioner Peterson said it appears the changes discussed were made to the document. City Manager Dotson said on Step 8 pages 11 and 15; we require a bond or performance guarantee and collect 1% of improvement costs. This 1% is to do the inspections on the project. In the past if a developer put a two year warranty on the roads and infrastructure we allowed them not to bond. The bond is to finish if they don't do it. The 1% fee covers our engineer doing inspections. It has been suggested that if the developer hires a third party inspector they may be able to do the inspections for less than the 1% we charge. He suggested we offer that option of not charging the 1% and letting the developer hire an engineer. The additional wording could read "unless the developer hires an third party inspector engineer certified and licensed to complete the required inspections".

There was more discussion of the possibility of collusion or conflict of interest between the engineer and the developer. Commissioner Ley and Chairman Pro Tem Hardy were concerned about that possibility. It was noted by City Manager Dotson that the engineer hired would have to have no conflicts of interest with the City or the developer. The 1% option is that our City Engineer does the inspections and we pay him with the 1% fee. With this change the developer pays the engineer he hires and does not have to pay the City the 1% fee. Everyone in this area works together and knows each other. Commissioner Meacham said when an engineer puts his signature on a document he is putting his license and reputation on the line so unethical behavior is unlikely. The reason this came up is a developer noted he could hire the inspections

out for half the price. City Manager Dotson said he wanted to put this on the table as a suggestion the Planning Commission could decide on. Chairman ProTem Hardy said most developers want it done legitimately. There was more discussion of hiring a third party by the developer and that engineer has liability insurance for errors and omissions. City Manager Dotson sees two ways of doing this and we just do it one way in the ordinance as written now. There are checks and balances Commissioner Peterson said. City Manager Dotson said he has not talked to our City Attorney yet about this but will do that.

City Manager Dotson had one other possible change to discuss based on a discussion with a developer who wanted to build on a hillside area and had issues with being required to install curb, gutter and sidewalks. He was going to design the drainage in another way with ditches and rocks that would also work well and wanted that option. On Page 29 the road standards are a minimum of 50 feet and include curb, gutter and sidewalk as a requirement. Would the Planning Commission consider waiving curb, gutter and sidewalks on a case-by-case basis City Manager Dotson said Earl Gibson said on hills you want curb, gutter and sidewalk to stop erosion. City Manager Dotson he is bringing it up to the Planning Commission because we did not have this developer coming with this idea when we started working on these changes. Chairman ProTem Hardy asked how we would accommodate that. City Manager Dotson said you could add a case-by-case basis although he has not talked with our City Engineer or looked anywhere else to see what other cities do. Erosion can impact us. Curb, gutter and sidewalk can be a maintenance headache. He noted he does not know how to write this in now. Curb and gutter is a better way to move water past property unless you are in a really flat area. Then the borrow ditch is great in flat areas. There are pros and cons to both. Commissioner Ley said perhaps one way to accommodate this would be with larger lots and how many homes would be there. That is the difference with lot size where ditches instead of curb and gutter could work. City Manager Dotson said that is more esthetics. We are talking about moving water to control it better. City Manager Dotson said he wants that to be more efficient. Commissioner Ley agreed water has to be controlled but there are different ways to do that. Commissioner Meacham said he sees Earl's point on maintenance. There is no question, curb, gutter and sidewalks controls erosion better even in a hilly area. Construction costs go up for that however. Commissioner Leys asked if the exception to curb and gutter could come with larger lots like in the R-R-1, R-R-2 and R-R-5 zones.

City Manager Dotson said he is asking, do they want to make changes to any of this as discussed. He said he wrote language regarding the 1% that can be waived when a developer hires a third party inspector. We would get all the reports. The Planning Commission agreed it makes sense and allows more freedom for the developer. The engineer will do the inspections to our standards as required. Our engineer would not be in on it but he signs off on the final plat and that has to pass his standards. The Planning Commission said they liked City Manager Dotson's wording. They were not sure on curb, gutter and sidewalk being waived for situations with hilly terrain. City Manager Dotson will consult with our attorney on this and talk to our City Engineer on the curb and gutter issue. Commissioner Ley said she visualizes larger lots for waiving curb and gutter. It was noted there could be issues if water runs into a collector street. Commissioner Meacham said it is hard to have two design standards. City Manager Dotson said he just wanted to present these options and has no opinion. Chairman ProTem Hardy talked about the Enoch 80 subdivision from years ago and there were a lot of problems with the slope of the hilly land. It would have caused issues. Chairman ProTem Hardy asked for other comments. Chairman ProTem Hardy said on page 5; use the wording "less than 5 lots" instead of saying "4 lots" to be the same as page 9. Make them the same for consistency. Changes will include the change to page 5 and the 1% inspection waiver for a developer hiring his own engineer for inspections.

3. PUBLIC HEARING ON REVISIONS TO ENOCH CITY SUBDIVISION ORDINANCE

Commissioner Peterson made motion to close the regular meeting and go to the public hearing on the Subdivision Ordinance changes. The motion was seconded by Commissioner Ley and all voted in favor.

There were no comments. No public was present.

Commissioner Peterson made a motion to close the public hearing and return to the regular meeting. The motion was seconded by Commissioner Ley and all voted in favor.

4. DISCUSS AND MAKE RECOMMENDATION TO THE CITY COUNCIL ON CHANGES TO THE ENOCH CITY SUBDIVISION ORDINANCE

Chairman ProTem Hardy made a motion to send a favorable recommendation to the City Council with the changes as discussed and outlined. The motion was seconded by Commissioner Meacham and all voted in favor.

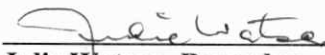
5. PUBLIC COMMENTS-None- No public in attendance

6. COMMISSION/STAFF REPORTS

City Manager Dotson said the Animal Shelter Grand Opening on the 17th at 8:00 pm after City Council meeting. He will send out invitations. He noted Commissioner Meacham was part of the gas company running the line to the shelter as a donation. There are 19 kennels. He updated the Planning Commission on roads in Enoch. The SR-130 plan will be discussed in City Council meeting again. The options are for a light or a roundabout. Sam Grimshaw will be presenting and the Planning Commission is invited. The City Council will choose an option. We have it in our budget to buy two flashing signs and UDOT came back and said they will buy the signs and we will install them. There was more discussion of signs and their usefulness or not. The idea is to plan roads correctly in the future. Commissioner Meacham said if money is budgeted for flashing stop signs we should put them on Midvalley Road and Enoch Road. That stop sign is chronically run and is a bad area too. Coming from east to west they blow the sign all the time Commissioner Peterson said. City Manager Dotson said the Iron County Commission approved the belt route at 6400 North. We will send a recommendation to the City Council to change General Plan road map to reflect that decision. 6400 North runs by the dog park and the shelter. That will be on the next agenda. City Manager Dotson thanked everyone for not watering while we were in crisis. He told about emergency alerts where you can get messaged. Go to our website and click to sign up. He gave an update on the status of the wells and the various problems and fixes we have done. Commissioner Ley asked if we are looking for more water and City Manager Dotson said we are. Two wells we own could be upgraded. We would like to buy a better well we know of and are trying to do that. We are fine with storage in the tanks but always want to acquire more water.

Commissioner Ley announced Jeff Birmingham is running for Governor of Utah and will be in town at 8:00 pm Wednesday night at the Best Western Town and Country to speak. She invited all to come to hear him.

7. ADJOURN-Motion to adjourn by Commissioner Peterson. Motion seconded by Commissioner Meacham and all voted in favor. The meeting ended at 6:25pm.


Julie Watson, Recorder 7-23-19
Date