

**MINUTES
ENOCH CITY COUNCIL
November 18, 2020 at 6:00pm
City Council Chambers
City Offices, 900 E. Midvalley Road**

Members present:

Mayor Geoffrey Chesnut
Council Member David Harris
Council Member Jolene Lee
Council Member West Harris
Council Member Katherine Ross
Council Member Shawn Stoor-Zoom

Staff present:

Julie Watson, Recorder-Zoom
Ashley Horton, Treas.-Zoom
Justin Wayment, City Atty.
Hayden White, PW Dir.-Zoom
Robert Dotson, City Mgr.-Zoom
Jackson Ames, PD Chief-Zoom

Public present: Lisa Beck and Sam Grimshaw on Zoom, Daryl Brown, Watson Engineering on Zoom and Leonard Correa

1. **CALL TO ORDER OF REGULAR COUNCIL MEETING-**By Mayor Chesnut at 6:00 pm.
 - a. **Pledge of Allegiance-**Led by Council Member Ross
 - b. **Invocation-**Audience invited to participate-Given by Council Member Lee
 - c. **Inspirational thought-**not given
 - d. **Approval of Agenda for November 18, 2020-**Council Member David Harris made a motion to approve the agenda. Motion was seconded by Council Member Ross and all voted in favor.
 - e. **Approval of Minutes for November 4, 2020-**Council Member David Harris made a motion to approve the minutes. Motion was seconded by Council Member Lee and all voted in favor.
 - f. **Ratification of Expenditures-**none
 - g. **Conflict of Interest Declaration for this agenda-**none stated

2. **PUBLIC COMMENTS-**none

3. **RESOLUTION NO. 2020-11-18 A RESOLUTION GRANTING APPROVAL OF THE MINOR SUBDIVISION FOR TAPIA CONSTRUCTION, LLC-**The Council will consider the application for a minor subdivision for Tapia Const., LLC

City Manager Dotson said in attendance on Zoom is Daryl Brown of Watson Engineering representing the owner. Mr. Brown said this property is north of StorRight Storage Units on Hwy. 91. Council Member Ross said Parcel 2 is on a private road and is not an issue as far as roads and access go. City Manager Dotson said the new owners said this will be an expansion of StorRight Storage and they can access the property through their existing property. Council Member Ross said the Planning Commission sent this to the City Council with a favorable recommendation.

Council Member David Harris made a motion to approve Resolution No. 2020-11-18, a resolution granting approval of the Minor Subdivision for Tapia Construction, LLC. The motion was seconded by Council Member West Harris and a roll call was held as follows:

**Council Member David Harris-Yes
Council Member Ross-Yes
Council Member Lee-Yes**

**Council Member Stoor-Yes
Council Member West Harris-Yes
Motion passed unanimo**

4. OPEN 2020-2021 BUDGET, DISCUSS ADJUSTMENTS AND SET A PUBLIC HEARING FOR DECEMBER 2, 2020-The Council will consider adjustments to the current budget and set a public hearing.

Mayor Chesnut said will consider adjustments and he asked for a motion to open the budget.

Council Member David Harris made a motion to open the 2020-2021 budget. The motion was seconded by Council Member Ross and all voted in favor.

Ashley Horton, Treasurer, told about the proposed adjustments including using impact fees we have saved for the study on parks, streets and public safety. Those will need to be moved to the proper line items to do that. There are a few adjustments in streets and roads which are line item adjustments we have talked about previously. They are in the red so funds will be moved to balance them. There are a few small adjustments to cover overages in some line items and shortages in others. One is in dues and memberships for the Building Department and one is for the Everbridge system which is in the red due to cost increases for that service. If we adjust for \$50,000 in miscellaneous it will more than cover these adjustments. City Manager Dotson explained the \$50,000 adjustment was from an annexation agreement in 2004 where basically, a large land owner to the north of Enoch wanted to annex in. Because he was the major land owner he forced a county subdivision into the City. There were only a few residents and they fought it but they lost because the majority landowner has priority to annex even forcing others in. The landowner that wanted to annex agreed to put in water and sewer into that subdivision. The City did the work and he agreed to pay for it when he sold the land which he recently did. Due to that sale, the fee of \$50,000 reimbursement was paid to the City as agreed. The title company made sure we got what we had coming before the closing on the sale. The water is in for the Chamberlain Subdivision but sewer is not active due to no outfall line being available for that area. Council Member Lee asked about impact fees from parks and Ashley said there are less impact fees now but it is not zero. Ashley said there are some funds for other things planned in the parks. City Manager Dotson clarified we hired Sunrise Engineering to do the impact fees study but it has not started yet because we have the money for it but need to move it into the budget for that project to begin. The impact fees we collect now are based on a study that is 15 years old. This study will update the impact fees we actually need to be collecting to cover growth.

Mayor Chesnut asked about raises for employees. We did not give a COLA in January due to worry about the budget shortfall due to Covid. We also talked about a few positions having raises. Ashley showed it on the screen. We met and talked about some pay comparisons that we researched from surrounding cities and ours are below the average. These increases will bring some positions into a better range for the position. Ashley showed the increases we talked about on the screen. We talked about the COLA for all the employees and what that would do to the budget. Facts and figures were discussed as well as benefits. Ashley recapped the figures for all of it. This adjustment is to bring them closer to local averages for pay. Mayor Chesnut said we had this conversation three years ago. We need to be competitive in wages to keep staff. Others pay more and are always trying to recruit our employees. We knew we were way off on our pay for employees and we have had employees leave us that we hired and trained. We need to get competitive so we can keep people. We don't know long term what the budget impact is yet but it looks like we may need to do Truth in Taxation at some time in the future to keep our good officers in the PD and others. The PD officers especially are being offered a lot more money to move to other cities. They take more responsibility also. We do the best we can to absorb this in the budget before we talk about tax increases. The problem is we are in the middle of places that have larger populations and we are priced out of the market to keep people. We want to be

cautious about this but we need to get in front of it. He asked Ashley to figure out the impact of the potential proposals that we wanted to do before the next year's budget comes up. We have the money for the COLA this year and for some raises. Next year we may not have it. We have this one time money from good fiscal management. Mayor Chesnut said he has concerns. We want to be cautious. Expenditures are allocated and are needed to go on longer than one time money. We need to take it more seriously. Council Member David Harris said people get hired away and we need to keep our good people by being competitive with pay. Inefficiency is expensive too. We had a high turnover and had to continually train and that does not pan out for us fiscally. Mayor Chesnut said rather than unilaterally approve the raises, he wanted to bring it to the City Council and then in the next budget year we will go over it and plan for a way to do it better. He said he did not unilaterally commit to this. Same with COLA being a regular thing that needs to be done. Council Member Lee said it creates morale issues too when we are not competitive. Mayor Chesnut said with that tentative thought we will revisit it again. Even with the pandemic we came out fine on the budget. Mayor Chesnut said he wanted the City Council in on this before committing to do anything. We know people on staff are being offered more money to move and they are telling us about this. We have good people and want to keep them. Council Member Stoor agreed we should be competitive and we have talked about that before but we need to discuss this so it does not keep coming up every year. It should be built in to our budget and we should talk about it being permanent starting in 2021. Ashley asked for questions. Do we want to talk in City Council meeting or do it separately in budget talks later? Mayor Chesnut said let the City Council discuss it and if there is consensus, then we will start this for the next budget cycle. Mayor Chesnut said we need a motion to set a public hearing.

Council Member David Harris made a motion to set a public hearing for 12-2-20 on the 2020-2021 budget. Motion was seconded by Council Member West Harris and all voted in favor.

5. UDOT ENGINEER'S UPDATE OF SR-130 PROJECT-UDOT engineer will update the Council on the project.

Lisa Beck was on Zoom with Sam Grimshaw to talk about the program. Sam said Sunroc was hired and they have a great project manager. Sunroc wants to start work the first part of March or April. The deceleration lanes will come first and then to the roundabout. After the asphalt is done it will take six weeks to finish things up. Lisa asked about the mood of residents and what we are hearing on the street. Council Member David Harris said people are warming up to the idea. At first they thought it was crazy. First time "hearers" are skeptical but more and more they like the idea. Council Member Lee said people are anxious because we just had another fatal accident there. Council Member Lee said she is over the roundabout committee and their ideas are super and very exciting to make this really nice. She gave some details of their ideas. Sam added they have certified and cleared all rights-of-way for the roundabout and they have it all done. There are no impediments to moving forward. They have heard concerns about where trucks will go while this is built and that is a challenge. It will be built in quarters and there will be signs and barrels. It will be in sections. It will be a hassle for a while. Mayor Chesnut said we are excited about it and it is good on the comments. People want it to be done. Lisa said they will come every month so if they have questions or comments she asked that City Manager Dotson call them and they will update. They maintain the website for the public to see and she went on about what they can view. Questions can be filtered through City Manager Dotson from the City Council. That will speed it up so the same question is not asked 500 times. There was discussion of the earlier part of the project on the north interchange. There were some delays and hassles but it is wonderful now. Sam said they did a great job and they put a lot of money in stabilizing the embankment under the bridge. Mayor Chesnut thanked them for the update.

**6. DISCUSS CHAPTER 22. RECREATIONAL VEHICLE PARK RVP-City Mgr.
Dotson will discuss issues with RV's for the Council to consider action.**

Mayor Chesnut asked City Manager Dotson about this. City Manager Dotson said some years ago we had a resident come in that wanted a family member to live in an RV outside their house for a brief time while they had financial troubles. According to our code we said "no". We allow only one housing unit per lot in R-1-18. We are going through the process of updating the Code to match the SMOT list and get rid of things that don't make sense. We have never dealt with the RV Park. We are currently talking to a developer who wants to make an RV park in Enoch. City Manager Dotson said he found something in the chapter that says RV's are not allowed to be occupied as living quarters. This interesting dynamic has come up a lot more where people are living in travel trailers or RV's outside of a home. Council Member Lee said she knows of eight (8) in her neighborhood. People are living in the trailers on someone else's lot. One huge issue is they can't dump into the City sewer according to the EPA and the Cedar Wastewater facility. Also in code it allows an individual to hook up to water for not more than 60 days. We definitely have conflicting issues. We need to know as staff and as the enforcement arm, does the City Council want us to enforce this now or review it and make allowances of some kind for those who are doing this now. Some may be doing this because of finances. We need to know how the City Council feels about this.

Council Member Lee said her feelings about this is that it created a problem and the people who came in for permission tried to do it right and they were told no. She thought we were right and since then she has gotten frustrated because there are so many who are actually doing this and never asked permission. If we have a code we should enforce it. However now she sees it differently and that there may be extenuating circumstances. If people need this accommodation due to hardship before we say no maybe we should talk to them and ask why they are doing this. We could allow it to a certain degree like behind the home but not in the front yard. She said she is frustrated with this. We should be consistent about it for fairness and to keep in line with our Code. Mayor Chesnut said she is proposing we find out what the problem is and if the current code does not fit the real need maybe we change it. We should at least find out what the point of view is from those in this situation. There seems to be a need and we should listen. We don't want them to feel like they are breaking the law or sneaking around.

There was more discussion of situations we are aware of. There is also the situation where people come to visit residents and stay in their RV's while visiting. It was noted there are a lot of RV's parked by homes where they are stored when not in use. Anyone visiting for any length of time would have to dump at the Maverik. We need to ask does this negatively affect others. Who cares if someone's living in an RV on someone's property as long as they are not parked on the street? Why should we not allow it? It was noted R-1-18 and other residential zones means one residence per lot is allowed, guest houses being the exception now. Council Member Lee said we should not be afraid to ask the people. If the RV is blocking the view that is different than if it is in the backyard. Those are good points, Council Member Stoor said. He said he has parked his RV on the street for long of periods of time. If they are on the side yard and out of the way that is not a problem. Mayor Chesnut said it sounds like it shows again we take some things more seriously than others. Maybe we should approach it in a more nuanced way due to family circumstances rather than just yes or no. Council Member Lee said the PD would be enforcing this if we decide to go that way. She would like to see them given tickets or warnings in her neighborhood. The sewer is an issue. Many will not pull up and go to Maverik to dump but will put it in the sewer. Sometimes it is ignorance and sometimes it is deliberate. You can't dump into the sewer directly and that is very serious and hard to enforce. There is a reason for not dumping into the sewer. It can cause serious problems with clogging the sewer system. Council Member David Harris said if someone is living there and you tell them they have to dump at Maverik it could be a problem. People do not realize it is illegal unless you tell them. We should

allow for putting in more RV parks for people to live in with affordable rates to park there. He is not without compassion for those with financial problems. Council Member Lee said what if they are living there in an RV but using the facilities in the home. How would we even verify that? We are talking about people staying more than three months in an RV by someone's house. It is not like someone's relatives staying a few nights. Mayor Chesnut said sometimes people lose their homes in a bankruptcy and all they have is an RV. Most of them, in his experience, are in an RV park. We can discuss this and see why this is becoming such a problem here. We need to find an alternative. Or perhaps we could find someone who we could incentivize into creating a park for this need. Is it fair to the rest of the citizens not doing this? We still have issues with dumping, Council Member David Harris said. Council Member Lee said many don't know this is against the law. It should be fair for all. Mayor Chesnut said that is a good recommendation. Best case is we need clarification for people by giving written notice to those we see doing this. Are the laws necessary and if unnecessary, let's get rid of them. Council Member Stoor said he noticed RVs on the sides of homes. If it is allowed to park them there what is the negative impact if someone is staying in there or not. How does that negatively impact someone else? Council Member Lee said in being consistent, people may be using their RV's for storage. Do they have to be in front yard? Maybe put them in back like the cargo storage units.

Mayor Chesnut suggested maybe it would be good to get a working group for this? Council Member Lee said she is not being contrary but wants to be consistent and have something enforceable. Council Member Stoor said as he drives around there are a lot of RV's in the neighborhoods. Most are just parked there by the owners. Based on how some have come down on this maybe we could put together a premise of what we want to do and have some public input in a public hearing on what we are trying to do. Mayor Chesnut asked if the City Council wants to explore this. City Manager Dotson said we have only dealt with that one request years ago. The main issue is the sewer. We have an agreement with Cedar City for our sewer treatment plant use. We are very heavily regulated by the EPA. We have noticed some are dumping into the sewer and we are letting them know it is illegal and it is against the law to put it into the sewer. They are dumping into the home clean out unit. Council Member Lee referred to the guest house and that all utilities go through the main house. We cared about that but not RV's. Council Member Lee and Council Member Stoor said they would work with others who have more information that could help on this issue and bring it back to the City Council. The City Council agreed. If we need to change it then it goes to the Planning Commission and we need to give them direction from this study. Council Member Stoor asked why now on this. Council Member Lee said she has brought it up before. Mayor Chesnut said this is really showing up in greater numbers and law enforcement has some concerns with enforcement and we want to clarify this for them. City Manager Dotson will work with Council Member Stoor and Council Member Lee. No other action was taken.

7. DISCUSS CAPITAL IMPROVEMENTS LISTS FOR 2021 & 2022-2025 AND SET A PUBLIC HEARING FOR DECEMBER 2, 2020-The lists will be discussed, updated, prioritized and a public hearing set.

Mayor Chesnut asked City Manager Dotson to bring them up to speed. City Manager Dotson said every year we talk about this and we update it with projects and prioritize the projects. This is mostly for CDBG and CIB funding. This year is different because CDBG wants a separate list although it can be the same list but has to be approved separately. The capital improvements are the same. They went through the lists and it was noted they need to set a public hearing and have it done for both. This is required by January 2021. City Manager Dotson said he put together a list for a one-year strategy then two to five year strategy. This does not mean we will apply for this money. We discussed most of this last year and things don't change much. Security fencing for the water tanks has been on list for years. The two to five year list strategy

has the big NRCS things. The new public safety building is part of the impact fee study being done. We are working closely with Cedar City and the Conservancy District to use wastewater from the sewer treatment plant for farmers that will also recharge the aquifer. He went through the lists. There was discussion of the costs and some errors were uncovered and changed on the lists. City Manager Dotson said he will redo the math and fix the lists.

Council Member David Harris made motion to set a public hearing for 12-2-20 on the Capital Improvement lists. The motion was seconded by Council Member West Harris and all voted in favor.

8. COUNCIL/STAFF REPORT

Hayden White said the crew is working on extending on the secondary lines. They are replacing the storm drain on Veteran's Memorial and 5020 N. They are doing lots of meter replacements. He is doing cross-training on garbage truck drivers. They are doing other trainings too. We got Bulloch Dirt Works to clear the water lines and not hit the other utility lines to get the water lines to the school and church.

Chief Ames said they have a few events with the Christmas season. The Festival of Trees that we are part of is a good fund raiser for toys for the children. Shop with a Cop will be a little different due to Covid. They are reaching out to the family and getting lists of items needed. First Responders will go to Walmart and buy the items and deliver them to the families. Devin Mackleprang is officially gone with military service in the National Guard so we are down a full time officer. We will hold his position. They are advertising to put together a roster for hiring part time or maybe even full time officers. That way we have a list to call from when we need to hire. That is the intent. Chief Ames said we have PT officers and that helps us to cover shifts and give our guys some time off so they are not always on call. We could use more help. Dustin Roy used to work for us and he is on PT now. There is a definite impact and we are adjusting our schedule. Regarding finances there are rumor mills online saying that because of pay and other things we may lose an officer.

City Manager Dotson said our legal counsel said the ordinance establishing a water service area required maps which he created for that draft. Last week he and Hayden went to Santaquin with others from the County Commission and Cedar City staff to tour their wastewater treatment facility that reuses 100% of the water that goes into the plant for outdoor irrigation. They talked about all kinds of things so we can try to do that in the future. We will get a plan and put it into pivots in Enoch for crops that will put millions of gallons a day of irrigation water into the aquifer and farmers can shut off pumps. The Cares Act grant for businesses is done. He got documents from the County auditor. A resident asked about an ordinance where we require the width of a building to be not less than 20 feet. When we permitted cargo storage units to be converted to livable spaces we did not consider they are less than 20 feet wide. The 20 foot minimum width does not let the cargo storage units qualify to be converted for use as office or living space. We will need to look at changing that for accessory dwellings only. It will need to go to the Planning Commission to look at that. Also when someone comes in to pay for a water connection we require they pay the impact fee. We have one new property owner who wants to water trees without having to pay the impact fee first. We may have to look into that request. They may never pay that fee and may never build.

Mayor Chesnut said they talked about a Christmas party and we are not sure how we could do that with social distancing and masks. City Manager Dotson proposed that we have an office staff party for just the employees and Mayor Chesnut said he likes that idea. The employees have had a little extra hardship and it would be nice to give a little more Christmas bonus to them and he wanted to let the City Council know he will authorize that for our staff. We have great staff and Enoch giving a bonus when it is unexpected will be a nice thing to thank them. Mayor Chesnut said he has not been in on the wastewater but he talks to City Manager Dotson about it and is glad

**ENOCH CITY ECONOMIC DEVELOPMENT COMMITTEE
NOTICE AND AGENDA
December 3, 2020 at 6:30pm**

Meeting Online
<https://us02web.zoom.us/j/87939870545>

- 1. CALL TO ORDER OF REGULAR COUNCIL MEETING**
 - a. Pledge of Allegiance
 - b. Invocation
 - c. Approval of Agenda
 - d. Approval of Minutes
 - e. Conflict of Interest Declaration for this Agenda
- 2. CARES ACT BUSINESS SUPPORT RECAP**
- 3. BUSINESS UPDATE & 2020 IN REVIEW**
- 4. RECREATION**
- 5. CITY COUNCIL REPRESENTATIVE REPORT**
- 6. STAFF REPORT.**
- 7. PUBLIC COMMENTS**
- 8. ADJOURN**

In compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for these meetings should call the City Offices at 586-1119, giving at least 48 hours advance notice.

CERTIFICATE OF DELIVERY

I certify that a copy of the forgoing "Notice and Agenda" was delivered to each member of the Committee, posted on the Enoch City website, on the City Office door and published on the Utah Public Meeting Notice website on **12-2-20**.



Julie Watson, Recorder

Date

to be in on this project working with others. He said we do need a closed meeting for purchase of real property.

Council Member Ross reported December 19th will be a socially distanced “Wreaths Across America” placement of wreaths on our veteran’s graves. She said the Planning Commission is working on PUDs and going in circles.

Council Member West Harris went over the fire station visit report last time. Mayor Chesnut thanked him for that work on this huge important project.

Council Member David Harris said Water Board was canceled. They finished the Cares Act business program and he does not have final numbers yet. There were a couple that applied and some were not granted due to not being able to show losses. Most were helped and did show their losses. They justified the money they gave out. That tiny storm caused a lot of wrecks due to going too fast. Hayden said they did not get out in time but will do better next time. It was a mess on Hwy. 91 and the road structure with ruts makes it almost impossible for snow plows and you can’t plow it when it gets packed. He arranged a meeting to try to work that issue out and met with several people to see what can be done to enhance that road. It would take funding through UDOT and it has to go on a list and it takes time with all the lists. The Rural Transportation Master Plan has potential funding and he got in touch and it is at 50% capacity so that means resurfacing and not widening. We started the conversation and he thinks they are onboard with helping us.

Council Member Lee supports the Christmas bonus for staff. They had a SMOT meeting and are finishing that up and it will come to the Council soon. The roundabout meetings are ongoing and there are good things coming.

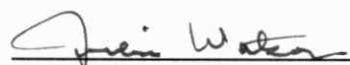
Council Member Stoor said on the road discussion, he has concerns about cyclists because the road is not wide enough. How do we get a bike lane? Someone is going to get hit.

9. **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. (Requires a roll call vote with 2/3 majority)**

Council Member David Harris made a motion to close the regular meeting and go into a closed meeting for the purpose of discussing the purchase, exchange or lease of real property, including any form of water rights or water shares. The motion was seconded by Council Member Lee and roll call vote was held as follows:

Council Member David Harris-Yes	Council Member Stoor-Yes
Council Member Ross-Yes	Council Member West Harris-Yes
Council Member Lee-Yes	Motion passed unanimously

10. **ACTION FROM CLOSED MEETING-**Administrative staff will proceed as instructed.
11. **ADJOURN-**The regular meeting ended at 8:02 pm.

	12-2-20
Julie Watson, Recorder	Date