

MINUTES
ENOCH CITY COUNCIL
October 6, 2021 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

Staff present:

Julie Watson, Recorder-Zoom
Ashley Horton, Treas.
J. Wayment, City Atty.
Hayden White, PW Dir.-absent
Robert Dotson, City Mgr.
Jackson Ames, PD Chief
Lindsay Hildebrand-Dep. Rec.

Public Present: Susan & John Christopher, Ben & Marilyn Ross, Ben Howe, Richard Jensen, Lester Ross, Mike Platt, Peter Stead, Robert Bromley, Jen Johnson, Debra Ley, Lisa & Jared Baker, John & Lisa Brown, Alan & Valerie Wade, Phil Emerson on Zoom

1. CALL TO ORDER OF REGULAR COUNCIL MEETING-By Mayor Chesnut at 6:00 pm.

- a. Pledge of Allegiance-**Led by Commissioner Correa
- b. Invocation-**Audience invited to participate-Given by Commissioner Meacham
- c. Inspirational thought-**Given by Mayor Chesnut
- d. Approval of Agenda for October 6, 2021-**Mayor Chesnut said we need to add the word Phase 4, Preliminary Plat to Item #10. **Council Member David Harris made a motion to approve the agenda. Motion was seconded by Council Member West Harris and all voted in favor.**
- e. Approval of Minutes for September 15, 2021-**Council Member David Harris made a motion to approve the minutes. **Motion was seconded Council Member Ross and all voted in favor.**
- f. Ratification of Expenditures-**Council Member West Harris asked Ashley Horton, Treasurer, a few questions about various expenditures. Explanations were given. **Council Member David Harris made a motion to approve the expenditures. Motion was seconded by Council Member Ross and all voted in favor.**
- g. Conflict of Interest Declaration for this agenda-**None stated except Council Member Ross who stated a conflict on item #5 as she lives by the requested zone change.

2. PUBLIC COMMENTS-Mayor Chesnut invited public comments.

Lester Ross said he is here for item #5, the zone change for the Mega RV Storage, he has a letter for the City Council and some pictures which he passed around. He said they have lived there for 13 years and were happy to be annexed into Enoch. They have concerns on the rezoning to Commercial. First is the lighting coming into their homes from the facility. He read from Enoch Code about different things including adequate buffering for adjacent use to protect others from commercial. He read the General Plan about suitability with the area. They are zoned R-1-18 now and the main concern has to do with lighting which is within 200 feet of his home and 60 feet of others homes. He questioned himself as to if he was being a bad neighbor for protesting this. To be sure he checked other properties in Parowan and what they look like at night and he took pictures of that at 191 feet of the lights. There was a great amount of light coming off of it and much of the light escaped the shielding. He cited another picture of the lighting. The lights almost

blind you on the freeway from that facility. He showed his front room and where it is compared to the RV storage. The light will come into their residence. They are by StorRight storage now and they get light so bright from that they can go out in a dark room and not turn on the lights because of what comes into their home from that business. That is in their backyard and this is in their front yard. He asks that the City Council look at their homes which were built many years ago. This is a community of family and friends. They built here for the community. If zoned commercial they will have the issues of increased hard surface for water to run off onto them. The natural shrubs will be removed and water will flow as well as the light pollution. They built here because it is a residential area. Hwy 91 is a great location for commercial use but this is a triangle shaped lot going right to their property and there are no deceleration lanes to allow for commercial development and traffic. Numerous accidents already happen at the top of their road and now trucks pulling RVs and the mitigation factors of this location would be detrimental to their home and lifestyle. He asked the Council to consider that and follow the Planning Commission recommendation to deny it.

Ray Ross said he wanted to talk about the pictures he took. ***Mayor Chesnut said they have seen them already. City Manager Dotson said he emailed the pictures earlier to the Council.*** Mr. Ross said they moved there 21 years ago and they were invited to come onto the farm by Ted Nelson. They built there as a community of friends and family and this bumps commercial development right up to the homes. When you look out there it used to be pitch black with the natural terrain which slopes and he explained about the water flow and what will happen if this is built 61 feet from his door. If the RV storage goes in the stalls will be 12-15- feet tall and roofs will not be at a straight line due to that slope so the lights will come into the homes. The increased light will destroy their night sky and peace at night. Maybe this can be engineered for the water flow and maybe they can't. When a big rain comes it slopes directly to his property and if they take out all the natural habitat and put in hard surface it will all come on him. Even a pond will not help. He told about the ditches and how they flood and it will flood the homes below them. His concern is the slope and the water and the light. In 20 years they planted over 50 trees and shrubs and beautified the place. They are greatly concerned that this will become an organized junkyard and it will affect their lifestyle and peace and quiet.

David Christopher said he lives by this also. He was on a police force many years ago and has had experience with storage units. When you have these places for storage there is trouble and it will happen here. If they break in and don't find what they want they will come to the homes to break in. The residents will be a target of crime and they are afraid about that. These things draw a criminal element to them to burglarize them. Then they come to the homes and he elaborated. He is concerned for those who are alone in their homes in that area. They have had that happen before when guns were stolen. You are opening us up to that also.

Lisa Brown of 4547 Half Mile Road said she wanted to be here about drainage/sewage saying her home was flooded to the tune of tens of thousands of dollars. She wanted to put a face to it asking the City Council to look for long term solutions to this problem. Something that is not a band aid. There has to be a successful solution to keep this from happening and also to have new growth. She pleads with them to please look for something even if it is a hard decision. She knows there are plans and things going on and she encourages the Council to get it done whatever it takes.

John Brown of 4547 Half Mile Road said on August 1st they got the call to go fill sandbags and he had done that in earlier storms also. Around 4:00 pm Half Mile was a river and on Homestead and Half Mile the manhole covers were bubbling up off the road and they just saw water going into them and not sewer. There was a wall of water three feet high in their backyard. All of the water came off the mountain. 10% of homes just got water and the others got sewer in them. He heard some people took the manhole covers off deliberately to let the water go in and that made it much worse. Midvalley Road has a lot of pipe under it. It is easy to say put a 50-inch pipe in there but he knows the cost is high. He suggests if they can do something to expand our sewage system

that would be all the better. They want to buy an excavator and start digging ditches and we already have a lot of that. The roads will freeze and it is hard to have a two-foot ditch on the side of the road when it is icy. He is not against it if that helps but do something to expand the sewage system if we are adding more homes to the system from growth. One last thing is if we could get big dikes on the freeway that would have saved them. He knows it will take a while to do this.

Lisa Baker said she has a lot of questions to be answered now or when they get to the item.

Mayor Chesnut said when we get there it is a big issue with a lot of things to consider. They are trying to get the facts out there and try to work through it together. She asked if we have a master drainage plan. ***The answer was yes we do.*** When it comes to the enterprise drainage fund, she feels because we charge people, the funding should be going to that drainage plan. If we charge to fix it, then fix it. We need to get into the drainage plan and do it. She said her next issue is in the winter of 2014-15 they tore her street up and put the pipe in and they lived in mud for 3-4 months. They asked the City to put inlets into the drainage pipe in Half Mile and Homestead and they said no because the pipe was at capacity. She found out that the detention pond on Half Mile Road drains into that pipe when they were told nothing could be added onto it or it voids the engineering. Why was it engineered that way for no inlets? ***Mayor Chesnut said none of the elected officials here now were here in that time period. City Manager Dotson said no other inlets could be put into the base because it would have caused additional flooding. Due to capacity with the extra inlets. They can be on one side but not the other side, City Manager Dotson said. Mayor Chesnut said he asked that same question yesterday in the rain. It was explained to him and we rely on engineers. At that point in the lowest elevation where it hits that box with all the water coming if there were inlets down Half Mile it would just come out in front of your house and that is why manhole covers boiled up on Half Mile. Cameron Greenhalgh got 1.98 inches of rain in one storm in 2012. On July 31st we had 2.5 inches. The day before the big event was bigger than the 2012 storm. In the event that did happen, we held it at bay. To a point that event was bigger. In an hour, we got 4 inches on 8-1-21. The agenda item is what can we do. The culvert question is the problem and not enough citizens feel the pain you do because many areas of town had no issues at all in the storms. When we put this on the agenda to hire two people to do culvert cleaning people have said do not do that because it won't work and is not worth the extra charge to the utility bill. He agrees we must do something and he is bringing up something more robust than two people and a truck cleaning culverts. It is horrible people don't care until it hurts them. 13% of the population was affected and that is huge but a lot never had a problem and they don't want to be charged. We need a fix as a community and those who were not affected matter also. He has been around and around and how to address this. When you moved here none of the development was there and it came in since. Water goes to the lowest spot in Enoch which is Half Mile Road. How do we deal with it?*** Lisa said we need to get the drainage plan done and not hire more employees. She said to consider the master plan. How do we inform residents and enforce manhole covers not being removed? That should be illegal. They should not have been pulled off. How do you educate and do something about that? ***Mayor Chesnut said how do you enforce something like that in the moment of flooding when it is happening? It would be only the word of any witnesses.*** Lisa said when you discuss that item think about this. In the Sept 1st minutes some said they are willing to pay for these upgrades but we are not willing to pay for things that don't work. One is a real plan that fixes it. Where does the water go and how do we get it where it moves without damaging property? We need to get the storm water to that place without infringing on private property and keep water out of the sewer manhole covers. They don't want band aids. If we spend money it has to work. Consider those who live here before developers. She begs they do this to consider those who already live here.

Jared Baker said this has been brought up and you heard it before. He wants good information because this happened before in 2012 in a bad storm and now again. A true study should be done

and where do the numbers come from. How much water came through and what can we handle before we have this happen again. Get real numbers. Anything will help but we want the most bang for the buck. Make improvements on little things too, but this is more than that. They want to know what is being planned with regard to retention basins and aquifer refill. He wants to see the numbers and capacity of the system. Three places are the worst. Please consider the residents before spending money. It is important to grow but we need to make improvements. If it truly benefits them they will be proud to live here. If it costs more, he is not against that but base it on good data. Hire professional grant writers maybe to get funding. Work with everyone. It all comes to the same three things. Every time a new subdivision is built things don't work as designed and we have to make corrections. As we move forward, we need to capture and control the water.

Marilyn Ross said about the zone change, they bought their lot 23 years ago and built a home. This is at their front door 60 feet away and they are the most affected. She asks them to consider them. They expected homes to come in but not this commercial business. They want to be away from city lights.

Ben Howe said he has met the owner of the Mega RV Storage and Bob Platt has been helpful to him as he is building right next to the property up for the zone change. He wants to be appreciative but prefers this not be rezoned commercial as this negatively impacts their life and building plans on family land.

Richard Jensen told about Meet the Candidates Night tomorrow at Enoch Elementary and he hopes all will be there to meet the candidates. He is also opposed to ineffective fees but good ones are okay.

Mayor Chesnut thanked them for the comments.

3. ADMINISTER OATH OF OFFICE TO NEW POLICE DEPARTMENT OFFICERS – City Recorder

Mayor Chesnut said when he started as Mayor, we had two officers and now have six full time officers. When we have openings, they want to come here to work and are certified by POST. They want to work here because the City Council supports them and they have excellent equipment and training that is second to none. The City Recorder administered the Oath of Office to three (3) new Police Officers, Travis Carter, Dustin Roy, and Eamonn Taylor. Applause and handshakes followed.

3.+ PRESENTATION ON UTAH DIAPER BANK-Jen Johnson

Mayor Chesnut said this did not get on the agenda but he wants to insert this item now. Jen Johnson passed out handouts. She said she started an extension satellite office of the Utah Food Bank but is a diaper bank. Diapers are very important to all parents and many low-income folks are unable to afford what they need. Lack of diapers is abuse and neglect. They do the best they can but don't have the resources to afford \$100 per month for the diapers and many have more than one in diapers. That is the reason she started the diaper bank. She explained how this affects low-income people. She gave stats of how they can't change diapers due to lack of them. Iron county has the second highest poverty rate in the state and Covid affected that also and will continue to do that. She wanted to bring awareness to this and they need support to make this work out to help folks. She gave more stats and reiterated they need help and to get it out to let people know this resource is available. She is doing this from her garage. She needs our support. A diaper drive is coming. She gave details of bridging the gap for people to get to the end of the month. She encouraged all to support the cause and to spread the word that this service is available here. She needs donations of cash or diapers. Money goes farther than goods. She works with low-income folks in other areas of her job and they struggle a lot. There was more discussion of who helps and that the goal is to be diaper oriented and not tied to other efforts. Her

contact number is 435-363-5807. She asked if the City could help spread the word in the newsletter and other ways.

4. RECOGNIZE AND THANK GREG PETERSON OF THE PLANNING COMMISSION, DEVIN MACKELPRANG AND ISAAC ASKEROTH OF THE POLICE DEPARTMENT FOR THEIR SERVICE AND APPOINT A NEW MEMBER TO THE WATER BOARD AND ECONOMIC DEVELOPMENT COMMITTEE

Mayor Chesnut said we want to recognize Greg Peterson of the Planning Commission and Devin Mackleprang and Isaac Askeroth for their service with the Enoch PD. None were in attendance so this will come back on another agenda. No appointments were made to the other boards.

5. ORDINANCE NO. 2021-10-6A AN ORDINANCE TO APPROVE THE MEGA RV STORAGE ZONE CHANGE, PARCEL A-0975-0001 & A-0656-0001 FROM A SINGLE FAMILY RESIDENTIAL (R-1-18) TO COMMUNITY COMMERCIAL (C-C) Platt & Platt

Phil Emerson is the owner of Mega RV Storage. He said that he heard quite a few public comments with regard to the development. This will not be that type of property. There was a comment that things will look like an organized junkyard. With respect, it will absolutely not look like a junkyard. He mentions Storright Self Storage. The best model if you want to get an idea of what it will look like. Is the Monster RV Storage in St. George, Utah. It's between the Bluff exit and the Southern Parkway. He said he is going to follow that model closely. They will make sure they comply with City Ordinances. One of the issues mentioned was traffic and if he were to develop that as residential there would be more traffic than if he kept it commercial. He said he doesn't have plans yet, but he got the impression that this would not be a big issue. He only plans to have one entrance and it will be on old Hwy 91. It won't affect the easement that Mr. Howe brought up. It will follow all of the laws regarding traffic, etc. With regard what it will look like, it will be at least 6 ft. tall with cinder block that will be very decorative or some other type of barrier that you cannot see through. For security reasons, he plans on having half inch wrought iron instead of razor wire at the top of the walls. It will be secured with cameras. If he were to develop this as R-1-18, there would be two entrances with at least one on Old Hwy 91. This is not like the mini storage facility. We would have a canopy and at least a row along the back which would be more private to home owners. There would be a 20x 50 enclosed building for motor coaches for people who want it enclosed. In addition to the dark sky ordinances, he understands from a homeowners perspective, he has seen issues and had to deal with noise and light pollution and assured everyone that they may be more concerned and aggressive than the dark sky ordinances require. The proper lighting can be put in place so that the lighting is directed downward. It looks like it is fairly open. Regarding the issue with drainage, they have civil engineers that they discussed this with. Those engineers are somewhat certain that the proper drainage could be put in place to alleviate any water where it might flood onto another's property. It's not a steep grade at all. He said he can't speak for the types of storms that Enoch has had this year. There is one point that he has run by Platt. This will not be a dirt lot, once you enter, the gate swings up and the entire property will be asphalt, striped and clean. There will not be any vehicles, boats, or RVs that won't be parked in a stall. That's what he envisions for the area. If possible, they will look into utilizing motion sensor perimeter lighting, so if there is no movement the lighting will go to a lower glow or even off. He then asked for any questions or comments. *Mayor Chesnut said that he understands that his representations are to resolve concerns. He wanted clarification when Phil Emerson said that he doesn't have any plans at all.*

Phil said the first thing he needs to do is get it zoned then he will draw plans and go to the Planning Commission. ***Mayor Chesnut said in your effort to address these concerns, there are no solid results. You are making this economically feasible, so should those concerns of neighbors give way to economic effects?***

Phil said that he will agree to all of the laws of the ordinances now. If he can go above and beyond, then they will. Yes, they want to be good neighbors, and he thought he had a good rapport. He said he didn't know how else to answer that. The best example that he can give is if you were to look at photographs from Monster RV Storage. That is what he plans on doing. That should alleviate a lot of concern. ***Council Member Lee asked if he personally owns the property.*** Phil said yes he does. ***Council Member Lee then asked when he acquired the property.***

Phil said he closed on first the first five acres in February and purchased the second five acres and closed in June.

City Attorney Wayment commented to the City Council. As you decide on zoning, consider the City standards and what's in the best interest of public policy. Things that are concerns can be considered. Spot zoning is not really effective here. He heard were comments about diminishing value, which hasn't been supported by the US Supreme Court. You will have to make that determination. Traffic congestion is a concern, surrounding compatibility or is it inconsistent? Then you would look at infrastructure compatibility. There is a potential impact on surrounding property, such as flooding and is it compatible with the future City plan? Light pollution, sound pollution can be taken into account as well. This is a legislative decision. You need to make a zone change on sound principles. Council Member D. Harris said essentially they need to decide if this is an appropriate place for Community Commercial. All of the problems brought up can potentially be mitigated. The way our zoning lays out, the ideal would be a buffer. The City should have buffers between major zones. Having a residential zone next to Community Commercial is a major shift. Looking at it, he said it would be more appropriate to be neighborhood commercial. The fact that it has predominantly residential zones around it makes him think that he would prefer to have a more compatible commercial zone. He feels like he would agree with the Planning Commission to leave it. Mayor Chesnut asked if there was discussion about this before buying the property. If not, why? Phil said, City Manager Dotson asked how the government can get out of your way. He said they City Government tries to accommodate and have community involvement, but they have to bend to the political will of residents. Mayor Chesnut said that he bought it after having a conversation with City Manager Dotson. The City Council will accommodate the best they can, but they have to bend to the political will. Why was that not a consideration prior to acquisition?

Phil said he thought both parcels were zoned commercial. He understood that everything on Old Hwy. 91 was commercial. He didn't realize until he purchased the second piece of property and got a call from escrow and it had something to do with title insurance. That is what prompted the meeting with City Manager Dotson. He assumed it was commercial. Council Member Stoor said everything along old Hwy. 91 by and large is zoned community commercial. It's just that small area. Council Member W. Harris said it's almost like the front half should be community commercial and the back half residential. Council Member Lee said that she feels like she can agree with both sides. She has personal experience. She lives in Garden Park and about 20 years ago it was commercial and at the time she wasn't paying much attention and the council voted to change it to Community Commercial. She felt like it was right in the middle of residential and it bothered her and she doesn't think it has been good for the neighborhood. She said at least it's too big of a jump right now because it's surrounded by residential. It's a zoning compatibility issue. Because of her own personal experience and the fact that Planning Commission voted an unfavorable recommendation, which is where she will put her vote.

Council Member Stoor said the public gave great insight. The property in St. George is nice. He asked the public if they feel different about what he intends to do there.

Marilyn Ross asked "If you were looking out your front door, is that something you would want to see?" Mayor Chesnut opened briefly for a few comments.

Lester Ross said his plan will create beautiful storage units. He gave examples of how things can go south and not be maintained and kept to what it was. A new owner could come in and change the business altogether.

Council Member Stoor asked if he would rather have homes there.

Lester Ross said yes, he would rather have homes. His family was excited to have some neighbors. He supports the right to do what he wants. Most people have not met him and he trusts him, but is torn and has concerns. There are no guarantees for the future. If it comes down to it, what Phil will do will be fine. Residential could have potential more traffic, but that's not a community. Instead, they would have a lovely block wall that they look at.

Ben Howe said he feels a lot like Councilman Lee. He's torn. He was under the impression that it was commercial as well. When asked if he would rather have storage units or not, said he would rather not have any. He trusts Phil that he will do a good job, however, he has concerns. There are no guarantees for the future and when it comes down to it, I trust that he will be a good neighbor. There is discussion about other zone changes that have taken place.

David Christopher asked if the plans include alteration of the lane 940 East?

Phil said it's an easement that he has between himself and the Howes. They will be kept clean and could possibly be asphalted later. There is a water ditch that will not be affected. It will only be the traffic of the home owners.

Alan Wade said he's a disinterested listener, and is in the owner's favor. He wanted everyone to realize that there will be motorhomes in there that will be valued at \$100,000 or more. As a new resident trying to get annexed into Enoch, I see very little tax revenue coming in. This town needs more of this type of revenue. Instead of taxing us, the business people need to be allowed to come into Enoch. It will be an asset to the community. Enoch has got to build a tax base. The place will be kept up and taken care of. The homes and residents bring the traffic to Old Hwy 91. This setup will be an asset. He said he is in the process of being annexed. He's building a home Next to the one he's got and supports this. He doesn't want his tax money to be thrown away. We Need more business, clean upstanding businesses here.

David Christopher asked if Old Hwy. 91 will have to be altered as a result of this. ***Mayor Chesnut said no.***

Phil said that he wanted to express his appreciation for Ben Howe standing up. He said he can assure everyone that if he cannot build that property identical to Monster RV Storage, he won't build it. He plans for it to be a first class facility. He doesn't think that product is in Cedar City or Parowan. He's not an equity group that will build this and capitalize. This is a long term family venture. He plans to have this stay in the family. He offered to the City Council a submission of photos or any other requirements.

David Christopher asked how close the RV storage, in St. George, is to a residential zone.

Phil said it is right across the street.

Council D. Harris made a motion to keep Parcels A-0975-0001 & A-0656-0001 zoned Single Family Residential (R-1-18). Council Member Lee seconded and a roll call vote was held as follows:

Council Member Ross – abstained

Council Member W. Harris – No

Council Member Lee – Yes

Council Member D. Harris – Yes

Council Member Stoor – No

There was a tie and Mayor Chesnut voted –Yes. The ordinance did not pass.

Mayor Chesnut said he can come back with another application in the future. Things evolve. It may fit later. We do need to find ways to bring taxes in. We get 1% of the revenue of sales tax and only that. Some property tax does come in too. Cedar City gets \$8 million and this is a lot for Enoch. So, we need to make decisions based on other things.

6. ORDINANCE NO. 2021-10-6B CHAPTER 12.2100.2108, DEVELOPMENT STANDARDS FOR MOBILE HOME PARKS

City Manager Dotson said the situation is in the rear and front setbacks. It's a limiting factor. The mobile home park has CC&Rs and our code does not match. Council Member Ross said the CCN&S require 15 feet and they had inspector Lynn come to the Planning Commission and explained this issue. They determined that there was no reason to have ten feet in the back to make the home fit and they changed that because of parking in front. He also stated that he felt it was safer to have it 15 feet from the front. Mayor Chesnut entertained a motion.

Council Member D. Harris made a motion to approve Ordinance No. 2021-10-6B Chapter 12.2100.2108, Development Standards for Mobile Home Parks Council Member W. Harris seconded and a roll call vote was held as follows:

**Council Member Ross – Yes
Council Member Lee – Yes
Council Member Stoor – Yes**

**Council Member W. Harris – Yes
Council Member D. Harris – Yes**

7. ORDINANCE NO. 2021-10-6C AN ORDINANCE TO CHANGE AN ADDRESS IN LEGACY ESTATES SUBDIVISION, THE ADDRESS OF 618 E. 5080 N. WILL BE CHANGED TO 5062 N. 600 E.

A motion was made by Council Member Lee to approve Ordinance No. 2021-10-6C An Ordinance to change an address in Legacy Estates Subdivision, the address of 618 E. 5080 N. will be changed to 5062 N. 600 E. Council Member W. Harris seconded and a roll call vote was held as follows:

**Council Member Ross – Yes
Council Member Lee – Yes
Council Member Stoor – Yes**

**Council Member W. Harris – Yes
Council Member D. Harris – Yes**

8. RESOLUTION NO. 2021-10-06 A RESOLUTION TO ADOPT THE MASTER TRANSPORTATION PLAN

City Manager Dotson said they referred to the most recent plan which was 2017. They also gathered data from other avenues. He recapped briefly for the public. It has taken us a year and a half. Council Member Lee said she doesn't think the belt route was emphasized enough, active transportation is big and Enoch City needs to look at ours to put more info in it in the future. Mayor Chesnut said in the meetings that he attended, Rural Transportation Authority etc., the belt route is regularly discussed. The guys from UDOT have a video and they are ready to go, but there isn't the money or the need right now. When development warrants it, the belt route will come. Council Member Ross said the Planning Commission gave a favorable recommendation.

A motion was made by Council Member D. Harris to approve Resolution No, 2021 10-06 A Resolution to adopt the Master Transportation Plan. Council Member W. Harris seconded and a roll call vote was held as follows:

**Council Member Ross – Yes
Council Member Lee – Yes
Council Member Stoor – Yes**

**Council Member W. Harris – Yes
Council Member D. Harris – Yes**

9. CONSIDER STEAD MINOR SUBDIVISION-Platt & Platt

Peter Stead came up to say this is his plan to divide the property into three parcels.

A motion was made by Council Member D. Harris to approve the Stead Minor Subdivision. Council Member W. Harris seconded and all voted in favor.

10. CONSIDER SETTLERS SQUARE PH. 4-Go Civil Eng.

Council Member Ross said the Planning Commission gave a favorable recommendation with one abstained vote. Council Member Lee said she imagined that as they vote on this that it will concern residents. She would like to go on record to say that she felt like the engineering standards have been met and that will affect her decision.

A motion made by Council Member D. Harris to approve Settlers Square Ph. 4. Council Member Stoor seconded and all voted in favor, except Council Member Ross.

11. DISCUSS FRAUD RISK ASSESSMENT

Ashley Horton said every year the City is required to submit a new Fraud Risk Assessment. However, it changed from last year. It appraises our risk level of fraud. It's not popular amongst Cities especially in small cities. The main problem is separation of duties. She goes over the Assessment form. On the assessment it shows the City is 16 points from being in the low. It needs to be corrected. We have mitigating controls in place. There are things we could do more. The Council Members could all sign it and/or they all could do some training. This would put it in the low risk bracket. Council Member Lee asked what happens if we get into a low risk. Ashley Horton said they threaten that if we don't try then they may put it in the newspaper that we are in the moderate level. She can set it up. She went on to explain the other details. The challenge is ALL City Manager Dotson said. Our staff is too small to do these things. Carrie shows all cash adjustments she makes on a report. There are two signers on all checks. For fraud to occur there would have to be a conspiracy. Mayor Chesnut said City Manager Dotson goes through all payrolls to check it in advance of checks. Ashley said we do very well with this and City Manager Dotson added we check controls yearly. The audit is not to find fraud; it is just to check the books. The City Council agreed to do the training and submit the form. Ashley said they could wait until election after year end to do the training. She will look into it.

12. CONSIDER POTENTIAL LOCATIONS OF BACKFLOW PREVENTERS IN VARIOUS SECTIONS OF CITY CODES

Council Member Ross said this got an unfavorable recommendation from the Planning Commission. They felt the codes are already in place. To ask every resident would be difficult. She explains backflow preventers. City Manager Dotson said the conversations were with the building inspector and the requirements that are in code now are favorable. The discussion came up because of all of the residents that had sewer back up. Council Member Ross said some basements aren't required to have it. It depends on elevation in relation to the sewer line. The Council agreed that there is no need to legislate this Mayor Chesnut said we won't bring back an ordinance on that.

13. DISCUSS AND CONSIDER DUMPSTER STATION – FALL WEEKEND HOURS

Ashley Horton said that one of the complaints from residents is the hours for the dump don't work. Council Member Lee suggested that our new animal shelter tech may want more hours and she could be the person at the dump. She didn't know if this applies to the Fall Cleanup, but maybe they could ask her. Nick Van Dormolen said we are short staffed and it takes time away from the work for his department to man the dump station. City Manager Dotson said the biggest challenge about having it bi-weekly is that people won't be able to remember which week it is. If she wants to do it maybe she can all day Friday and one Saturday a month as discussed.

14. CONSIDER COSTS AND JOB DESCRIPTION FOR STORM DRAINAGE ENTERPRISE FUND

Mayor Chesnut said that he and City Manager Dotson have had some conversations recently and he's not persuaded that hiring two people to manage culverts is the way to go. Council Member Ross said she has talked to other people and they believe the same thing. City Manager Dotson gives an update of the EBWS and shows it on a map. Once they are built, where will the water go? They have field trips to go out and look at the City. We have two sources of funding. PI 566 from NRCS (EA for the basins) is 100% grant. But, it's so that BLM will let us use the land. He went over private property potential development and some of the issues in existing areas. Where can the City put some infrastructure in? He came up with a potential solution on the map. Most of the water that came down last night came from the other side of I-15.

Mayor Chesnut said as long as the event doesn't overrun the system the current system can take it. Our climate will change in Southern Utah to where we will see less snow and more rain. Rob – goes back to the map and explains what everything means. Four out of 7 property owners said yes they will sell their property. You can't develop there because the ground is so porous. They talked about taking the water to our detention basin and bring it up North and then potentially put it in channels. Open channels are cheaper to build and they open so you can clean them. What it comes down to is money. Mayor Chesnut said instead of hiring two people and raise the drainage fee to \$18, we should go get a revenue bond and pay to do the job and build it. City Manager Dotson said they could split the city into districts. Mayor Chesnut said the community has to buy into this and we might just have to make a decision for the greater good. There are two arguments. People say "Why should I have to pay for curb and gutter for my neighbor when I already have it?" The people who don't have it now purchased their homes with farmland around them. Does the City do a revenue bond where we have a storm drain fund? We will end up just move \$2.00 from here to there. Not everyone will be happy. He is mindful of the families that it will impact. City Manager Dotson said the other part of that is that we have NRCS and EWSF but there are other sources of revenue that we could take on. We can get the professionals who go for funding and know where you can get it. Mayor Chesnut said that we can't rely just on grants. City Manager Dotson said yes, we need more manpower, but if we have these facilities then we don't need that much more manpower. Council Member Stoor said we would want to have an educational night to let residents know what has been going on. This would give them some data behind it and to have that info to look at, would be great. Council Member D. Harris said we want to do this right. Mayor Chesnut said it has to do a revenue bond and we have to have the political will to do this. We are talking to banks. Interest rates are very low. City Manager Dotson said it is about \$500,000 per year for the bond. Mayor Chesnut said the goal is not to have a massive overreach, but be transparent. To him, hiring a couple of people is not doing nothing, but it's only making us feel good and it's not the answer. Council Member Stoor said that we could have an information meeting with the public and have engineers attend. Mayor Chesnut said we will continue efforts and move in the right direction. I think we all want to know what we want to do but it's always been how do we fund it? If we get a little more aggressive and transparent, we can make things move along. City Manager Dotson talked about the difference between hiring two people and getting one bond for the projects that need to be done. All agreed that this is a good way to go. Do it all under one bond and not piecemeal it.

15. COUNCIL/STAFF REPORT

Nick Van Dormolen reported for Hayden White. He said they have been busy cleaning drains and are working on Stagecoach. They asphalted Churchfield. They finished a culvert on Wagonwheel and Stagecoach. There is a Long Arm Excavator coming for the ponds. It was ordered 3 months ago and should be here next week. Our excavator will be fixed Friday, maybe Monday. It will help with digging ponds out. The water crew has been changing out meters. City Manager Dotson said they have surface-sealed the Little Eden Well to turn it into a culinary well. Nick said our water tanks are very full and in past years they have been dry in July.

Julie Watson said she didn't have anything to report.

Ashley Horton said they finished the audit last week and everything went really good. There were no findings. Other than that she has been doing tax returns and end of quarter reports.

City Manager Dotson said they have to have a closed meeting.

Council Member Ross said she wanted to mention Wreaths Across America. There is a meeting on the 19th here. She hopes more people can come. It's at 7pm.

Council Member W. Harris said the Meet the Candidates Night will replace the Economic Development Committee meeting.

Council Member D. Harris said he didn't have anything to report.

Council Member Lee said regarding the roundabout, the panels are all decided except for one and that is the Paiute Tribe panel. We are talking about history and they represent why we are here.

Council Member Stoor said went to the open house for neighbors down the street for a fundraiser.

A motion was made by Council Member D. Harris to close the regular meeting and open the closed meeting. Council Member Ross seconded and all voted in favor.

- 16. 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)

17. ACTION FROM CLOSED MEETING-

18. ADJOURN-



Julie Watson, Recorder

Date