

ENOCH CITY COUNCIL NOTICE AND AMENDED AGENDA

November 2, 2022 at 6:00pm

City Council Chambers

City Offices, 900 E. Midvalley Road

Join Zoom Meeting

<https://us02web.zoom.us/j/84097453893>

Meeting ID: 840 9745 3893

One tap mobile

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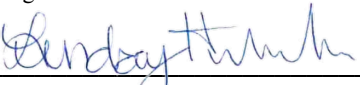
1. **CALL TO ORDER OF REGULAR COUNCIL MEETING**
 - a. **Pledge of Allegiance-**
 - b. **Invocation (2 min.)-Audience invited to participate-**
 - c. **Inspirational thought-**
 - d. **Approval of Agenda for November 2, 2022-**
 - e. **Approval of Minutes for October 19, 2022-**
 - f. **Ratification of Expenditures-**
 - g. **Conflict of Interest Declaration for this agenda-**
2. **PUBLIC COMMENTS**
3. **ADMINISTER OATH OF OFFICE TO A NEW PD OFFICER – Lindsay Hildebrand, Recorder**
4. **SET A PUBLIC HEARING REGARDING PROPOSED WATER RATE CHANGES FOR NOVEMBER 16, 2022**
5. **CONSIDER PROJECTS FOR COMMUNITY FUNDING PROJECT APPLICATION(S)**
6. **COUNCIL/STAFF REPORT**
7. **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)
8. **ACTION FROM CLOSED MEETING-**
9. **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. Meetings of the Enoch City Council may be conducted by electronic means pursuant to Utah Code Annotated, Section 52-4-207. In such circumstances, contact will be established and maintained by telephone or other electronic means and the meeting will be conducted pursuant to the Enoch City Code of Revised Ordinances, Chapter 3-500, regarding meeting procedures including electronic meetings.

CERTIFICATE OF DELIVERY

I certify that a copy of the forgoing "Notice and Agenda" was delivered to each member of the City Council, emailed to "Cedar City Daily News", posted on the Enoch City website, on the City Office door, and published on the Utah Public Meeting Notice website on 10-28-22.


Lindsay Hildebrand, City Recorder

10/28/2022
Date

MINUTES
ENOCH CITY COUNCIL
October 19, 2022 at 6:00pm
City Council Chambers
City Offices, 900 E. Midvalley Road

Members present:

Mayor Geoffrey Chesnut
Council Member David Harris
Council Member Richard Jensen
Council Member West Harris
Council Member Katherine Ross
Council Member Shawn Stoor

Staff present:

Robert Dotson, City Manager
Ashley Horton, Treasurer
J. Wayment, City Attorney
Hayden White, Public Works Director
Lindsay Hildebrand, City Recorder
Jackson Ames, PD Chief

Public Present: George Lutterman, Delaine Finlay and Debra Ley

1. CALL TO ORDER OF REGULAR COUNCIL MEETING

- a. **Pledge of Allegiance-** Led by Mayor Chesnut
- b. **Invocation (2 min.)-Audience invited to participate-** Given by Council Member D. Harris
- c. **Inspirational thought-** Given by Council Member W. Harris
- d. **Approval of Agenda for October 19, 2022- Council Member D. Harris made a motion to approve the agenda. Council Member Ross seconded and all voted in favor**
- e. **Approval of Minutes for October 5, 2022- Council Member D. Harris made a motion to approve the minutes. Council Member Ross seconded and all voted in favor.**
- f. **Ratification of Expenditures- Council Member D. Harris made a motion to approve the ratification of expenditures. Council Member Ross seconded and all voted in favor.**
- g. **Conflict of Interest Declaration for this agenda-** There were none

2. PUBLIC COMMENTS

Delaine Finlay said it is supposed to freeze on Sunday. She did not like the 8 am to 8 pm water restriction that was put in place at the beginning of the season. *Mayor Chesnut said that those people that are hand watering can water when they need to.*

Mike Bleak introduced the idea of a new children's justice center. The Commissioners have been involved in the discussions and noted that the County really needs a new one. The center has been in constant operation for 20 yrs. When he started he was the first police detective to work with that program. They do forensic interviews, victim services, mental health, etc. It has not expanded. The land immediately adjacent to the center has been sold and developed into three condominiums. They have really outgrown the space. He explained the Friends Board that isn't a part of the CJC. They are the fundraising charitable arm. They tried to acquire the land adjacent to the CJC, but it didn't work out. In their meetings, Chief Ames brought up the possibility of the land proposed in Enoch. They really believe that it is an ideal spot. *City Manager Dotson said the owner of the property is the County and the County would take it, not the 501C3. It would not be a legal problem to just give it to the County, however, it's not appropriate to do that unless Enoch City gets something back in return that they are disposing of, because there is value in the property. The trade proposed would be to possibly improve a County road that our residents use a lot.* Commissioner Bleak said they are very amenable to that.

They crunched numbers as far as the actual cost to them and at this point in time, they are amenable to a trade. They serve the population that just can't serve themselves. The next step is to sit down and hammer out details that would be appropriate for all parties. *Council Member Stoor noted the last time the Council met they were all agreeable. Mayor Chesnut said we will get an MOU together and bring it back as an action item. City Manager Dotson said that we need to make sure that it's clear that if the property is deeded to the County that this is what it's for and there is no backing out.* Commissioner bleak said Enoch will get exactly what they agree to. As a police officer, part-time in Enoch, he has a lot invested in this community. He thinks they could work the details out in the next week or two. This will be completely surrounded by a privacy block wall. He thanked the Council.

3. DOMESTIC VIOLENCE AWARENESS – Canyon Creek Services

Jessica Montez read a domestic violence proclamation. She asked that they accept the proclamation and work with them to end domestic violence. Council Member D. Harris made a motion to accept the proclamation. Council Member W. Harris seconded and all voted in favor.

4. PUBLIC HEARING TO VACATE A 20' WIDE PUBLIC UTILITY EASEMENT (P.U.E.) RUNNING ALONG THE WEST PROPERTY BOUNDARY OF PARCEL #A-0962-0000-0000 AND NEXT TO BARK AVENUE (700 East)

Council Member W. Harris made a motion to close the regular City Council meeting and open a public hearing to vacate a 20' wide public utility easement running along the west property boundary of parcel #A-0962-0000-0000 and next to Bark Avenue (700 East). Council Member Jensen seconded and all voted in favor.

There were no public comments.

Council Member D. Harris motioned to close the public hearing and open the regular City Council meeting. Council Member W. Harris seconded and all voted in favor.

5. CONSIDER ORDINANCE NO. 2022-10-19-A AN ORDINANCE VACATING A 20' WIDE PUBLIC UTILITY EASEMENT (P.U.E.) RUNNING ALONG THE WEST PROPERTY BOUNDARY OF PARCEL #A-0962-0000-0000 AND NEXT TO BARK AVENUE (700 East)

Council Member Jensen made a motion to approve Ordinance No. 2022-10-19-A an ordinance vacating a 20' wide public utility easement (P.U.E.) running along the west property boundary of parcel #A-0962-0000-0000 and next to Bark Avenue (700 east) Council Member D. Harris seconded and a roll call vote was held as follows:

**Council Member Ross: yea
Council Member D. Harris: yea
Council Member Stoor: yea**

**Council Member W. Harris: yea
Council Member Jensen: yea**

6. CONSIDER ORDINANCE NO. 2022-10-19-B AN ORDINANCE TO APPROVE THE PLAT AMENDMENT FOR LEGACY ESTATES SUBDIVISION, PHASE 3 -See Planning Commission Rec.

Council Member Ross said this item came forward from Planning Commission and had a favorable recommendation.

Council Member D. Harris made a motion to approve Ordinance No. 2022-10-19-B an ordinance to approve the plat amendment for legacy estates subdivision, phase 3. Council Member W. Harris seconded and a roll call vote was held as follows:

Council Member Ross: yea

Council Member W. Harris: yea

Council Member D. Harris: yea

Council Member Jensen: yea

Council Member Stoor: yea

7. CONSIDER RESOLUTION NO. 2022-10-19 A RESOLUTION TO APPROVE THE APPLICATION FOR THE BLM DRAINAGE

City Manager Dotson said in the Council's packet was the application from BLM which is required to obtain access and lease for any public purpose. This required the City Council to approve the application by a resolution. It's pretty much done, just needs approval. He recalled the acreage with the proposed drainage. The road is a County road.

Council Member D. Harris made a motion to approve the application. Council Member Jensen seconded and a roll call vote was held as follows:

Council Member Ross: yea

Council Member W. Harris: yea

Council Member D. Harris: yea

Council Member Jensen: yea

Council Member Stoor: yea

8. DISCUSS SOLICITING LICENSING

Lindsay Hildebrand said there have been people coming into the office requesting a license to solicit their business. We send them to Cedar City to obtain that license. She wondered why. City manager Dotson said they typically solicit in Cedar City and when they apply, they get a badge and lanyard. We didn't want to pay the cost to give them a badge. Lindsay said we have had people not want to solicit in Cedar City. She asked the Council if they want to start the soliciting license program or keep sending people to Cedar City. Other cities usually don't recognize other cities' solicitors' license. Mayor Chesnut asked if a \$25 fee is sufficient for a BCI background check and everything that would be involved. Lindsay suggested not printing a badge and instead using the license and a form of ID. Council Member Jensen asked what type of soliciting this was about. Mayor Chesnut said door to door. Lindsay said there are residents that call in and ask if the solicitor is valid. Council Member Ross said as long as the fee covers all of our costs. Council Member Jensen said he would rather cut all of the expenses by not issuing the license. Chief Ames said our current ordinance requires a license. Council Member D. Harris thought the ordinance may have come about because of people complaining about getting solicited when they didn't want to. If we do away with it, we would probably get complaints. He agreed with Council Member Jensen that he didn't want the City to have to verify that a company is legitimate. He also wondered about the safety factor. Council Member Ross mentioned the disqualifying aspect of the application, which lists reasons to deny a license. This helps with safety. Mayor Chesnut said if you look at that, those people that would be denied probably wouldn't answer the questions honestly. Council Member W. Harris said we should err on the side of freedom. Chief Ames said we don't require a soliciting license to endorse a business in any way, however, people are knocking on your door and potentially entering your home. This would help identify someone with a criminal history. Council Member D. Harris said it would be good

to have the contact information. There was more discussion about public safety. No action was taken.

9. COUNCIL/STAFF REPORT

Hayden White reported that they laid 650 feet of water line for secondary irrigation this week. They had a water break on Midvalley Rd. on Monday. Iron Mountain poured 15 yards today and the entire walking path should be done by Friday. They will get plow trucks set up for the potential snowstorm. They have been doing a lot of pothole patching. They have an employee whose last day is Friday. Council Member Ross asked if he is going to replace him or wait. Hayden said they will wait.

Chief Ames said because Grant is leaving, his wife Kelli is going too. She is the crossing guard for the elementary. The available position has been noticed.

City Manager Dotson said Grant and Kelli's farewell is tomorrow at 4 pm. The Vision Iron County Economic Development team is having an open house next week on Tuesday at 3 pm. The Council is invited to attend.

Council Member Ross said she attended the Utah Summit and had a shark tank competition and one of the finalists was from Enoch.

Council Member W. Harris reported the Economic Development Committee is falling apart. He asked the Council to think of anyone they may know who would want to join. He assisted the police with Taser training.

Council Member D. Harris – Water Board is talking about secondary water and the idea of possibly mandating developers to hook on secondary water in certain areas.

Council Member Jensen – Wreaths Across America Committee is meeting again. He asked City Manager Dotson, in regards to water rates, if when he ran them through the calculator, the City loses money in years two and three in our current proposal. City Manager Dotson said we don't lose money; we just have a minus in the expected reserves. We don't have enough to pay for depreciation. Council Member Ross asked if that takes into account residential conservation. City Manager Dotson said yes. The mobile home changed the numbers. He will get the final proposal to the Council at the next meeting. He also recommended setting a public hearing/open house at the next meeting.

Council Member Stoor – There will be a Recreation meeting tomorrow at 6 pm. The ice rink groundbreaking will be this Friday at 5 pm. City Manager Dotson said the project should be completed by the first of next year. There was a discussion about the interchange.

City Manager Dotson said we have sent six proposals to Cedar City regarding the reuse water treatment plant and they haven't decided yet, but Cedar City is doing their own proposal and it's not to do what we want to do. The treatment is about 10 to 15 million dollars to build the facility. The Conservancy District has applied for \$500,000 ARPA money to do the reuse project that we want to do. We will see what happens. There was a discussion about collaboration. He feels that working with the County with CJC is a positive. City Manager Dotson said we are all involved in the same challenges. We all drink the same water, and use the same roads.

12. ADJOURN - Council Member D. Harris motioned to adjourn. Council Member Ross seconded and all voted in favor

Lindsay Hildebrand, City Recorder

Date