

MINUTES
ENOCH CITY COUNCIL
April 5, 2023 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
Justin Wayment, City Attorney-Excused
Hayden White, Public Works Director
Lindsay Hildebrand, City Recorder
Jackson Ames, PD Chief

Public Present: Bryce Poulson, Justin Christensen, Megan Bailey, and James Thelin

1. CALL TO ORDER OF REGULAR COUNCIL MEETING

- a. **Pledge of Allegiance-** Led by Council Member Jensen
- b. **Invocation (2 min.)-Audience invited to participate-** Given by Council Member D. Harris
- c. **Inspirational thought-** None
- d. **Approval of Agenda for April 5, 2023-** Council Member D. Harris made a motion to approve the agenda. Council Member Jensen seconded and all voted in favor.
- e. **Approval of Minutes for March 15, 2023-** Council Member D. Harris made a motion to approve the minutes. Council Member Stoor seconded and all voted in favor.
- f. **Ratification of Expenditures-** None
- g. **Conflict of Interest Declaration for this agenda-** None

2. PUBLIC COMMENTS

There were no public comments.

3. CONSIDER THE APPOINTMENT OF A NEW RECREATION COMMITTEE MEMBER - Megan Bailey

Megan Bailey said she has lived in Enoch for almost 9 years. She helped start the Enoch City Soccer program. It got to be a lot and wanted a break, so she thought she could be involved on the Recreation Committee.

Council Member Stoor made a motion to approve Megan Bailey as the new Recreation Committee member. Council Member W. Harris seconded and all voted in favor.

4. CONSIDER ACCEPTANCE OF BID FOR NEW CULINARY WATER TANK - Ensign Engineering

Justin Christensen said he has been working with Enoch City to solicit bids for the 2 million gallon tank project. The portion of bidding that they went after was for the design, supply, and manufacturing of the tank itself. At a later date, they will bid the dirt work and plumbing connections. There were two entities that were submitted, which were Superior Tank Company, and United Industries Group. Superior Tank Company was the low bid. There were two question-and-answer phases. Superior Tank was involved in both phases. He was impressed with their intent and participation, so they recommended the project be awarded to Superior Tank

in the amount of \$1,356,162 dollars for the design, supply, and manufacturing of the Enoch City 2 million gallon tank. Council Member D. Harris said he noticed that one had a different roof system than the other. He asked that with all of the snowfall we have gotten this year, is it worthwhile looking at one that has a better roof structure? Mr. Christensen said no, it would be sufficient. They shared the snow load requirements for these areas and Superior had columns inside that meets that requirement.

Council Member D. Harris made a motion to accept the bid of Superior Tank Company for the new culinary water tank in the amount of \$1,356,162.00. Council Member Ross seconded and all voted in favor.

5. CONSIDER THE PRELIMINARY PLAT OF ENOCH POINT SUBDIVISION

-Platt & Platt – See Planning Commission Rec.

City Manager Dotson said the Preliminary Plat was submitted to the Planning Commission and it fits all requirements of our code. The engineer has also approved it. It is the first multi-family housing in a long time and is zoned M-R-2, which is two doors per 22,000 square feet. It is that corner piece off of Midvalley and Highway 91. They didn't want to put an entrance from the highway. Council Member Stoor asked where Midvalley meets Highway 91 is where it will come to be more than a 90-degree angle. City Manager Dotson said that corner will be dedicated to the city along with the road to make it a 90-degree angle instead of a 45-degree angle. There is a note "C" on the plat that describes it.

Council Member D. Harris made a motion to approve the preliminary plat of Enoch Point Subdivision. Council Member W. Harris seconded and all voted in favor.

**6. CONSIDER RESOLUTION NO. 2023-04-05-A A RESOLUTION
ADOPTING A MEMORANDUM OF UNDERSTANDING WITH PIDDING, LLC
REGARDING ACCESS, REPAIRS, AND IMPROVEMENT TO PROPERTY –**

City Manager Dotson

City Manager Dotson said this is Watershed Project Number 1 and is at the north end of Village Green Subdivision. He showed the channel on the map. A portion of the channel needs to be improved and to do that we need access to the property. This is the last step to having access to the property. Council Member Ross asked if the owner wanted something in exchange. City Manager Dotson said no.

Council Member D. Harris made a motion to approve Resolution No. 2023-04-05-A a resolution adopting a memorandum of understanding with Pidding, LLC regarding access, repairs, and improvement to the property. Council Member Jensen 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

7. CONSIDER MARCH 2023 SURPLUS LIST - Hayden White

Hayden said he put together a list of items for Chief Ames. The list contains a number of unused items. Council Member Ross asked if the bike on the list were bikes that were just found. Chief Ames said these are unclaimed bikes that people have found or turned in. City Manager Dotson said there is a non-profit that works with parents and children that could use them. Hayden said there was a box he found in storage with radios, lights, floor mats from trucks that they got rid of, etc.

Council Member D. Harris made a motion to approve the March 2023 Surplus List. Council Member W. Harris seconded and all voted in favor.

8. CONSIDER RESOLUTION NO. 2023-04-05-B A RESOLUTION TO ADOPT THE ENOCH CITY ENGINEERING STANDARDS SUBDIVISIONS - City Manager Dotson

City Manager Dotson said we already approved the details but they didn't match 100% to our standards for different items. This is after about 4 years of going through it with the engineer.

Council Member D. Harris made a motion to approve Resolution No. 2023-04-05-B a resolution to adopt the Enoch City Engineering Standards Subdivisions. 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	

9. CONSIDER RESOLUTION NO. 2023-04-05-C A RESOLUTION TO AMEND THE ENOCH CITY FEE SCHEDULE - City Manager Dotson

City Manager Dotson said special inspections for plan review are used to do this outside of Enoch. The Subdivision ordinance and preliminary plat have not been on our fee schedule. We haven't been charging for it but we have been charged. For equipment, we have to put something in our fee schedule per hour. We are updating it because some of our equipment is gone. We are trying to make things cost a little more because we don't want to be the lowest bidder competing with private entities. This is only for public/private partnerships. Council Member Jensen asked if there was a way to redo it to sell a piece of equipment without updating it every time we sell or get rid of something. City Manager Dotson said federal requirements are that we have to list the equipment used.

Council Member D. Harris made a motion to approve Resolution No. 2023-04-05-C a resolution to amend the Enoch City Fee Schedule. 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	

10. CONSIDER ORDINANCE NO. 2023-04-05-A AN ORDINANCE AMENDING THE ENOCH CITY ORDINANCE, SECTION 12.3000.3001 FINAL PLAT (ADD STREETLIGHT LOCATIONS) – See Planning Commission Rec.

City Manager Dotson said there was a request from Rocky Mountain Power to have the developer put the location of streetlights on the final plat, which helps them know where to put power. It is effective to help us because we send the GIS file to our contractor and they upload it to our streetlight GIS system.

Council Member D. Harris made a motion to approve Ordinance No. 2023-04-05-A an ordinance amending the Enoch City Code, Section 12.3000.3001 Final Plat. 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	

11. CONSIDER ORDINANCE NO. 2023-04-05-B AN ORDINANCE AMENDING THE ENOCH CITY ORDINANCE, SECTION 12.1900.1908 SPECIAL PROVISIONS, CURB & GUTTER IN COMMERCIAL ZONES – See Planning Commission Rec.

City Manager Dotson said our subdivision ordinance requires curb and gutter. Council Member Ross asked what the Planning Commission's recommendation was. City Manager Dotson said they sent a favorable recommendation.

Council Member D. Harris made a motion to approve Ordinance No. 2023-04-05-B an ordinance amending the Enoch City Ordinance, Section 12.1900.1908 Special Provisions. Council Member Ross 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	

12. DISCUSS AMENDMENT TO ENOCH CITY CODE 12.300 SUPPLEMENTARY AND QUALIFICATION REGULATIONS AND CODE 12.1900.1909 UTAH LANDSCAPE REBATE PROGRAM - City Manager Dotson

City Manager Dotson explained what the Utah Landscape Rebate Program requirements are and how the program works. There was a discussion on parking strips. City Manager Dotson said he had no idea how to regulate this. Council Member Jensen said a single homeowner putting in landscaping would be hard to regulate. Mayor Chesnut said we have to pass that as an ordinance in order for residents to participate in the rebate. Council Member Ross said the inspector has to regulate this in other cities. Council Member D. Harris said with higher water rates now there may be people that want to take advantage of it. Council Member Jensen said in the future though if someone wants to put a side yard in and a code enforcer would stop by to tell them no. City Manager Dotson said this would work well in a municipality that has software to measure landscaping on an annual basis and are able to enforce that. Council Member Jensen said he liked the rebate but did not agree to put things in the code that make us enforce or regulate every resident's yard. Council Member D. Harris said he wouldn't want to do this. After the summer if there are a lot of people that want to do this because of higher water rates, he would want to revisit this if we can. Mayor Chesnut asked if they wanted to send this to the Planning Commission. The council agreed to not put it on the Planning Commission agenda.

13. CONSIDER RESOLUTION NO. 2023-04-05-D A RESOLUTION APPROVING THE ENOCH CITY DEED OF DEDICATION - City Manager Dotson

City Manager Dotson said near the south of the old church on Enoch Road and 5250 North there are two parcels of land that weren't dedicated as a road and they are. This is cleaning this up.

Council Member D. Harris made a motion to approve Resolution No. 2023-04-05-D a resolution approving the Enoch City Deed of Dedication. Council Member Stoor 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	

14. DISCUSS PUBLIC SAFETY IMPACT FEE FACILITIES PLAN & POLICY AND SET A PUBLIC HEARING FOR April 19, 2023.- City Manager Dotson

Council Member D. Harris said it mentioned that this building was an efficient size. City Manager Dotson said the interesting thing is that the maximum is really small compared to the amount of infrastructure we need to expand. By nature of having 800 sq. feet for 10 officers. Because our level of service is so small, they can't use anything bigger, so we need to increase the size of what we have for what we need and go back in 5 years and do it again. Council Member

D. Harris said we couldn't justify impact fees to pay for the expansion. He is applying for a CIB grant to potentially pay 100%. There was more discussion about applying.

Council Member D. Harris made a motion to set a public hearing for April 19, 2023 regarding the Public Safety Impact Fee Facilities Plan & Policy. Council Member Ross seconded and all voted in favor.

15. CONSIDER RESOLUTION NO. 2023-03-15-C A RESOLUTION TO PETITION THE AUDIT OF THE GUN-BRANDISHING EVENT AT CANYON VIEW HIGH SCHOOL ON FEBRUARY 27TH AND 28TH, 2023 WITH THE RELATED INVESTIGATIONS AND ACTIONS - Council Member Jensen

Mayor Chesnut said they decided to let Council Member Jensen speak to the Council and appreciated his efforts on it.

Council Member Jensen said he wrote the letter dated March 7th. He said with the passage of time and the news cycle that things seem fine and it falls out of thought and discussion. He is even more convinced that it needs more thought now than before. One of the changes is the fact that about a week ago he got a call from the Chief of Police in Parowan. He was concerned because the Iron County School District had given out the entirety of school safety plans, including Parowan, Canyon View Middle, and Canyon View High schools, which became public. He had personally called someone at the district and told them not to give out that information as it should not be public. That was law enforcement participation in that discussion and the information was published anyway. The reason they published it was due to a portion of the State code. Council Member Jensen went into detail about the interpretation of that code and other mitigating measures. There are disagreements between law enforcement and the school district. He urged that this needs an outside set of eyes to make sure that things are being handled well. Typically, most people would be inclined to trust what came up from their internal investigation. He spoke about a personal experience where a parent came to him about an issue, asking him to talk to the school district and they determined there wasn't a problem. He went into detail about that issue. They tell the public that they held an investigation, but it doesn't look like what a full thorough investigation would look like. He is personally not of the opinion that he is confident that they had a full investigation. He does believe that everyone is invested in the safety of our kids. Council Member Stoor asked who would be trusted to do that investigation. There was a short discussion about who would potentially run the investigation or audit. Council Member Ross said she was against this because as a city we shouldn't be asking for the audit. She believed the parents need to do this. Council Member Jensen agreed that parents need to be involved. Council Member D. Harris agreed with Council Member Ross, but from that time until now he has seen communications improved and they have opened the meeting and he thought they were trying to improve things. He would like to give them the opportunity to improve and learn. He was hesitant to represent all of Enoch City. He wanted entities to work together and if there was no improvement then this is called for. Council Member Jensen agreed that he has also seen a lot of improvement in communication. However, he hasn't seen improvement in other areas. As a liaison for Enoch City, the schools won't even speak with him. There were time frames that didn't add up and when he tried to talk to someone face to face, he wouldn't meet. He has talked to lots of parents that were in a position to know the details of the incident and they say that what is being reported didn't add up. So, when they refuse to meet him, in other areas they are being less transparent. Council Member D. Harris said he appreciated all of his attention and work on this. He also appreciated the School District. It is wise to have a single communication to make sure the information is consistent with all parties. Council Member W. Harris said as a parent of that community, he has some serious concerns. So, he is not opposed to doing this.

Council Member Jensen said for a year now he gets phone calls once or twice a week. When parents come forward, nothing ever changes. He tells them to let the School District know. There

has been ritualized gang beatings in the bathroom that they didn't notify parents about. He pulled his own kids from Canyon View because of the track record of what he is being told. The administration in place is creating an unsafe environment. Council Member Stoor said he isn't in the loop but wanted to know what the facts are. Council Member Jensen said that is what he is trying to find out. Council Member Ross said she has kids that go to Canyon View and still thinks it's the parents who have to get involved. She said maybe we need to vote in new school board members. All of the parents need to get involved.

Council Member Jensen made a motion to approve Resolution No. 2023-03-15-C a resolution to petition the audit of the gun-brandishing event at Canyon View High School on February 27th and 28th, 2023 with the related investigations and actions. Council Member W. Harris seconded and a roll call vote was held as follows:

Council Member Ross: No	Council Member W. Harris: Yea
Council Member D. Harris: No	Council Member Jensen: Yea
Council Member Stoor: No	Motion did not pass

16. COUNCIL/STAFF REPORT

Hayden White reported that they fired up the secondary system. Twin D is cleaning some sewer lines, mostly where all of the flooded areas are. Council Member Ross asked if Enoch and Old Highway 91 roads were filling up fast. Hayden said no the water seeped into the ground fast. The neighbors have been watching it and it fills to the top and then spills into the drain, but we need to get the water out of there because of mosquitos.

Chief Ames reported that they moved the Easter Egg Hunt to tomorrow at 6 pm. There was a school bus driver that had a medical incident and someone did CPR on the scene. Then she was life-flighted to St. George. She is alive and ok now. Mayor Chesnut asked how the CJC building is coming. Chief said they are meeting regularly and working on the design of the building. Once that is done then they can get the ball rolling. IHC needs to relinquish its interest in the old property.

Ashley Horton reported that she is still working on the budget. They have to have the tentative budget done by the first of May.

City Manager Dotson reported that trash cans become missing or misplaced. We have had incidents where someone reported paying for two trash cans when they say they only have 1. In many cases, we are trusting the resident. We have reimbursed half of it and it hasn't been in our fee schedule or policy. Ashley gave an example. City Manager Dotson asked the Council for some direction. Council Member Ross suggested only reimbursing as far back as they have done previously. Council Member D. Harris agreed and suggested only going back 5 years. Council Member Stoor agreed and only suggested going back 12 months. Ashley wondered about refunding in full for one year. Council Member Ross suggested limiting it to 3 months. Council Member Jensen asked if there is a clear process going forward to keep records. City Manager Dotson said yes and it has been in place for the last 6 years. Hayden gave an example of an audit they had done in the past. Mayor Chesnut said we will bring it back to the agenda. Council Member Ross suggested noticing the public.

City Manager Dotson also asked the Council how long staff should wait before sending people to collections for non-payment of their utility bill. We don't know if there is a standard. Council Member D. Harris said 90 days. Mayor Chesnut agreed with 90 days.

City Manager Dotson asked if the Council wanted to participate in ranked-choice voting. Council Member Ross said she would like to see some other communities invest their money before we do. There was a short discussion.

City Manager Dotson said he sent an invitation to each Council Member for the April 14th Enoch City leadership. They requested a biography from each Council Member. There will be another meeting right after with certain individuals with getting help out to our community.

City Manager Dotson also spoke about how the National Fitness Campaign approached us. He showed a video about the campaign. They will sell us the court, including installation. Council Member D. Harris asked where that would go. City Manager Dotson said that typically these are put in big cities with a lot of foot traffic. The Council opted out.

Lindsay Hildebrand reported that she has been at training all week for Institute and Academy.

Mayor Chesnut reported that we got a letter from Tree City USA and they gave us a plaque. He thanked Council Member Stoor and the Recreation Committee for all of the hard work that they do.

Council Member W. Harris said there will be an Economic Development Committee meeting tomorrow.

Council Member Stoor said they will have Arbor Day at the end of the month. They should have sod to lay at Iron Mountain Park.

19. ADJOURN – Council Member D. Harris made a motion to adjourn. Council Member Ross seconded and all voted in favor.

 4/19/2023