IVINS
CITY COUNCIL
MINUTES
March 20, 2014

1) WELCOME AND CALL TO ORDER

MAYOR AND COUNCIL: The meeting was called to order at 05:30 p.m. and announced there was a quorum present.
All present included Mayor Hart, Council Member Elwell, Council Member Mendenhall, Council Member Roberts, and Council Member Densley.
STAFF: City Manager/Attorney Dale Coulam, Director of Public Works Dave Glenn, City Engineer Chuck Gillette, Building and Zoning Administrator Kevin Rudd, and City Recorder Kari Jimenez.
EXCUSED: Council Member McDonald
Audience: Rob McQuay, Todd Benson, Jeff Loris, DeAnne Hanson, Gillian Papanikolas, Eve & Roy Blackburn, Claudette Larsen, Lisa Rutherford and others who did not sign in.

A. Acknowledgement of Quorum

Mayor Hart acknowledged there was a quorum present and indicated Council Member McDonald was excused.

B. Flag Salute

Council Member Densley led the Flag Salute

C. Invocation

Council Member Densley gave the Invocation

D. Disclosures

There were no disclosures or conflicts of interest with items on this meeting's agenda.

Mayor Hart introduced Emily Bryan. She is Miss Ivins and has served in the community over the last year. **Emily Bryan** stated the Miss Ivins Royalty participated in parades and a variety of community service projects including at the Veteran's Care Facility and Red Mountain Elementary. They are working on the upcoming pageant and she invited the Mayor, City Council and residents to the pageant that will be held on April 5, 2014 at the Snow Canyon High School auditorium at 6:00 p.m.

2) REPORTS, PRESENTATIONS AND APPOINTMENTS

A. Department Reports: Public Works, Engineering and Building Department

Dave Glenn provided a written report to the City Council. A copy of the report is available by request through Ivins City Hall. He reported that the City is advertising for the slurry seal project and provided a map identifying where road maintenance has been done. A copy of the map is available by request through Ivins City Hall. **Mayor Hart** suggested it may be economical for the Home Owners Associations (HOA's) to work with Ivins contractor(s) when the City is working on road projects, to obtain discounted pricing. **Dave Glenn** indicated the HOA's could negotiate with the contractors. **Council Member Roberts** suggested placing

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the information in the City's newsletter. **Dave Glenn** stated he met with resident John Reed regarding the Road Respect Program. One of the requirements for the program is to designate an inner city bike route. He provided a map to the Mayor and City Council that John Reed provided to him with the proposed route. A copy of the map is available by request through Ivins City Hall. There would be one (1) route to begin with and as times goes on there may be additional routes.

Chuck Gillette reported that advertisement for bids for the Center Street Widening project may begin once the City approves the modification to the Federal Aid Agreement that is on the City Council agenda tonight. The Taviawk Water Tank has been finish coated and needs seven (7) days to cure. It will likely be back in service by March 28, 2014; staff is ordering bollards for the Center Street Trail Lighting project and holding off on installing new streetlights until there are better LED options. Intermountain Wind and Solar will be installing the solar panels on the Firehouse in May. Randy and Dianna Luffberry have signed an agreement with the City so staff is currently soliciting bids for the wall.

Kevin Rudd reported there have been approximately ten (10) building permits per month being issued, which is similar to last year. Weeds are a problem this time of year so Code Enforcement is busy addressing those.

B. Planning Commission Report

Kevin Rudd reported that the Planning Commission held a Public Hearing on a proposed Class IV Conditional Use Permit for a multi-family project at 65 West Center Street. There was one Public Hearing comment by a resident expressing concerns about small backyards, children playing in the streets and safety concerns with high density development. The Planning Commission discussed this and decided to table this agenda item to another meeting. The Planning Commission approved a Final Plat for Four Over One Subdivision and continued discussion on Chapters 18 and 19 of the zoning ordinance.

3) CITIZEN COMMENT & REQUEST FOR FUTURE AGENDA ITEMS

Mayor Hart indicated that there was one (1) Citizen Comment from Mary Lee Brighton, who was not present, regarding the coyote issue. She was informed by Ivins City staff that the Council is well aware of that issue already and that it wasn't going to be discussed on this agenda.

4) PUBLIC HEARING AND ACTION ITEMS

A. Public Hearing on the Planning Commission's recommendation to approve an amendment to Title 16, Chapter 33, Sections 16.33.102: Table 33.2, Table of Uses, Nonresidential Zoning District. Ivins City, applicant

Kevin Rudd stated in the past Ivins has been approached by potential business owners regarding the possibility of allowing businesses that have a retail component as well as light manufacturing. As the City reviewed the Table of Uses, they realized by strict definition the current zoning would limit available locations in Ivins for that. Staff felt that the Table of Uses should be amended to allow certain "light manufacturing" processes for a bakery, food store, cosmetics, clothing and similar. The Planning Commission held a Public Hearing on this and forwarded it to the City Council with a recommendation to approve. **Mayor Hart** opened the Public Hearing. **Lisa Rutherford** referred to non-hazardous ingredients identified in the Table of Uses and inquired how they were going to be controlled and managed. **Kevin Rudd** clarified

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that the Fire and Building Code regulate that and the Fire Chief would also oversee that. There being no other comments, **Mayor Hart** closed the Public Hearing.

B. Discuss and consider approval of Ordinance No. 2014-09, an Ordinance of Ivins City, Utah, amending Title 16, Chapter 33, Sections 16.33.102: Table 33.2, Table of Uses, Nonresidential Zoning District. Ivins City, applicant

Council Member Densley indicated he's in favor of this and thinks it opens up a range for certain businesses to not be restrained.

MOTION: Council Member Densley moved to approve Ordinance No. 2014-09, an Ordinance of Ivins City, Utah, amending Table 33-2 of the Zoning Ordinance regarding Community and Resort Commercial Retail Sales and Services
SECOND: Council Member Roberts
VOTE: The motion carried.

Council Member Elwell	AYE
Council Member Mendenhall	AYE
Council Member Roberts	AYE
Council Member Densley	AYE
Council Member McDonald	ABSENT

Roll call vote. All Council Members that were present voted in favor.

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Presentation and discussion of Ordinance No. 2014-08, an Ordinance of Ivins City, Utah, amending the Sensitive Lands Ordinance

Kevin Rudd referred to the Sensitive Lands Ordinance where the Planning Commission made changes. A copy of the draft Sensitive Lands Ordinance is available by request through Ivins City Hall. After the Planning Commissions discussions, they recommended to the City Council a slope of 15% as a beginning point of regulation for uses other that low density residential. They made changes on page two (2) defining hillsides; page six (6) clarifying slopes, cross-sections of the site topography and ridgelines; page seven (7) regarding compliance with Ivins City Flood Damage Prevention ordinance; page eight (8) regarding protection regulations for slopes in low density residential, public street lighting, street design and drainage; pages ten (10) and eleven (11) Table 8-3 regarding Maximum Subdivision Lot or Parcel Limits of Disturbance; page twelve (12) Figure 8-3 Representation of Limits of Disturbance; pages thirteen (13) through eighteen (18) regarding Figures 8-4, 8-5, 8-6, 8-7, 8-10, 8-12 and 8-13 addressing Maximum Building Height, Building Heights, Landfill Ridgeline Protection and Interior City Bluff Ridgeline Protection; outdoor lighting; Retaining Walls on Fills Prohibited; Stacking of Retaining Walls Prohibited; and Transition Areas; and page nineteen (19) regarding protection regulations for slopes in non-residential and medium to high density residential. **Jeff Loris** referred to sloping and clarified that the current eight percent (8%) slope is a rise of approximately three feet (3') for every forty (40) feet. A fifteen percent (15%) slope is a rise of approximately six feet (6'). Anything up to fifteen (15%) is a pretty flat zone and a shallow slope that wouldn't need to be regulated under the Sensitive Lands Ordinance. He referred to an ADA (American's with Disabilities Act) ramp and indicated the slope on any ADA ramp is eight

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percent (8%). **Council Member Roberts** inquired if it was possible to take photos and apply the information for the City Council to review. **Jeff Loris** indicated "yes" and clarified that has already been done. **Council Member Elwell** was concerned with allowing a fifteen percent (15%) slope but felt that twelve percent (12%) was a good compromise. **Dale Coulam** clarified that tonight was merely a presentation of the main issues addressed by the ordinance \The Mayor and City Council will have additional information available for the next City Council meeting as they commence their discussion of the suggested revisions.

B. Discuss and consider approval of UDOT/FHWA Agreement Modification for Center Street Widening and approval of expenditures

Chuck Gillette stated the engineer's estimate to complete the project is $740,870. The amount currently available for the project is $619,436 and that includes Ivins City's match of $41,936 that has already been approved by the City Council when the original Federal Aid Agreement was approved on April 18, 2013. In order to complete the project, Ivins City needs to provide an additional $121,434. UDOT requires those funds to be fronted to them prior to bidding. It's possible that the engineer's estimate is high or that the construction contingency money is not spent and in those cases, the unused funds would be returned to Ivins City.

MOTION: Council Member Densley moved to approve the UDOT/FHWA Agreement Modification for Center Street Widening and approval of expenditures
SECOND: Council Member Elwell
VOTE: The motion carried.

Council Member Elwell	AYE
Council Member Mendenhall	AYE
Council Member Roberts	AYE
Council Member Densley	AYE
Council Member McDonald	ABSENT

6) CONSENT AGENDA

A. Approval of Meeting Minutes for March 6, 2014

MOTION: Council Member Mendenhall moved to approve the Consent Agenda
SECOND: Council Member Elwell
VOTE: The motion carried.

Council Member Elwell	AYE
Council Member Mendenhall	AYE
Council Member Roberts	AYE
Council Member Densley	AYE
Council Member McDonald	ABSENT

7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) REPORTS

A. Council

Council Member Elwell - no report
Council Member Mendenhall - no report
Council Member Roberts reported that due to new employment, it is difficult for him to attend

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meetings for the weed board and feels like the City needs to be better represented on that board. **Council Member Densley** inquired about the upcoming conference put on by the Utah League of Cities and Towns (ULCT). **Dale Coulam** clarified the Midyear convention will be held in St. George and if anyone is interested in attending, they can let the City know. The convention will be held April 9, 2014 through April 11, 2014.

B. Mayor

Mayor Hart reported that Adel Murphy's term on the Planning Commission is coming to an end next month. He would like to re-appointment her at the next City Council meeting but requested any thoughts or opinions of the City Council before then.

C. City Manager/Attorney Dale Coulam

Dale Coulam reported he will be attending the Rocky Mountain Power conference next week in Salt Lake City and will report back to the City Council the next City Council meeting.

D. Items to be placed on future agendas

9) CLOSED MEETING

10) ADJOURNMENT

MOTION: Council Member Roberts moved to adjourn

SECOND: Council Member Mendenhall

VOTE: The motion carried.

Council Member Elwell	AYE
Council Member Mendenhall	AYE
Council Member Roberts	AYE
Council Member Densley	AYE
Council Member McDonald	ABSENT

The meeting adjourned at 6:40 p.m.

Respectfully,

Kari Jimenez, CMC
Ivins City Recorder

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