IVINS
CITY COUNCIL
MINUTES
October 6, 2016

1) WELCOME AND CALL TO ORDER

MAYOR AND COUNCIL: The meeting was called to order at 5:30 p.m. and announced there was a quorum present.

All present included Mayor Hart, Council Member Mehr, Council Member McDonald, Council Member Johnson, Council Member Roberts, and Council Member Densley.
STAFF: City Manager/Attorney Dale Coulam, Director of Finance Wally Ritchie, Public Safety Director Bob Flowers, and City Recorder Kari Jimenez.

Audience: Cody Howick, Brittany Hollinshead, Alyna Eaves, Lance Anderson and others who did not sign in.
EXCUSED: None.

A. Acknowledgement of Quorum

Mayor Hart acknowledged there was a quorum present.

B. Flag Salute

Council Member Johnson led the Flag Salute

C. Invocation

Council Member Johnson gave the Invocation

D. Disclosures

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

2) REPORTS, PRESENTATIONS AND APPOINTMENTS

A. Mayors Proclamation "Dysautonomia Awareness Month"

Brittany Hollinshead and Alyna Eaves were present. **Mrs. Hollinshead** described what Dysautonomia and P.O.T.S. (Postural Orthostatic Tachycardia Syndrome). P.O.T.S. is a subset of Dysautonomia and she was diagnosed with it in 2012 after suffering for seven (7) years. The symptoms affect blood pressure, heart rate, digestion and the ability to sweat or swallow. The symptoms present as depression and anxiety. She founded a Facebook group and holds fundraisers. The money collected goes to Dysautonomia International. **Alyna Eaves** indicated that her symptoms started with a cold and sinus infection that wouldn't go away. She was diagnosed within six (6) weeks but missed a lot of school that year. She has a lot of brain fog and studying for school is difficult. Her school has been very supportive and has been talking about P.O.T.S. and Dysautonomia every day this week. **Mayor Hart** thanked them for being here and read the Proclamation, a copy of which is available by request through Ivins City Hall. **Mayor Hart** stated that he would like them to interview with the Community Education Channel to help get the message out. The **Mayor and City Council** supported this proclamation.

B. Mayors Proclamation "National American Indian Heritage Month"

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Mayor Hart indicated that Michelle Madsen is a Nurse with IHC (Intermountain Health Care) and will be here later.

MOTION: Council Member Mehr moved to suspend the rules and move this to when Michelle Madsen arrives

SECOND: Council Member McDonald

VOTE: The motion carried.

Council Member Mehr	AYE
Council Member McDonald	AYE
Council Member Johnson	AYE
Council Member Roberts	AYE
Council Member Densley	AYE

C. Department Reports: Parks and Recreation & Public Safety

Benny Sorensen provided an electronic report to the Mayor and City Council. A copy of the report is available by request through Ivins City Hall. The City has received bids to build the pickleball courts in Desert Rose Park and will be opening those bids on October 12, 2016. The City has been moving soil for the Desert Rose park. The Heritage Days celebration went really well. He thanked Council Member Johnson for the work that she and the committee did to make that a success.

Chief Flowers provided an electronic report to the Mayor and City Council, a copy of which is available by request through Ivins City Hall. He reported that things are going really well in the Fire Department. There is a Fire Academy going on right now. There are some concerns with the protection for next year and the City is thinking about developing more partnerships to address those concerns. It's going well with the schools. Public Safety is receiving noise complaints about Fire Lake Park. In one complaint where law enforcement responded, one of SCI's officers was already at the park when the complaint came in and it was felt that the noise complaint was an exaggeration. People need to be reasonable and understand that just because they're bothered by noise, that doesn't mean the law is being broken. Public Safety is on-site and actively patrolling Fire Lake Park and that area. He reported that the City is adopting animals from the animal shelter like crazy. There were 16 animals adopted out last week. **Council Member Roberts** referred to animal control and stated there have been dog bites in his neighborhood recently and inquired if there's a direct line to animal control or if the preference is to contact dispatch. **Chief Flowers** indicated calling dispatch or in the case of a dog bite, call 911 because a police officer will investigate the incident. A dog bite case is similar to an assault by a person and requires photos, interviews, etc. The City has an administrative process as well.

3) CITIZEN COMMENT & REQUEST FOR FUTURE AGENDA ITEMS

None

4) PUBLIC HEARING AND ACTION ITEMS

None

2) B. Mayors Proclamation "National American Indian Heritage Month"

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Mayor Hart introduced Michelle Madsen. She is a representative of the Daughters of the American Revolution and is a Nurse in the Mom and Baby Unit at Intermountain Health Care. **Michelle Madsen** stated that she is the Committee Chair on the Daughters of the American Revolution Society that helps recognize American Indians and indigenous people of the United States. They work to continue the education of the history and the culture of the American Indians, as well as supporting educational and cultural pursuits of its citizens. **Mayor Hart** read the proclamation, a copy of which is available by request through Ivins City Hall. The **Mayor and City Council** supported this Proclamation.

2) D. Planning Commission Report

Commissioner Anderson reported that the Public Hearing regarding a proposed Zone Change from RA-1 Residential/Agricultural to Resort Recreational was cancelled. The Planning Commission reviewed a Concept Plan for the Red Desert subdivision and recommended approval of a Preliminary Plan for the Crimson Canyon subdivision. They also discussed High Density Zoning.

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Continued discussion to consider approval of Ordinance No. 2016-18, an Ordinance of Ivins City, Utah, adopting the Ivins City Parks & Recreation Impact Fee Facilities Plan and Impact Fee Analysis; Enactment of Parks & Recreation Impact Fees.

Dale Coulam indicated that he met with Cody Howick with Sunrise Engineering that prepared the Impact Fee Facilities Plan and Analysis. There was a question at the previous City Council meeting about adding a park on Center Street and if that would increase the impact fees. Dale and Cody both confirmed that if they did that, it would increase the level of service but the City would have to pay for the park with other General Fund money because impact fees could not be used for that. The park is already in the Master Plan study which allows for maximum flexibility. If the City Council chose to develop a park on the Center Street site or anywhere else in the City before the next time a new study is done, they could do that with General Fund money. The park may actually be in the next study and if it is, impact fees could be used for that but for the current plan and analysis, that can't be changed and from a legal standpoint, the City has to adopt the plan as it appears now. Once adopted, it will take effect 90 days after adoption.

MOTION: Council Member Johnson moved to approve Ordinance No. 2016-18, an Ordinance of Ivins City, Utah, adopting the Ivins City Parks & Recreation Impact Fee Facilities Plan and Impact Fee Analysis; Enactment of Parks & Recreation Impact Fees.
SECOND: Council Member McDonald
VOTE: The motion carried.

Council Member Mehr	AYE
Council Member McDonald	AYE
Council Member Johnson	AYE
Council Member Roberts	AYE
Council Member Densley	AYE

Roll call vote. All Council Members voted in favor.

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B. Discuss and consider approval of Equipment Lease Agreement and Resolution No. 2016-19R, a Resolution of Ivins City, Utah, approving the form of the Equipment Lease Agreement with ZB, N.A.

Wally Ritchie indicated that the City Council approved the purchase at a prior City Council meeting and this is the financing information related to the approved purchase. The City obtained financing information with identical terms from three (3) banks and Zions Bank had the most favorable financing terms.

MOTION: Council Member McDonald moved to approve Equipment Lease Agreement and Resolution No. 2016-19R, a Resolution of Ivins City, Utah, approving the form of the Equipment Lease Agreement with ZB, N.A.
SECOND: Council Member Mehr
VOTE: The motion carried.

Council Member Mehr	AYE
Council Member McDonald	AYE
Council Member Johnson	AYE
Council Member Roberts	AYE
Council Member Densley	AYE

Roll call vote. All Council Members voted in favor.

C. Discussion regarding procedure for Sentierre to acquire the portion of Tuacahn Drive that abuts Sentierre's property

Dale Coulam stated that Sentierre's representatives are doing due diligence that is required by lenders for the hotel. Part of the due diligence involves Tuacahn Drive which is the street that abuts their property. They would like to acquire that portion of the street to do some traffic calming measures. They have filed a petition to vacate with the City to start that process. That will ultimately require a Public Hearing to be held and for the City Council to find that there's good cause to vacate that portion of the street and that it is in the public interest to do so. The City Council would also need to find that no one would be materially injured by that portion of the street being vacated. That is addressed in the Development Agreement with Sentierre because it would require Tuacahn's board to consent. On this project, Sentierre and Tuacahn are partners in a sense. Regarding traffic enforcement, the City enforces what State law is and that is 25 mph. It would be possible that in the future that portion of street coule revert back to the City so that possibility needs to be addressed as well. **Council Member Roberts** referred to traffic control and inquired if speed bumps or something similar could be installed. **Dale Coulam** indicated that would be something Sentierre could do, where the City likely would not do that. **Council Member Densley** inquired if the City is able to vote on turn lanes, islands, speed bumps and things like that. **Dale Coulam** stated the City would not be approving the traffic calming measures. **Council Member Johnson** inquired if Tuacahn's Board has to consent to what goes in or on the road. **Dale Coulam** indicated yes because it's their students attending their school and their patrons attending their plays so they need to be fully involved. **Council Member Densley** inquired if SunTran should be involved because their route goes through Tuacahn Drive. **Dale Coulam** stated that would again be an issue for Tuacahn

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D. Discuss and consider approval of existing Crossing Guard Job Description to be either a volunteer or paid position

Dale Coulam indicated that Ivins always has a need for crossing guards and the Public Safety department has come across situations where applicants want to volunteer and not be paid for some reason, such as social security requirements. **Council Member Mehr** inquired what the labor laws stated if there are two (2) people doing the same job where one is being paid and one is not. **Dale Coulam** clarified that this would only apply in situations where the employee requests to not be paid and in essence is turning down the compensation. **Council Member Mehr** referred to what would occur if a crossing guard was hurt while volunteering. **Dale Coulam** clarified that volunteers are fully covered for Workers Compensation.

MOTION: Council Member Densley moved to approve the existing Crossing Guard Job Description to be either a volunteer or paid position
SECOND: Council Member Roberts
VOTE: The motion carried.

Council Member Mehr	AYE
Council Member McDonald	AYE
Council Member Johnson	AYE
Council Member Roberts	AYE
Council Member Densley	AYE

E. Approval of Ambulance Medical Billing Agreement

McKinzie Tobler, Ivins EMS Coordinator stated that ambulance billing has been a challenge over the last couple of years. In researching what other agencies Ivins size are doing throughout the state, they are outsourcing their billing to other agencies that are able to do this more cost effectively and collecting more. Ambulance billing is very specific and the agencies that are being outsourced to are only billing for ambulance billing and not for other medical offices or other medical services. **Mayor Hart** inquired if the basis for this is that by handling it in-house, there's a chance that the City is possibly missing something and not receiving all of the revenue that the City should be receiving. **Wally Ritchie** indicated that one of the things the City is looking at is how to improve operations. A big problem area is billing and collecting because you need someone full-time to do that and it is expensive to train someone to do that. The City had one person trained and they left. Staff is recommending approval of this agreement because there is a six (6) month trial period before the City commits to a long term contract. **Council Member Roberts** inquired if that period of time was long enough. **Wally Ritchie** clarified that the original trial period was three (3) months. Staff didn't think that was enough time but staff is comfortable with a six (6) month trial period. **Council Member Roberts** inquired if the term of the agreement then becomes five (5) years. **Wally Ritchie** stated "yes" but that there is an out clause in the contract. **Council Member McDonald** inquired if the service will take over anything that hasn't been collected so far and try to collect that. **McKinzie Tobler** clarified that they will go back 365 days from today and audit what Ivins has done. **Council Member Mehr** inquired if there will be an opportunity for a self pay patient to satisfy the debt by meeting the Medicare allowable amount rather than the full charge. **McKinzie Tobler** stated that would be something that would have to be agreed upon and they would be able to set up a payment plan if they could not pay it all at one

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time. Whatever the City decides, this billing company will do for the City. **Council Member Densley** inquired if someone is billed for calling for help and the City responds or if someone at the City determines that it's a public service response and they aren't billed. **McKinzie Tobler** stated that they make that determination and are only looking to cover Ivins costs for splinting, bandaging, provided an IV and similar. **Council Member Johnson** indicated she didn't think that billing through an outsourced company would change the quality of the service given by Ivins City. She stated that it was a good thing to outsource the billing. **McKinzie Tobler** clarified that most areas that are the size of Ivins are either hospital billed or outsourced.

MOTION: Council Member McDonald moved to approve the Ambulance Medical Billing Agreement
SECOND: Council Member Mehr
VOTE: The motion carried.

Council Member Mehr	AYE
Council Member McDonald	AYE
Council Member Johnson	AYE
Council Member Roberts	AYE
Council Member Densley	AYE

6) CONSENT AGENDA

A. Approval of City Council Meeting Minutes for September 15, 2016.

Council Member Johnson referred to page 2 of Minutes and indicated that the words "Mayor Hart" should read "Mayor Pro Tem Densley". There were no other changes.

MOTION: Council Member Mehr moved to approve the Consent Agenda as amended
SECOND: Council Member Johnson
VOTE: The motion carried.

Council Member Mehr	AYE
Council Member McDonald	AYE
Council Member Johnson	AYE
Council Member Roberts	AYE
Council Member Densley	AYE

7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) REPORTS

A. Council

Council Member Mehr reported that he attended the Utah League of Cities and Towns conference in Salt Lake City. The Key Note speakers were informative and there were sessions on wildland fires, water conservation, budgeting and transparency, communication and other interesting sessions. He reported that it was a good conference.
Mayor Hart reported that he also attended the Utah League of Cities and Towns conference and attended the discussion regarding short-term rentals. He indicated that the Mayor of Garden City has developed software that pulls short-term rental listings from a number of websites.
Council Member McDonald - no report
Council Member Johnson reported that the week of October 10, 2016 is Fire Prevention week

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and there will be an Open House at the fire station on Thursday, October 13, 2016. **Mayor Hart** thanked Council Member Johnson and the members of the Heritage Days Committee for the hard work they put into Heritage Days. **Council Member Roberts** suggested expanding the route next year. **Council Member Johnson** stated they will likely extend it to the Veterans' home. **Council Member Mehr** indicated it was fun to have the marching bands there and suggested the City send a thank you note to them. **Dale Coulam** clarified that he personally thanked the Band Director and Principal that day. **Council Member Johnson** stated that the committee has talked about possibly moving the parade to Friday evening instead of Saturday. **Council Member Roberts** suggested moving Heritage Days to a weekend that does not conflict with the Dixie Rodeo.

Council Member Roberts - no report

Council Member Densley reported that he was involved in the interviewing process for future students of Rocky Vista University.

B. Mayor

Mayor Hart reminded the City Council that the Kayenta Arts Festival begins Friday, October 7, 2016 and goes through Sunday, October 9, 2016. He reported that Ivins City and other entities filed protests to the BLM Resource Management Plan. The Tuacahn expansion is complete and there will be a grand opening on Thursday, November 3, 2016. The Community Education Channel has hired a reporter who will be contacting Dale Coulam regarding things happening in the City and some of those will go on their Facebook page, broadcast on Channel 22 and available on the internet. The Center Street/Tuacahn Drive/Snow Canyon Drive statute is a big success. It has been suggested that a plaque be placed off the trail for individual to understand what they're looking at.

C. City Manager/Attorney Dale Coulam

Dale Coulam reported that every year for the last three (3) years Rocky Mountain Power has donated $1,000 to the statute. He has asked them to donate towards that plaque and the professional photography. The **Mayor and City Council** agreed. **Mayor Hart** suggested that those photos also go on Ivins website. **Dale Coulam** reported that City Recorder also to have those photos on the website. **Dale Coulam** reported that Kari Jimenez has been serving on the Utah Municipal Clerks Association Board since 2012. She provided a dedicated service and has concluded that service. She will continue to serve on the Utah State Bar Paralegal Division Board.

D. Items to be placed on future agendas

Council Member Roberts referred to a Citizen Comment that was submitted by Susan Saltzman regarding the goat head problem. The **Mayor and City Council** agreed to discuss that as an agenda item at the next City Council meeting.

9) CLOSED MEETING

10) ADJOURNMENT

MOTION: Council Member McDonald moved to adjourn

SECOND: Council Member Mehr

VOTE: The motion carried.

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Council Member Mehr	AYE
Council Member McDonald	AYE
Council Member Johnson	AYE
Council Member Roberts	AYE
Council Member Densley	AYE

The meeting adjourned at 7:27 p.m.

Respectfully,

Kari Jimenez, MMC
Ivins City Recorder

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