IVINS
CITY COUNCIL
MINUTES
January 19, 2017

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 City Recorder Kari Jimenez.
STAFF: City Manager/Attorney Dale Coulam, Director of Finance Wally Ritchie, and Acting Building Official Cody Mitchell.
EXCUSED: Council Member Densley
Audience: Brad Osburn, Jane Blackwell, Becky & Chuck Warren, Lance Anderson and others who did not sign in.

A. Acknowledgement of Quorum

Mayor Hart acknowledged there was a quorum present. Council Member Densley was excused.

B. Flag Salute

Council Member Mehr led the Flag Salute

C. Invocation

Council Member Mehr 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. Presentation - Kevin Smith, Tuacahn

Joseph Smith with Tuacahn Center for the Arts provided a handout to the Mayor and City Council, a copy of which is available by request through Ivins City Hall. He expressed appreciation and gratitude to the Mayor and City Council for supporting Tuacahn. He reported that they have a great season planned. The concert season begins in March and the Broadway season begins in May. They are currently in the middle of auditioning for the Broadway season. There were approximately 265,000 patrons that came through Tuacahn last year and that is the largest theater attendance in the State of Utah. During the peak season, Tuacahn employs nearly 350 people and there are over 200 volunteers. They sold over 12,000 season packages last year and have already sold just over 10,500 season packages as of January 18, 2017. He thanked City Manager / Attorney Dale Coulam for assisting with the bonding process and indicated that the Watts Construction company was very complimentary of Kevin Rudd and Cody Mitchell in Ivins' Building Department. **Council Member Roberts** inquired where the performers stay. **Joseph Smith** stated in condos and apartments that are primarily in the Green Valley area of St. George. **Council Member Roberts** inquired if there are any plans to build condo or similar facilities for the performers closer than Green Valley. **Joseph Smith**

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indicated that they have discussed building some housing on site but that is years away due to funding. **Council Member McDonald** stated that former Council Member Mendenhall was concerned about Tuacahn's need for continued funding to replace sound, lighting and similar equipment down the road and inquired if Tuacahn has a plan in place so they're not come back in 15 or 20 years asking for more funding to do that. **Joseph Smith** clarified that he can't guarantee that they won't ask for funding in the future but that there is a plan in place, a reserve, and they are working towards that goal.

B. Department Reports: Building Department; Public Works/Engineering; Finance/Quarterly Report

Acting Building Official Cody Mitchell provided written reports to the Mayor and City Council. Copies of the reports are available by request through Ivins City Hall. The City has received one (1) residential building permit and one in the process, with a total of 11 combined permits issued to date in January. There have been a few complaints regarding residential real estate signage and Code Enforcement Officer Dennis Murphy has been working with the agents to comply with Ivins' ordinance. The main building for Rocky Vista University continues to be built from West to East with drywall and rough trade work being done. The student housing buildings are progressing and Rocky Vista University is happy with their schedule. **Council Member Johnson** inquired what the time frame was on the student housing and if it will be ready when school starts. **Cody Mitchell** indicated that they are on schedule to complete the student housing two (2) weeks before school starts and stated that the first class is a small class. He reported that the Building Department is working towards going paperless and Deputy City Recorder Sharon Allen is working hard.

Chuck Gillette reported that the Public Works crew are continuing to crack seal and that is just about complete. **Mayor Hart** inquired if the new roads that have been crack seal will be slurried. **Chuck Gillette** clarified that they would and that they are looking at the HA5 surface treatment and if there is enough volume, they'd like to use that treatment on a couple of subdivisions. The sooner the pavement is sealed, the longer it will last. The cost of the slurry seal is approximately .12 cents per square foot and HA5 is .16 per square foot. The slurry seal is not preventing the cracking as well as the HA5 product is. He reported that there will be a presentation regarding Sewer Impact Fee Facilities Plan and Impact Fee Analysis at the next City Council meeting and then the Public Hearing regarding those will be held at the following City Council meeting. The Tuacahn Trail project will be starting the week of January 23, 2017. The Kayenta Debris Basins project is anticipated to start in a couple of weeks and the Cliffrose 2 Million Gallon Water Tank Expansion is anticipated to be completed in March. **Council Member Mehr** inquired if there are photos of the inside of the water tank. **Chuck Gillette** stated there were and that he will email those to the Mayor and City Council.

Wally Ritchie referred to the Second Quarter Financial Report and PowerPoint presentation, a copy of which is available by request through Ivins City Hall. He reported that the second quarter ended December 31, 2016 and the Fiscal Year is 50% over. Property taxes have been received for the General Fund and there was solid growth. The City's total budget is $17.2 million. Revenues and Expenditures are in line with expectations and there is a positive outlook going forward.

C. Planning Commission Report

Dale Coulam indicated that the Planning Commission held a Public Hearing regarding zoning text amendments clarifying the distinction between legislative and administrative

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decisions. That will be coming forward to the City Council at the next City Council meeting. He also provided Open Meetings training to the Planning Commissioners.

3) CITIZEN COMMENT & REQUEST FOR FUTURE AGENDA ITEMS

Brad Osburn resides at 450 South 250 East in Ivins. He referred to the City's flood control projects that have been done and inquired if the City is responsible for similar projects in the Kayenta area. **Mayor Hart** clarified that there are two (2) major projects that will begin in approximately two (2) weeks that are specifically designed to capture water in that area and nearby. **Chuck Gillette** stated that the City will be constructing those projects with Federal money.

4) PUBLIC HEARING AND ACTION ITEMS

None

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and consider adoption of Ordinance No. 2017-01, an Ordinance of Ivins City, Utah, amending Title 14 of the Ivins City Code entitled "Buildings and Construction" to adopt the 2015 Fire Code

Dale Coulam indicated that the City Council previously adopted all of the other updated building codes. This is to adopt the updated Fire Code with appendices B through D. The State of Utah adopts the Fire Code without any appendices and if a municipality wants to adopt anything stricter, you have to go through the legal process. **Mayor Hart** inquired why the City would want to do that. **Dale Coulam** stated that the Acting Fire Chief would need to provide an explanation and that this agenda item could be deferred to the next City Council meeting. The **Mayor and City Council** requested that the acting Fire Chief be in attendance to explain this and answer questions.

MOTION: Council Member Roberts moved to continue item A, discuss and consider adoption of Ordinance No. 2017-01
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	ABSENT

B. Discuss and consider approval of Resolution No. 2017-01R, a Resolution of Ivins City, Utah, amending/updating the Consolidated Fee Schedule

Wally Ritchie indicated that the building permit and ambulance service fees have been included in this update. **Council Member Mehr** referred to fees under Parks and stated that he saw a charge for baseball and inquired if the City charges for the use of the soccer fields for Ivins Soccer Association. **Wally Ritchie** stated that the Park Facility Rental is for groups over 50. Regarding Ivins Soccer Association, there is likely an agreement that was worked out with them and the City. **Council Member Roberts** inquired if when a group rents the entire park, if it's still open to the public. **Dale Coulam** clarified that the Park Facility Rental is for the pavilion. It's not possible to rent the whole park.

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MOTION: Council Member Mehr moved to approve Resolution No. 2017-01R, a Resolution of Ivins City, Utah, amending/updating the Consolidated Fee Schedule
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	ABSENT

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

C. Discuss and consider approval of Resolution No. 2017-02R, a Resolution of Ivins City, Utah, appointing an Arts Commission Member

Mayor Hart indicated that this was discussed at the previous City Council meeting. There was no further discussion.

MOTION: Council Member McDonald moved to approve Resolution No. 2017-02R, a Resolution of Ivins City, Utah, appointing an Arts Commission Member
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	ABSENT

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

Mayor Hart stated that the day after the City Council meeting where Christie Gubler was introduced, another Arts Commission Member, Ryan Anderson representing Tuacahn, resigned. He provided the City Council with a bio on Kathy Ravenberg and suggested she be appointed to the Arts Commission at the next City Council meeting. A copy of the bio is available by request through Ivins City Hall.

D. Discuss and consider distribution of uncommitted Arts RAP Tax Funds

Wally Ritchie indicated that the City collects RAP (Recreation Arts and Parks) tax throughout the year. The City has a contractual obligation to provide Arts RAP tax to Tuacahn for $10,000 per year and to the Kayenta Arts Foundation for $3,000 per year. After those obligations are paid, there is $3,131.00 remaining that is not committed. **Council Member Roberts** referred to the entry signs on Highway 91 and inquired if the City can put the uncommitted money towards those signs. **Wally Ritchie** stated the City could if that's what the City Council decides. **Council Member Mehr** inquired if the entry signs are Art. **Wally Ritchie** clarified that it depends on what the City Council would like as an entrance feature. If it's a basic sign, he would not consider that art but if the entries contained a sculpture or something similar, that would be art. **Council Member McDonald** inquired if there was any rule that said the City can't

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retain the money. He indicated that there are a lot of projects coming up and he would prefer saving the money for those projects. **Council Member Roberts** referred to the Kayenta Arts Foundation and them giving money to the Arboretum in Kayenta. He inquired why the City doesn't give the money directly to the Arboretum. **Council Member McDonald** clarified that the City already gave the Arboretum $10,000. **Dale Coulam** answered the question regarding whether or not the funds could be carried forward. He referred to Resolution No. 2015-03R that outlines the process and distribution formula for RAP tax money and stated there's nothing that says it must all be distributed. It can be carried forward. **Council Member Roberts** suggested that if a project goes to the Arts Commission for them to make a recommendation, then that project would be considered art. If it's a basic sign, it would go to the Building Department. **Dale Coulam** clarified that the question for the City Council tonight is what they're going to do with the $3131.00. **Council Member McDonald** was in support of holding it due to the number of upcoming City projects. **Council Member Johnson** stated that the City isn't required to spend it but felt that the City needed to support the organizations in the community as well and suggested providing $1,000 to the Kayenta Arts Foundation. **Council Member Mehr** referred to a prior City Council meeting where this agenda item was discussed and indicated that if the City made a commitment or if the Kayenta Arts Foundation felt that the City would distribute that money, the City should do that. **Dale Coulam** referred to the City Council Minutes from the November 17, 2016 meeting and read portions of the Minutes to clarify the discussion from that meeting. A copy of those meeting Minutes are on Ivins website and available by request through Ivins City Hall.

MOTION: Council Member Mehr moved to approve distribution of uncommitted Arts RAP Tax Funds to be earmarked for the building project for the Kayenta Arts Center in the amount of $3,131.00

The motion failed for lack of a second.

MOTION: Council Member Roberts moved to approve the expenditure to the Kayenta Arts Foundation for $1,131.00 to go directly to the building equipment and leave the $2,000.00 balance for future art projects in the City
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	ABSENT

E. Discuss and consider approval to surplus City vehicles

Wally Ritchie indicated that the City purchased a few new vehicles last fall to replace some aging and high maintenance vehicles in the fleet. There will be five (5) vehicles to surplus and anything with a value of over $5,000 is brought to the City Council for approval. **Mayor Hart** referred to the 2000 International old ambulance and the starting bid. **Wally Ritchie** stated that he spoke with Council Member McDonald regarding that vehicle. **Council**

Member McDonald clarified that it will be difficult to sell. **Dale Coulam** indicated that it isn't dependable.

MOTION: Council Member Roberts moved to approve surplussing City vehicles
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	ABSENT

F. Discussion regarding use of Consumer Price Index for budgeting purposes

Dale Coulam indicated that historically and prior to the recession, the City used the Consumer Price Index to determine the level of inflation. During the recession there was a comment by a former City Council Member that the COLA that the Social Security Administration uses should be used for those purposes and the City has been using that since. When the City saw no Social Security COLA in 2015, but that year proved to be a prosperous year, the City decided to look at that and determined that the Social Security COLA does not reflect the true level of inflation. **Wally Ritchie** stated that the Consumer Price Index (CPI)is a better gauge for inflation. **Mayor Hart** inquired if it's a better gauge for other cities also. **Wally Ritchie** clarified that it was and clarified that the Social Security COLA is manipulated by the Federal government. The Federal Government is worried about the Social Security fund and those that are in Social Security fund are in a different class than your average working employee. There has been a blatant and huge discrepancy over the last two years with the Social Security COLA not keeping pace with the economy. It impacts staff, retaining staff and recruiting staff. **Council Member Roberts** inquired if the City maintains the ability to raise wages in addition to the COLA. Wally Ritchie clarified that it does and is performance based. The City would like to get back to using the CPI and add two percent (2%) to establish the "pool" to be used for increases as was done by the City previously.

MOTION: Council Member Johnson moved to approve the use of the Consumer Price Index for budgeting purposes
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	ABSENT

G. Open Meetings training

Dale Coulam referred to a PowerPoint presentation that he presented in part to the Utah Municipal Clerks Association (UMCA) recently. A copy of the PowerPoint is available by

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request through Ivins City Hall. He provided training on Open Meetings and Rules of Order to the Mayor and City Council.

6) CONSENT AGENDA

A. Approval of Purchase of Equipment for the new Public Safety Vehicles
B. Approval of City Council Meeting Minutes for January 5, 2017

MOTION: Council Member Mehr moved to approve the Consent Agenda
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	ABSENT

7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) REPORTS

A. Council

Council Member Mehr - no report
Council Member McDonald - no report
Council Member Johnson - no report
Council Member Roberts - no report

B. Mayor

Mayor Hart reported that he drove down through Snow Canyon. The majority of that road has been re-paved and they are working on the upper portion of the road.

C. City Manager/Attorney Dale Coulam

No report

D. Items to be placed on future agendas

None

9) CLOSED MEETING

None

10) ADJOURNMENT

MOTION: Council Member Roberts moved to adjourn
SECOND: Council Member Johnson
VOTE: The motion carried.

Council Member Mehr	AYE
Council Member McDonald	AYE
Council Member Johnson	AYE

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Council Member Roberts	AYE
Council Member Densley	ABSENT

The meeting adjourned at 7:35 p.m.

Respectfully,

Kari Jimenez, MMC
Ivins City Recorder

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