IVINS
CITY COUNCIL
MINUTES
March 2, 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 Council Member Densley.
STAFF: City Manager/Attorney Dale Coulam, Director of Finance Wally Ritchie, Public Safety Director Bob Flowers, Public Works Director/Engineer Chuck Gillette, and City Recorder Kari Jimenez.
EXCUSED: None.
Audience: Becky & Chuck Warren, Bob Nickerson, Lance Anderson and others who did not sign in.

A. Acknowledgement of Quorum

Mayor Hart acknowledged there was a Quorum present

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.

2) REPORTS, PRESENTATIONS AND APPOINTMENTS

A. Department Reports: Parks and Recreation and Public Safety

Dale Coulam indicated that Benny Sorensen is at basketball but that he provided a report electronically. A copy of the report is available by request through Ivins City Hall.
Bob Flowers stated that he also provided reports electronically. Copies of the reports are available by request through Ivins City Hall. He reported that EMS responded to a call regarding a choking child. The child was taken to the hospital and taken into surgery. They received a call from the grandfather of the child, thanking EMS for their service. EMS responded quickly to an awful crash in the hills of Santa Clara involving a UTV that rolled. He reported that there were 17 applicants that applied for the Fire Chief position. He reviewed the applications carefully and he was looking for someone who was at a command level. The City agreed on Brad Hannig who is a Battalion Chief with the Las Vegas Fire Department. He has been in the training division, EMS and has responded to thousands of calls. He has also been in charge of putting the volunteers together for the Clark County Fair, which has approximately 900 volunteers. Bob Flowers contacted people that Mr. Hannig worked with in Utah, as well as in Las Vegas and was told that Ivins was lucky to have him. He resides in St. George and is highly qualified. He will begin working for Ivins in late March and will come before the City Council in the near

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future. He reported that Ivins Law Enforcement Officers have been at the firing range and they switched their weapons from 45mm to 9mm. The numbers of animals in the animal shelter has increased because they have been taking some animals from the County, with the understanding that the City can do that if there is room. In exchange, the City has traded with the County. There was additional enforcement in Kayenta during the Parade of Homes because of the increased traffic that that event creates.

B. Planning Commission Report

Chairperson Loris reported that the Public Hearing regarding a Land Use change from Low Density Residential to High Density Residential was post-poned to the next Planning Commission meeting due to a noticing issue. The Planning Commission held a Public Hearing on a Land Use change from Low Density Residential to Medium Density Residential at approximately 600 West and 280 South. Several residents obtained a signed petition and spoke in opposition to the change. He reported that there were two Commissioners in favor of the change and two against, with Commissioner Anderson initially abstaining. Commissioner Anderson eventually voted in opposition because his son owns property in the area. The vote was 3 to 2, recommending denial of the change. The Planning Commission recommended approval of zoning text amendments for swimming pool enclosure requirements and that will move forward to the City Council for a Public Hearing.

Council Member Mehr inquired as to arguments for and against regarding the swimming pool enclosure requirements. **Chairperson Loris** indicated that their recommendation was primarily based on published documents from the City of St. George and other municipalities. It has been found that drowning or injury has come from those that are already in the home or inside the fence.

Council Member Roberts referred to the Parks and Recreation report and stated that he noticed that the shade cover for UNITY Park has been placed on the priorities. **Dale Coulam** clarified that when the shade structure is ordered for Desert Rose Park, they will order the shade cover for UNITY Park as well and have them both installed at the same time. **Council Member Roberts** appreciated seeing that information in Benny's report.

3) CITIZEN COMMENT & REQUEST FOR FUTURE AGENDA ITEMS

Mayor Hart stated that Bob Nickerson had a comment and clarified to Mr. Nickerson that the purpose of this agenda item is to request a future agenda item and is not a complaint form. **Bob Nickerson** resides at 287 Painted Hills Drive and referred to the Tuacahn Trail that is being installed adjacent to the Citadel subdivision. He indicated that he spoke with one of the laborers who told him that the swale that is going to direct the flow of rain water off the street, is going to remain just dirt and the curbs and gutter coming off the south side of Citadel road where it goes into Tuacahn, the concrete curbs and gutters are not going to extend to the drain that have been installed to direct water into the wash. He requested that the curb and gutter be extended to that drain that has been installed so that the water will not flow down the dirt swale. A dirt swale will collect dirt over a period of time and will need to be cleared. **Chuck Gillette** clarified that the City has already made the decision to do that.

4) PUBLIC HEARING AND ACTION ITEMS - None

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5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and consider approval of Resolution No. 2017-06R, a Resolution of Ivins City, Utah, amending Vacation Leave Policy for lateral hires

Dale Coulam clarified that under "Accrual", he added the verbiage "For lateral hires having at least 10 years of experience in the job for which they are being hired, or equivalent, the City Manager shall be allowed to negotiate a starting accrual level at up to 10 years of service (3 weeks' vacation)." This is similar to what the City of St. George does. The Mayor and City Council did not have any comments.

MOTION: Council Member Mehr moved to approve Resolution No. 2017-06R, a Resolution of Ivins City, Utah, amending Vacation Leave Policy for lateral hires
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.

B. Discussion regarding accumulated fund balance policy and using a portion of that fund balance to fund future art projects

Dale Coulam indicated that this is on for discussion and will be brought forward in the form of a final Resolution for approval. He prepared a draft Resolution that establishes a formal fiscal policy where the City's goal is to attain a 25% reserve, which is the maximum amount allowed by law. The reserve is there to provide basic services in the event of an economic downturn or a disaster. It equates to approximately $1 million dollars and the reserve is currently at 20.7%. The Resolution recognizes that the City Council would like to use a portion of any excess general funds to fund future art projects. He recommended that there be a floor and that the floor increase as time goes on so that the accumulated funds do not decrease. The City Council's statutory mandate is to provide health, safety and welfare first and if needed, the City Council could utilize funds in the art project account to provide that. Putting a portion of money away for art projects would start in the next fiscal year. **Dale Coulam** suggested a rate of between 10% and 20%, which is for the City Council to decide and establish. When the accumulated fund balance reaches the maximum allowed amount, any surplus funds from the general fund beyond that point, after allocating 20% to the art projects fund, will be allocated to the capital projects fund.

Dale Coulam stated that Dixie Applied Technology (DXATC) is also asking all of the cities to help pay for their bond payments. Any funds that would be contributed to DXATC would come out of the General Fund prior to any amounts going into the accumulated funds account or art projects account. **Council Member Densley** suggested changing the name and instead of funding arts projects, the City could concentrate more on Parks and recreation like shade structures, add to Ivins parks and the reservoir and put down the list. There's been discussion about capital improvements and talking about a fire truck and that is something to look at putting money away for. **Council Member Roberts** agreed that the City should fund capital

DRAFT

improvements but clarified that this would be after all of the projects and would be extra money. He did not have a problem with calling the fund Arts or Parks. He inquired what a 20% savings would be in a typical year. **Wally Ritchie** indicated that it depended on the revenues received. Ivins City has a $6 million dollar budget and 25% of that is only $1.5 million dollars. That money goes fast if there's a recession or a disaster. **Council Member Roberts** stated that he liked the language in the Resolution that allows the City to use the funds for other projects and the City is not locked into the arts. He referred a fund balance maximum and felt there should be a cap on it. **Council Member Mehr** referred to a cap and inquired what would happen to the surplus if there was a cap. **Wally Ritchie** indicated that if the City reached the maximum fund balance of 25% and whatever cap the Council decided for this fund, the City could keep a separate fund for capital improvements but they could also put money in debt service funds to fund future bond payments. He recommended that they do that. **Mayor Hart** stated that he was an advocate for the arts and the projects that Council Member Densley referred to are budgeted annually. He didn't disagree with his point of needs in the parks but if the City doesn't have something like fund balance policy then the arts aspect of Ivins goes away. He proposed that the percentage be 20% with a ceiling of $250,000. He was troubled with being able to use the money for anything because that would simply mean that the arts go unfunded. **Wally Ritchie** clarified that the money can't just be taken out. It would have to be done by a council action because it's a council action to put the money in the fund. **Council Member Roberts** indicated that the original purpose of this fund balance policy was to have money to purchase an art project. He liked the $250,000 cap. **Council Member Johnson** agreed. Council Member Mehr inquired what the range would be of 10%-20%. **Wally Ritchie** clarified that it would be between $20,000 and $40,000 set aside, depending on the percentage, building permits and sales tax. **Dale Coulam** stated that it would also depend on timing – what may be excess in one year may need to repay a deficiency in the prior year. **Council Member Mehr** suggested a conservative percentage of 10%. The majority of the City Council agreed with 20% and a cap of $250,000. **Dale Coulam** indicated that he will finalize the Resolution and bring it back to the City Council at the next meeting for adoption. **Mayor Hart** thanked Dale Coulam and Wally Ritchie for their thoughts on this and stated that they did a really good job laying it out.

6) <u>CONSENT AGENDA</u>

Mayor Hart requested that item B be removed for further discussion

MOTION: Council Member Mehr moved to remove item B from the Consent Agenda for further discussion
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

A. Approve ratification of a Change Order regarding conduit for lighting the full length of Tuacahn Trail

C. Approval of City Council Meeting Minutes for February 16, 2017

MOTION: Council Member McDonald moved to approve the balance of the Consent Agenda
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

7) CONSENT AGENDA ITEMS FOR DISCUSSION

B. Approval of Supplemental Watershed Work Plan Agreement with NRCS for Ivins Debris Basins 1-6 rehabilitation and expenditure for engineering services

Chuck Gillette stated that the City is ready to proceed with a design on the dams but the agreement refers to a Resolution and there was no Resolution prepared. He suggested that portion of the agenda item be tabled and requested that the City Council approve the expenditure for engineering services. **Council Member Mehr** inquired what work is actually being done. **Chuck Gillette** clarified that the dams have settled in some areas. Some material needs to be replaced and the spillways need to be resized or relocated because of the way development has encroached into them.

MOTION: Council Member Densley moved to approve the expenditure for engineering services
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

8) REPORTS

A. Council

Council Member Densley reported that the new road and parking lots in Snow Canyon State Park are complete they are really nice.
Council Member Roberts - no report
Council Member Johnson - no report
Council Member McDonald - no report
Council Member Mehr - reported that the week of March 13, 2017 is spring break and he may or may not be present at the March 16 City Council meeting.

B. Mayor

DRAFT

Mayor Hart reported that he serves on the Water Conservancy District board. The County has 190% of average annual rainfall and snowpack. There's roughly 26-30 inches of water remaining in the high level snow packs and the intermediate snow packs have already melted. It's anticipated that all of the reservoirs will be full, with the exception of Gunlock. That will depend on how it flows out of Pine Valley. The Conservancy District staff would like to take the City Council on a tour of the facilities.

C. City Manager/Attorney Dale Coulam

Dale Coulam reported that Ron Thompson with the Conservancy District called him today regarding the tour and indicated that they would like to do that in April. The Mayor and City Council discussed some dates. **Mayor Hart** stated that the tour takes approximately 2 1/2 hours and is very interesting. **Dale Coulam** will follow-up and confirm a date for the tour.

D. Items to be placed on future agendas

Council Member Mehr requested that there be a discussion regarding financial support for DXATC's annual bond payment and in preparation for that discussion, requested that someone prepare something to see if that would be a double tax, with the County and other entities taxing citizens and then DXATC asking other entities for money.

9) CLOSED MEETING

10) ADJOURNMENT

MOTION: Council Member McDonald moved to adjourn
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

The meeting adjourned at 6:52 p.m.

Respectfully,

Kari Jimenez, MMC
City Recorder

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