IVINS
CITY COUNCIL
MINUTES
April 6, 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 McDonald, Council Member Johnson, Council Member Roberts, and Council Member Densley.
STAFF: City Manager/Attorney Dale Coulam, Director of Finance Wally Ritchie, Parks and Recreation Director Benny Sorensen, Director of Public Safety Bob Flowers, Building and Zoning Administrator Mike Rodriguez, and Public Works Director/City Engineer Chuck Gillette.
Audience: Kade Ence, Lloyd Warner, McKay Hafen, DeWagne Lee, Ellen Nathan, Jared Madsen, Blake Frei, Brent Oakenson, Luke Godfrey, Claudette Larsen, DeAnne Haut, Callie Gordon, Doug Gordon, Clyde Allen, Kerry Haut, Becky Warren, Brooke Harrison, Mari Krushovertz, Jay Beacham, Gary Paquin, Terron Meaobws, Matt Marten, Derek Esplin, Delores Osborn, Lance Anderson and others who did not sign in.

EXCUSED: Council Member Mehr was excused at 8:05 p.m.

A. Acknowledgement of Quorum

Mayor Hart acknowledged there was a quorum present.

B. Flag Salute

Council Member McDonald led the Flag Salute

C. Invocation

Council Member McDonald 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 of TAP (Trust Accountability Program) Award - Brent Oakenson, Utah Local Governments Trust

Brent Oakenson with the Utah Local Governments Trust indicated that Ivins City participates in the TAP and part of the program is having an active safety committee. Wally Ritchie, Dalan Briggs and several other employees participated in that. He presented the Mayor and City Council with the award and stated that the City received a portion of premium returned. This is the third time in a row that the City has received this.

B. Department Reports: Parks and Recreation and Public Safety

Benny Sorensen submitted a written report electronically to the Mayor and City Council. A copy of the report is available by request through Ivins City Hall. He reported that the Easter Egg Hunt will be held on Saturday, April 15, 2017. The pickleball court in Desert Rose Park is finished and is being used heavily. The Tuacahn Trail is mostly complete. He has located a couple of vendors to provide the information plaque for the statue in the Center Street/Tuacahn Drive roundabout. The playground and shade structures for Desert Rose Park are on the Consent Agenda tonight. He referred to pavement management and stated that he obtained pricing for

the trails and the contractor indicated that while they are already in Ivins on other projects, they will overlay the trails with the HA5 product for the same price and do that this year. He reported that he was stopped by an individual and questioned about dogs, specifically about others' dogs defecating in his yard and the owner(s) not picking up after them.

Bob Flowers submitted a written report electronically to the Mayor and City Council. A copy of the report is available by request through Ivins City Hall. He reported that public safety has received some complaints about Fire Lake Park and they are addressing that. He introduced Ivins new Fire Chief Brad Hannig and indicated that the City conducted a national search and there were approximately 18 applicants for the position. He stated that Mr. Hannig was with the Las Vegas Metro for 25 years and was their Battalion Chief before coming to Ivins. **Brad Hannig** stated that he was looking forward to leading and helping the men and women of Ivins organization to the next level and hoped to make a difference as the City continues to grow.

C. Planning Commission Report

Chairman Loris reported that the Planning Commission held two (2) Public Hearings. One Public Hearing addressed a proposed Land Use Amendment from Medium Density Residential to High Density Residential for property located between 100 West and 200 West. The second Public Hearing was regarding Zoning Text Amendments. The Planning Commission recommended approval for both of those and those will come forward to the City Council for Public Hearings at the next City Council meeting. The Planning Commission also approved Final Plats for the Santarra Estates, Cliffrose Phase 3 and Taviawk IX-Q.

Mayor Hart requested that the rules be suspended to bring the City Manager/Attorney Dale Coulam's report (a Concept Plan Report) up to this point in the agenda.

MOTION: Council Member Mehr moved to suspend the rules and bring Dale Coulam's report up to this point in the 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	AYE

8) REPORTS

C. City Manager/Attorney Dale Coulam

Dale Coulam referred to the Hardy subdivision and reported that there is a proposal for a subdivision amendment where there are two (2) zones that are applicable, RE-12.5 and R-1-10. There will be an amendment to an existing subdivision with a couple of adjustments that need to be made to comply with the zoning and fire code. There are some drainage issues in one of the corners that will need to be addressed as well. Streamlining the land use and zone change process and running those concurrently will be addressed in an ordinance, along with other text amendments, at the next City Council meeting.

3) CITIZEN COMMENT & REQUEST FOR FUTURE AGENDA ITEMS

None

4) PUBLIC HEARING AND ACTION ITEMS

A. Public Hearing on the Planning Commission's recommendation to deny a proposed Land Use Plan Amendment from LDR (Low Density Residential) to MDR (Medium Density Residential) on 4.63 acres. Located at approximately 600 West and 280 South. Cousin Eddie, LC-Owner; Douglas Brady-Applicant

Dale Coulam indicated that this parcel is just above the Cliffrose subdivision and the Cliffrose subdivision is at the higher end of the Medium Density zoning. The highest density allowed there is R-1-7.5. Cliffrose has a mixture of lot sizes due to an overlay. The land across from this parcel is High Density Residential and below that is Commercial Resort. There was a split vote by the Planning Commission because Commissioner Lance Anderson's son owns a parcel that is next to the subject property so he stated a conflict of interest. He would have liked to have abstained but the vote was a 2 to 2 tie. To break the tie and allow this to move to the City Council, he voted to deny the proposed amendment. The Planning Commissioners that voted in favor of the change commented that the subject property is surrounded on three (3) sides by higher density. There could be 9 lots on the subject parcel in Low Density Residential and 12-13 lots in Medium Density Residential zoned at RE-12.5. **Mayor Hart** reminded the public that the City Council has read through the Planning Commission minutes and are aware of the public comments that took place at that meeting and stated that Public Hearings are designed for residents to provide information to the City Council so that they can make an educated decision. **Mayor Hart** opened the Public Hearing. **Luke Godfrey** spoke on behalf of the property owner, Cousin Eddie, LC. He indicated that they are limited by the width of the site and are trying to develop lots that are between 11,000 and 12,500 square feet. The smallest lot would be 10,400 square feet, with the average lot size being 11,500 square feet. **Kerry Haut** provided copies of a Petition to the Mayor and City Council that was signed by the residents in the neighborhood and read it to the City Council. A copy of the Petition is available by request through Ivins City Hall. "We, the undersigned residents of the City of Ivins, submit the attached petition to the City of Ivins to not approve the rezoning of the 4.63 acres at approximately 600 West 200 South from low density residential to medium density residential. The sole purpose of this rezoning is simply to allow a developer to come into the City, build as many houses as possible and make large sums of money. This proposed rezoning is in direct conflict with the "compatibility of the proposed uses with nearby and adjoining properties" pursuant to Ivins City Code 16.05.106(4). The City of Ivins General Plan addresses growth within its jurisdiction. One of the City's main arguments for growth and development, as stated publicly in previous commission and council meetings, is the financial gain to the City from short term (impact fees) and long term (property tax) income. Absent from those discussions is the face that the cost of City infrastructure expansion, to keep pace with the development, will negate most, if not all or even more, of the increased tax base. The petitioners realize no financial gain from these developments. Conversely, the value, and even the continued status and/or existence of RA-1 properties are jeopardized by the continued development of medium and high density subdivisions. This proposed rezoning is in direct conflict of "protecting landowners from potential adverse impacts of adjoining land uses and activities" pursuant to Ivins City Code 16.01.104(9). The City of Ivins General Plan also addresses agriculture within its jurisdiction. The retention and maintenance of the City's agricultural heritage is clearly stated in the General Plan. Petitioners' homes/properties, with one exception, have existed for decades. Without exception, the petitioners have invested, financially and otherwise, in properties that afford them spacious, open acreage that could

accommodate large yards, orchards, gardens and animals. The former Building and Zoning Administrator has previously stated on multiple occasions that, not once has a resident ever voiced approval of a proposed subdivision. Conversely, strong opposition to such developments has been the standard response. Yet, the City has amended the Land Use Plan, specifically west of 400 West, from the long standing low density RA to medium or high density residential to accommodate anticipated development. It is the long term residents of Ivins, from the early days of the historic district to the few remaining RA properties, that have sustained the City throughout the years. People have chosen to live in Ivins for what it was, a small town with rural flavor. Very few people have moved to Ivins for what it will become with continued medium and high density development. The petitioners expect the City of Ivins' appointed and elected officials to perform their sworn duties and ensure that the integrity of Ivins heritage remains intact, without succumbing to the pressures of perceived financial prosperity." He stated that the Land Use Map did not represent their neighborhood and he saw no difference from their neighborhood and Kayenta. He indicated that the issue before the City Council was not how many homes could be built, but how does the City Council protect the rural lifestyle. He requested that the City Council deny the proposed amendment.

Jay Beacham provided a letter to the Mayor and City Council, a copy of which is available by request through Ivins City Hall. He owns property that shares a property line with this property. (An earlier version of his letter was presented to the Planning Commission.) He referred to Staff and the City Council and inquired who makes the decisions for the City. He suggested that the City Council members should go out and look at each proposed development before they approve it. **Dale Coulam** clarified that the legislative body, which is the City Council and the Mayor if there is a tie vote, is the body that makes the decisions. Staff does not make recommendations or decisions on Land Use or Zoning changes. The Planning Commission holds a Public Hearing and then makes a recommendation to the City Council. The City Council then makes the decision. Holding the meeting on site is difficult but if the Mayor or City Council would like to see something for themselves, an item can always be tabled to do that but if the Mayor and City Council know the area and are familiar with it, the applicant would be entitled to a decision. **Mayor Hart** indicated that going on site would normally be the Mayor and City Council's home work. **Clyde Allen** owns a piece of property in the area and was concerned with developers not developing what they say they're going to develop. He referred to the Cliffrose development and the six foot (6') wall that was supposed to be put in across from his property. There is a wall there but it is only about four feet (4'on his side and his animals can look over the wall into those properties. **Dwayne Lee** resides north of Clyde Allen and indicated that there needs to be a development plan from the developer. He would be opposed to this amendment unless there's some type of a development agreement in writing. The goal isn't to stop progress but to lessen the impact on their rural lifestyle. **Dale Coulam** clarified that a City cannot prepare an agreement that makes land use or zoning changes conditional but stated that at the time of a preliminary plan, there could be a Development Agreement prepared that is recorded with the County Recorder's Office. He referred to the Planning Commission Minutes where Brandy Walker represented a 10,000 sq. ft. zone but the applicant Douglas Brady stated that the average lot size would be 13,000 sq. ft. He inquired who was speaking on behalf of the applicant. **Luke Godfrey** is the Realtor and indicated that he was present on their behalf. He thought that Douglas Brady did not understand the widths of the lots, which was the hold-up on the 12.5. They are still trying to stay as close as they can to the 12.5 and even if they stayed at a 12.5 zone, they would still need a medium

density to accomplish that. **DeAnne Haut** expressed her opposition to the amendment and requested that the City Council deny this. There being no further comments, **Mayor Hart** closed the Public Hearing.

B. Discuss and consider the Planning Commission's recommendation to deny a proposed Land Use Plan Amendment from LDR (Low Density Residential) to MDR (Medium Density Residential) on 4.63 acres

Council Member Mehr inquired how long the applicant has owned the property. **Luke Godfrey** stated that Cousin Eddie, LC has owned it for one (1) year and the applicant does not own it yet. **Council Member Mehr** indicated that he supported the Planning Commission's recommendation to deny this because that's their recommendation and he trusts them. His view in general when it comes to density, he views a larger lot results in a larger home, which results in a larger family and he wants families to be part of Ivins' community. If Ivins were to approve this, he inquired what would stop the adjacent applicant and the next adjacent applicant to go throughout that whole area. There would be no logic in Ivins preventing that higher density growth. Additionally, 92% of the neighbors oppose this based on the Petition and the applicant does not own the property. **Council Member Densley** stated that he followed what Council Member Mehr indicated. The property owners bought their property for the rural atmosphere and he supported the Planning Commission's recommendation to deny. **Council Member Roberts** indicated that he had to separate himself from the issue of friends who signed the petition. The Planning Commission recommended denial but it was a split vote of two (2) to two (2) until Commissioner Anderson voted to deny based on his disclosed conflict. He inquired how thirteen (13) lots rather than nine (9) lots would protect the rural feel. He inquired if there would be any traffic going east into or going through the property owners' property. **Mayor Hart** clarified that there was no access. **Council Member Roberts** inquired what the adverse impacts of this amendment would be to the adjourning neighbors. Runoff would be contained by engineering and it doesn't matter who owns the property. He referred to the Ivy Place project across the street from him and Council Member Johnson. That development was a matter of 2 or 3 lots and it didn't make a difference. Larger lots in that development meant more weeds so development helped. He wasn't satisfied with there being any adverse impacts and stated that it was important to protect property owners' rights. **Mayor Hart** indicated that under the current zoning, the property owner would have the right to develop 15,000 lots and inquired if that retains the rural agricultural flavor that was discussed. **Dale Coulam** clarified that it isn't currently zoned RE-15. That would require a zone change from RA-1, which is the current zoning. If the property remained at RA-1, the property owner would be limited to only 3 or 4 lots. **Council Member Roberts** inquired if that was standard zoning for lots in that area. **Dale Coulam** clarified that is generally considered to be a "holding zone", meaning there hasn't been a request to develop it yet. **Council Member McDonald** stated he has known many of the neighbors who signed the petition for a long time and the hardest thing the City Council does is to face friends and make a decision that may not be popular to them. He looked at the properties surrounding this property and noticed that one is a street and the other sides touch Medium Density Residential already. For the properties to be affected by this amendment, there would need to be a road that goes through their property but it doesn't because the project would be accessed from 600 West and not through their properties. He was in favor of the amendment change to Medium Density Residential. **Mayor Hart** referred to the point that was raised about the preservation of the agriculture area and indicated that this City Council and future City

Councils will be facing the same argument. The RA-1 zone, in reality, has been a holding zone because all of the development through much of the City started out as that. **Council Member McDonald** referred to trying to maintain the rural feel but noted that across the street from the property is High Density Residential. **Council Member Johnson** referred to Council Member Mehr's comments regarding larger lots equating to larger homes and larger families. She indicated that she didn't think that was the way it's going to go. She would like to see her children in Ivins and see subdivisions for that. She grew up in Ivins and has lived on the same block and the changes around her haven't changed the flavor of her home with the development around her. She was in favor of the land use amendment. **Council Member Roberts** inquired of Council Member Mehr and Council Member Densley as to their reasoning for being against changing from Low Density Residential to Medium Density Residential and how that would adversely affect the adjoining land owners. **Council Member Mehr** stated this his best reasoning was what will come next and 92% of the residents that already live there are opposed to it. The City should have credence for them over those who will move to Ivins in the future. **Council Member Densley** indicated that he lives on a large lot and prefers the larger lots rather than cramped in and tight and would like to see this amendment denied. **Council Member Roberts** inquired about the rights of the owner of the property who wants to develop it. **Council Member Densley** stated that the owner can still develop the lots but charge more money for them because they're larger lots. **Council Member McDonald** indicated that if the City Council denies this amendment, the Council needs to go back and change the map for that whole area because the City is trying to preserve the rural feel. **Mayor Hart** reminded the City Council that that would be the majority of the remaining ground. **Council Member Densley** suggested that the City leave the southwest area of Ivins rural.

MOTION: Council Member Mehr moved to deny the proposed Land Use Amendment from LDR (Low Density Residential) to MDR (Medium Density Residential) on 4.63 acres. Located at approximately 600 West and 280 South. Cousin Eddie, LC-Owner; Douglas Brady-Applicant
SECOND: Council Member Densley
VOTE: The motion failed

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

The Motion failed for lack of a majority vote.

MOTION: Council Member Roberts moved to approve the proposed Land Use Plan Amendment from LDR (Low Density Residential) to MDR (Medium Density Residential) on 4.63 acres as discussed here
SECOND: Council Member McDonald
VOTE: The motion carried.

Council Member McDonald	AYE
Council Member Johnson	AYE

Council Member Roberts	AYE
Council Member Mehr	NAY
Council Member Densley	NAY

Dale Coulam requested that there be a roll call vote and indicated that if the motion passes, he will draft the ordinance to formally amend the Land Use Plan.

Roll call vote: **Council Member Mehr** and **Council Member Densley** voted in opposition. **Council Member McDonald, Council Member Johnson and Council Member Roberts** voted in favor. The motion carried three (3) to two (2).

C. Public Hearing on the Planning Commission's recommendation to approve a proposed Land Use Amendment of 7.5 acres from LDR (Low Density Residential) to HDR (High Density Residential). Located at approximately 300 West on Highway 91. Graf Land and Livestock-Owner; Blake Frei/Kade Ence-Applicants

Dale Coulam indicated that this piece of property is on the north side of Highway 91 near Movara and Rider's Automotive. Property to the east and west is shown on the Land Use Map as having a short term overlay. In addition to short-term rentals, there is automotive, resort commercial, high density the potential for a school and an RV Resort in this area. Zoning for this property is RA-1. The RA-1 designation is a holding area, which means the property has not been developed and has remained Low Density Residential. The applicant is proposing townhomes for this project. The property owner that adjoins this property is in support of this project. **Mayor Hart** opened the Public Hearing. **Kade Ence** stated that he is one of the applicants and indicated that the project would be similar to the Tuscany at Cliffrose townhome project in Santa Clara. The townhomes would be 1700 sq. ft. with 3 bedrooms, 2 bathrooms and 2 car garages that would be offered for sale. The applicants are flexible if there's input from the City Council as to how they would like the project to look. There being no comments, **Mayor Hart** closed the Public Hearing.

D. Discuss and consider approval of Ordinance No. 2017-07, an Ordinance of Ivins City, Utah, amending the Land Use Plan

Mayor Hart indicated that no one was objecting to this and the discussions in the past have been about a higher density down Highway 91. **Council Member Densley** inquired how many twinhomes would be built in this project. **Dale Coulam** clarified that they would be townhomes and Kade Ence clarified they would like to build 75 units on 7.5 acres. **Council Member Mehr** inquired if they would be one story units. **Kade Ence** clarified that they would be 2 story units and would be very similar to the project that is in Santa Clara near Gubler Park and would be a four (4) plex type unit and would be built under the 25' height requirement. **Mayor Hart** stated that it would be subject to the 15 degree view corridor. **Kade Ence** indicated that this project would add to the community. He currently lives on Highway 91 on the border of Ivins and Santa Clara and would like to see a project that is positive for the community. **Council Member Densley** inquired if the access would be off of Highway 91. **Kade Ence** stated that it would. **Council Member Densley** inquired if the infrastructure was currently at the property. **Kade Ence** clarified that he hasn't gone that far in the process. **Council Member Densley** inquired if he was the owner yet. **Kade Ence** indicated that they weren't yet because they want to make sure this project was feasible before purchasing the property. **Mayor Hart** clarified that is a condition of purchase and is a reasonable condition. **Council Member Roberts** clarified that those types of homes are what the City Council has been talking about an is also in line with Vision Dixie's plan. **Mayor Hart** stated that there's a moderate income housing requirement that Ivins has to periodically

update to certify that Ivins is making provisions for moderate income housing in Ivins and this project would help satisfy that kind of a need.

MOTION: Council Member Densley moved to approve Ordinance No. 2017-07, an Ordinance of Ivins City, Utah, amending the Land Use Plan
SECOND: Council Member Johnson
VOTE: The motion carried.

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

Roll call vote. All Council Members were present. Four (4) Council Members voted in favor and one (1) Council Member voted in opposition.

E. Public Hearing on the Planning Commission's recommendation to approve Ordinance No. 2017-03 regarding Zoning Text Amendments for Swimming Pool Enclosure Requirements

Dale Coulam stated that this applies to both swimming pool and spa covers. **Mayor Hart** indicated that this would allow a cover without a wall around surrounding the property or pool. A Representative from Hafen's Pools (unable to hear name) stated that the covers are automatic and require a key to access the switch. **Mayor Hart** indicated that the overwhelming majority of deaths in a pool are from those who are within the residence and not someone who came onto the property from the outside. **Mayor Hart** opened the Public Hearing. **Matt Marten** is a resident of Ivins and a representative of the HOA (Home Owners Association) in Kayenta. He stated that the HOA is in favor of being able to eliminate pool fencing and walls if they could use the retractable covers. **Mayor Hart** indicated that there are pool shapes and features that the retractable cover would not work on. The representative from Hafen's Pools stated that it would need to be a square pool. **Ren**, with Split Rock Construction, indicated that he was in favor of the Planning Commission's decision. They build in The Reserve and Palisades, which are gated communities. He felt that the covers are secure and safe and he would like to see this change. **Derek Esplin** is a home owner in Ivins and indicated that he lived in Southern California where this was adopted because of the safety aspects of the covers. **Lance Anderson** stated that the covers aren't just for use in the Kayenta are. They're for the rest of the City as well and subdivisions with smaller lots also have walls. This is a good thing for anyone that would like to use the pool cover in place of barriers. **Gordon Bown** is a fence builder and stated that he has a couple of customers who are in the middle of building a fence to surround the pool but that the fence obstructs their view. There are some situations where fences are not needed. **Gary Paquin** is a member of the Taviawk Home Owners Association and indicated that he is in favor of these safety pool covers. There being no further comments, **Mayor Hart** closed the Public Hearing. **Council Member Densley** referred to the resorts that are under construction in Ivins and inquired if fencing would still be mandatory for those developments. **Mike Rodriguez** stated that is still required for commercial pools. This change is for residential pools. **Council Member Densley** indicated that he builds a lot in Phoenix and they have a couple of deaths a week there related to pool accidents. He wanted to leave the ordinance as it is. **Council Member McDonald** understood that but was ok if there was a distance of approximately 100' between properties. If properties are close together where kids pass through, he felt that a barrier was appropriate. **Mayor Hart** clarified that the question

was are the pool covers safe or are they not. **Council Member Mehr** supported this ordinance and stated that if the homeowner wanted to add more securities, they could do that. **Council Member McDonald** inquired as to the requirements for above ground pools. **Mike Rodriguez** indicated there are some requirements for those as well. Council Member Densley inquired if someone had a kidney shaped pool if a fence was required. The Hafen Pools Representative stated yes or they could build a square option. **Council Member Johnson** indicated that the majority of all drownings of children occurred when the children already inside the property. She supported this ordinance. **Council Member Roberts** agreed that this wasn't just for use in Kayenta and stated that building a barrier can be a financial burden. He supported the ordinance.

F. Discuss and consider approval of Ordinance No. 2017-03, an Ordinance of Ivins City, Utah, amending Section 16.12.119 of the Ivins City Code regarding Swimming Pool Enclosure Requirements

MOTION: Council Member Johnson moved to approve Ordinance No. 2017-03, an Ordinance of Ivins City, Utah, amending Section 16.12.119 of the Ivins City Code regarding Swimming Pool Enclosure Requirements
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	NAY

Roll call vote. All Council Members were present. Four (4) Council Members voted in favor and one (1) Council Member voted in opposition.

Council Member Mehr was excused at 8:05 p.m.

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and consider approval of Resolution No. 2017-09R, a Resolution of Ivins City, Utah, adopting the Municipal Wastewater Planning Program

Chuck Gillette indicated that this comes up every year for approval.

MOTION: Council Member McDonald moved to approve Resolution No. 2017-09R
SECOND: Council Member Johnson
VOTE: The motion carried.

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

Roll call vote. All Council Members who were present voted in favor. One Council Member was excused.

B. Discuss and consider approval of expenditure for Ivins Reservoir Entrance Roadway

Chuck Gillette indicated that this is not Ivins' preferred way to build a roadway but the City has been delayed with finalizing a design that everyone can agree on. The City now knows for sure that the City is not going to be able to build the parking lot before the upcoming summer season. The City has a design but not a grading plan and Dam Safety (Utah Division of Water Rights) has to approve that plan, although the City would like to start construction of the entrance road. The access would be moved further down the road approximately 150' for safety reasons. **Council Member Densley** inquired about cleaning up the jagged cement that is by the spillway. **Chuck Gillette** clarified that was a good idea and would need to work with Dam Safety. **Mayor Hart** stated that it would mostly just be smoothing the area off. **Chuck Gillette** indicated that when he submits the other information to Dam Safety that he will submit information regarding that because it's a safety concern. **Council Member Roberts** inquired how this was budgeted. **Wally Ritchie** clarified that it is in this year's budget. **Council Member McDonald** inquired why Chuck does not prefer to do this project the way it's being proposed. **Chuck Gillette** clarified that he'd prefer to have it all designed and bid out in one shot but knows the City will not be able to do that because the City does not have a grading plan and once there's a grading plan, Dam Safety has to approve it. He did not see that happening before the upcoming summer season. **Council Member McDonald** inquired if they could would have to undo something if the City proceeds with building the entrance roadway. **Chuck Gillette** clarified that the City would not.

MOTION: Council Member Densley moved to approve an expenditure for Ivins Reservoir Entrance Roadway
SECOND: Council Member Roberts
VOTE: The motion carried.

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

C. Discuss and consider approval of expenditure for change order for Tuacahn Drive Trail
Chuck Gillette stated that the trail is complete, with the exception of one item, that being the barrier that will be installed along the sharp curve 300 feet south of the property boundary of Sentierre between the existing roadway and the new trail. The original barrier is a 32" Jersey barrier but he felt that it would be nicer to go with a taller 42" Constant Slope barrier. **Mayor Hart** inquired what the difference in cost was. **Chuck Gillette** indicated it would be $6,000 more plus an additional $1,700 for colored concrete. **Council Member McDonald** inquired if the Public Safety Department believed there's a safety issue. **Chuck Gillette** clarified that where the barrier would be placed is close to the trail and they know that vehicles leave the roadway because they are continually repairing the fence in that area. Someone could get hurt if they're walking on the trail and someone drives a vehicle off of the roadway onto the trail. **Council Member McDonald** commented that the 32" Jersey barrier would look like you were driving in a construction zone and inquired what brought this about to change the proposed barrier. **Chuck Gillette** indicated that he thought it would look better because it would match the top of the tortoise fence. He clarified that both barriers would be safe but the Jersey barrier would not be aesthetic. There was discussion regarding the option of a

colored 32" Constant Slope barrier. **Chuck Gillette** called Sunroc during this discussion and confirmed that was an option. The **Mayor and City Council** agreed that a colored 32" Constant Slope barrier would be placed instead of the 32" Jersey barrier.

MOTION: Council Member Densley moved to approve Tuacahn Trail expenditure with not to exceed $14,000.00 with the constant slope colored 32"
SECOND: Council Member Johnson
VOTE: The motion carried.

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

D. Discussion of Ivins/Santa Clara Interlocal Sewer Outfall Agreement
Chuck Gillette stated this is the draft version and he hoped to have the final version for approval by the next City Council meeting.
E. Review and discuss the Proposed Tentative Budget
Wally Ritchie referred to the budget binder that he provided to the Mayor and City Council. Materials included in the budget binder were the Fiscal Year 2017 Estimate to Complete, Fiscal Year 2018 Tentative Budget and the Fiscal Year 2019 Projected Budget. He provided a PowerPoint presentation to the Mayor and City Council, a copy of which is available by request through Ivins City Hall. The schedule for adopting the budget is as follows: April 20, 2017: Review & Discuss the Budget; May 4, 2017: Tentatively Adopt the Tentative budget and set the Public Hearing; May 18, 2017: Public Hearing; June 1, 2017: Adopt the Budget by Resolution. There are no tax or fee increases proposed and the budget is balanced.

6) CONSENT AGENDA

A. Approval of amount to purchase a play structure and shade structure for Desert Rose Park and for a shade structure at UNITY Park
B. Approval of expenditure for SCADA Improvements
C. Approval of expenditure for striping following streets pavement maintenance
D. Approval of City Council Meeting Minutes for March 16, 2017

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

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

7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) REPORTS

A. Council

Council Member McDonald - no report
Council Member Johnson - reported that she will not be in attended at the next City Council meeting on April 20, 2017
Council Member Roberts - no report
Council Member Densley reported that he attended and enjoyed the tour with the Washington County Water Conservancy District

B. Mayor

Mayor Hart reported that he, Council Member Densley and Council Member Johnson have been attending the Utah League of Cities and Towns Mid-Year Conference in St. George. There are several legislative items to follow-up on. **Dale Coulam** clarified that he was also in attendance and referred to the session on Land Use stating that the City is moving in a good direction regarding that. **Mayor Hart** reported that there was a Meet and Greet for Dean Park who is the Dean of Rocky Vista University. It was sponsored by a Physician on their board and a lot of Ivins residents were in attendance.

C. City Manager/Attorney Dale Coulam

Dale Coulam reported that Wally successfully passed two more exams that GFOA (Government Finance Officers Association) provides certification for. There are a series of difficult and tricky exams. Wally previously passed the ones that were required by his job description and he is continuing to take additional exams to obtain the GFOA certification.

D. Items to be placed on future agendas

Council Member Roberts referred to the land use amendment change they addressed tonight and indicated that rather than showing the default land use as RA-1, they may want to go through and actually designate what the City Council may want the City to look like. The **Mayor and City Council** agreed. The process will start with the Planning Commission. **Council Member Densley** requested that the City Council not address that until the budget process is over.

9) CLOSED MEETING

10) ADJOURNMENT

MOTION: Council Member McDonald moved to adjourn
SECOND: Council Member Densley
VOTE: The motion carried.

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

The meeting adjourned at 9:00 p.m.
Respectfully,

Kari Jimenez, MMC
City Recorder