IVINS
CITY COUNCIL
MINUTES
October 5, 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, Parks and Recreation Director Benny Sorensen, Public Safety Director Bob Flowers, Director of Public Works/City Engineer Chuck Gillette, and City Recorder Kari Jimenez.
EXCUSED: None.
Audience: Miriah Elliott, Claudette Larsen, Craig Flowers, Kyle Flowers, Lance Anderson, Laney Larson and others who did not sign in.

A. Acknowledgement of Quorum

Mayor Hart acknowledged there was a quorum present.

B. Flag Salute

Council Member Roberts led the Flag Salute

C. Invocation

Council Member Roberts 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. Proclamation regarding Domestic Violence Awareness Month

Future Ivins City Council Member **Miriah Elliott** and **Laney Larson** with the Dove Center indicated that this month is Domestic Violence Awareness Month. The annual candlelight vigil will be held at Dixie State University on Tuesday, October 10, 2017 at 6:00 p.m. **Laney Larson** stated that domestic violence is occurring in the community and there are several reasons why individuals don't leave an abusive relationship. **Mayor Hart** indicated that they do wonderful work and inquired how the Dove Center was funded. **Laney Larson** stated that they receive half of their funding through Federal and State grants and the remainder through private foundation grants and the community with businesses and donations. They also hold an annual fundraising GALA in March of each year. **Mayor Hart** read the Proclamation, a copy of which is available by request through Ivins City Hall. The City Council supported the Proclamation and Mayor Hart signed it.

B. Department Reports: Parks and Recreation and Public Safety

Dale Coulam indicated that Benny Sorensen was at Flag Football but provided a written report, a copy of which is available by request through Ivins City Hall.
Chief Flowers reported that the Dove Center is a great resource for the community and SCI

Officer Hope O'Bray assists the Dove Center as a Victims Advocate. He reported that things are going really well. **Council Member Mehr** inquired what the effective date was for the Fire/Rescue consolidation. **Chief Flowers** clarified that is still in the discussion phases. **Mayor Hart** inquired when the new fire truck will be here. **Wally Ritchie** stated it will be here in approximately two (2) weeks. **Council Member Roberts** appreciated the breakdown of the EMS calls. **Chief Flowers** indicated those are invisible things to the public but a wonderful service is provided to the public. He was at the hospital the other night and staff told him how great Ivins responders are. **Council Member McDonald** referred to Linda Elwell retiring and her organization, F.I.A.S. (Friends of Ivins Animal Shelter) no longer involved in fundraising and the like, he noticed that donations have gone down and inquired if INKAS (Ivins No Kill Animal Supporters) was still functioning. **Chief Flowers** clarified that they were and stated that donations inside the shelter with food etc. are still the same. The City never knew what was donated to F.I.A.S because that was never disclosed. The City is making it clear that donations can be made to the Ivins Animal Shelter. **Dale Coulam** indicated that calls to the City indicate there is some misinformation or confusion with people thinking that the shelter has lost its non-profit status or that the shelter is no longer a No Kill shelter and is closing down. None of that is true. The Ivins Animal Shelter is operating as ever and is functioning like it always has. It continues to be a No Kill shelter, with one (1) support group now instead of two (2). It is operating just fine and will continue to function as it has well into the future. **Mayor Hart** commented that as Linda Elwell and FIAS exit, he was appreciative of what they've done. Mayor Hart also reported that Code Enforcement Officer Dennis Murphy passed away this past Monday, October 2nd and will be missed. He did a great job and his widow Adel, currently serves on the Planning Commission.

C. Planning Commission Report

Mike Rodriguez reported that Dennis Murphy was a great man with a special talent and he will be missed. He reported that the Planning Commission held a Public Hearing on a Class IV Conditional Use Permit for Westbrook Townhomes. The Planning Commission recommended approval of that permit. They tabled a discussion regarding a Final Plat for Crescent Moon Village Phase 1A for lack of a voting quorum and briefly discussed the RV (recreational vehicles) parking ordinance and then tabled that discussion until they have more members present to work through that language.

3) CITIZEN COMMENT & REQUEST FOR FUTURE AGENDA ITEMS

William Watson resides at 125 East 350 North and submitted a Citizen Comment. He indicated that he moved to Ivins in the early 90's and recently purchased a toy hauler trailer. He is currently unable to build a metal carport to protect his investment from the sun and what can be built is limited in size. He asked for a variance so that he could build a metal carport. **Dale Coulam** clarified that he isn't eligible for a variance and that what he's actually requesting is to amend the City Code to allow larger carports. **Mayor Hart** stated that the City Council will decide later in the meeting whether or not to address this on a future agenda.

4) PUBLIC HEARING AND ACTION ITEMS

None

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and consider approval of an amended grading plan for Crimson Canyon Subdivision

Chuck Gillette indicated that a Citizen Comment was submitted at the previous City Council meeting, requesting the City Council to reconsider the Preliminary Plan approval because additional grading and fill was done that wasn't part of the original approval. The new plan

meets the requirements of the grading ordinance and staff doesn't have any reason to reject it, although there have been some changes to the plan since the last City Council meeting that he felt was an improvement. The fill that is being added is 35' feet away from the wall and meets Ivins requirements. There used to be an armored ditch that delivered water from the backyards to the detention basin but the developer has agreed to place a pipe there rather than a ditch. It isn't any more expensive to put in a pipe versus an armored ditch. The pipe will come out of the cul-de-sac, extend and connect directly into the tower, which is a better set up. He recommended that that be a condition of the approval. The developer is also going to place some fiber rolls at the base of the slope to assist with capturing sediment. **Council Member Densley** inquired as to the size of the pipe. **Craig Flowers** clarified that it is an 8" pipe with 6" risers. **Mayor Hart** indicated that he went out and looked at the development and stated that the retaining wall built by the developer of Red Mountain Estates was actually cut into the natural grade and if one looks at the north side development and elevation change, that's every bit as dramatic, if not more impactful, than the homes that are going to be built in Craig Flowers subdivision. It's a condition of slope and simply a physical reality of slopes. **Mayor Hart** inquired if the issues have been addressed. **Chuck Gillette** stated they were and to include the conditions of approval. **Dale Coulam** clarified that the conditions are for the developer to connect to the storm drain pipe through the detention basin, into the outlet tower.

MOTION: Council Member Densley moved to approve an amended grading plan for Crimson Canyon Subdivision as noted, to show the storm drain pipe running through the detention basin into the outlet tower
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

B. Discussion regarding property owners' request that their block walls along 200 North abutting Tenaya Sands be uniform with the other walls

Mike Rodriguez indicated that at the prior City Council meeting there was a Citizen Comment regarding block walls on the north side of this project. The walls are not uniform with the walls along the Cantera Cliffs subdivision. The City Council directed staff to look into this and after reviewing the Development Agreement and approvals for the Tenaya Sands project, 59 lots were developed on almost 24 acres zoned RE-15 (Residential Estates, minimum lot size 15,000 sq ft), with a subdivision enhancement overlay. The developer received a density bonus and donated property to the City. **Mayor Hart** indicated that if the easement was reduced for the owners to straighten the wall, it would violate the conditions of the overlay. **Dale Coulam** clarified that legally the developer had to use all of their open space to get to the 59 lots. **Council Member Mehr** inquired if the City can change the ordinance. **Dale Coulam** clarified that it would be after the fact and the development was based on the ordinance that was in place at the time. He did not think that the City could deviate from that. **Mayor Hart** indicated that there was no legal basis to grant changing the location of the wall.

C. Discuss and consider 200 South Road Improvement Agreement

Dale Coulam stated this is self-explanatory. The Conditional Use Permit is a Class IV and approved by the Planning Commission, contingent on the City Council approving this

agreement. If a gap fill project is done in conjunction with a development, it is less expensive to finish the street. The owner has agreed to pay half of this expense.

MOTION: Council Member McDonald moved to approve the 200 South Road Improvement Agreement 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

D. Discussion regarding right-of-way vacation and property exchanges for the 600 West and 400 South area and Kwavasa Drive/800 West area between Center Street and 450 North

Chuck Gillette explained the right-of-way vacations and exchanges. A copy of the Staff Report and Exhibits are available by request through Ivins City Hall. The right-of-way vacation and property exchanges for 600 West and the 400 South area, Kwavasa Drive/800 West area between Center Street and 450 North are reasonable and sufficient to provide the necessary compensation for a road vacation. There will be no financial impact since the property acquisitions will be through exchanges whereby the City receives more property than it abandons. A Public Hearing is required to effectuate the road vacation and enable the exchanges. The Public Hearing will be held at the next City Council meeting.

E. Continued discussion regarding Interlocal Agreement regarding Consolidating Fire/Rescue services with Santa Clara

Dale Coulam indicated that Santa Clara had a very big issue on their special agenda yesterday so they have not discussed this. He inquired if the City Council had any other clarifications or things they'd like added to the draft or if they preferred to hear back from Santa Clara first. **Council Member Mehr** referred to paragraph 15 "Withdrawal" and the noticing period of 90 days. He was concerned that 90 days was not a sufficient amount of time to get back on its feet with equipment and personnel. **Dale Coulam** clarified that the transition could easily happen in 90 days. Whatever Ivins contributes, Ivins receives that back. **Mayor Hart** inquired if a provision should be included in the agreement to regain the ambulance license. **Dale Coulam** stated it's unclear what the State of Utah is going to require so the Agreement does not yet address the ambulance license. **Council Member Mehr** referred to paragraph 7 "Personnel" and indicated he didn't think that Ivins residents should be required to move. They should be allowed to live in Ivins or Santa Clara and if that was a requirement, he would not support that. **Dale Coulam** clarified that was in the original law enforcement agreement and that's where the City started but agreed that was a fair observation and that Ivins residents shouldn't be required to relocate to Santa Clara if they can respond in a certain amount of time. The **Mayor and City Council Members** agreed. **Wally Ritchie** clarified that unless Santa Clara's policy regarding residency has changed in last three (3) years, there isn't a residency requirement, they just have to be able to respond within 20 minutes. **Dale Coulam** indicated that he will provide that information to Santa Clara's City Manager and propose striking that verbiage.

6) CONSENT AGENDA

A. Approval of City Council Meeting Minutes for September 21, 2017

MOTION: Council Member Johnson 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	AYE

7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) REPORTS

A. Council

Council Member Densley reported that several Ivins City staff had the opportunity to tour Rocky Vista University last week.
Council Member Roberts - no report
Council Member Johnson - no report
Council Member McDonald reported that residents can sign up for text messages or emails reminding them of recycling day. They can register online at www.wcsw.org
Council Member Mehr - no report

B. Mayor

Mayor Hart reported that Kay Ence passed away recently and there were several City representatives at his funeral and that was appreciated. In light of the recent shooting in Las Vegas, he would like the City to look at Ivins Emergency Plan and initiate an effort to update and improve that plan. If the City Council agreed, he suggested that a committee be put together to look at things the City could do. **Council Member Densley** suggested that Ivins City resident and current Washington County Emergency Services Director Pete Kuhlmann be involved. **Council Member Roberts** indicated that he would support a committee if SCI Chief of Police Bob Flowers chaired that. The **Mayor and City Council** agreed. **Council Member Densley** suggested that information regarding signing up for Reverse 911 be included in the newsletter.

C. City Manager/Attorney Dale Coulam

Dale Coulam indicated that it is time for Ivins to review its Moderate Income Housing plan and file a report with the State of Utah. That will start with the Planning Commission. He reminded the Mayor and City Council that there is a Land Use Conference in Sandy, Utah on October 24 and 25, 2017. If they are interested in attending, they should let him know by the end of next week. He reported that the Christmas party will be on Tuesday, December 12, 2017 at the Santa Clara Banquet Hall at 6:00 p.m.

D. Items to be placed on future agendas

Dale Coulam referred to the Citizen Comment regarding carports and indicated that discussion could be combined with the discussion regarding recreational vehicle parking. The City Council agreed. The Planning Commission will review this, along with RV parking. **Council Member Roberts** referred to open space and felt like the City was incentivizing developers to provide land to the City that costs the City to maintain. He'd like the City to look at incentives for classic subdivisions like Heritage Estates rather than cookie cutter or HOA developments.

9) CLOSED MEETING

10) <u>ADJOURNMENT</u>

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 adjourned at 7:10 p.m.

Respectfully,

Kari Jimenez
Ivins City Recorder

DRAFT