IVINS
CITY COUNCIL
MINUTES
December 7, 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, Building and Zoning Administrator Mike Rodriguez, and City Recorder Kari Jimenez.
EXCUSED: None.
Audience: Brittany Hollinshead, Jessica Mousley, Detlef and Vickie Schwurack, Vicky & Andy Beck 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

C. Invocation

Council Member Roberts gave the Invocation

D. Disclosures

Council Member Roberts referred to agenda item 5)C and disclosed that owner of Troy Nelson is his brother in law. Mayor Hart referred to agenda item 5)D and disclosed that his family developed land adjacent to the Red Desert Subdivision. There were no other disclosures or conflicts of interest with items on this meeting's agenda.
Mayor Hart introduced Brittany Hollinshead and indicated that she was Mrs. Ivins and then Mrs. Utah and recently competed in the Mrs. America Pageant. **Brittany Hollinshead** stated that the Mrs. America Pageant was an amazing experience and she expressed gratitude and thanked the Mayor and City Council for the sponsorship that Ivins provided.

2) REPORTS, PRESENTATIONS AND APPOINTMENTS

A. Department Reports: Parks and Recreation and Public Safety

Benny Sorensen provided a written report, a copy of which is available by request through Ivins City Hall. He reported that basketball will start in January. The City hosted a baseball tournament on November 17th and 18th and there were approximately 20 teams from Southern Utah, Northern Utah and Las Vegas playing all day on both days. Parks staff put up Christmas decorations and is continuing to repair and keep things clean, working and looking nice. The restroom and pavilion at Desert Rose Park is anticipated to be here sometime in December. Parks staff attended pesticide training to keep them current with their certifications. There were three (3) burials in November and there was one (1) incident of

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vandalism at UNITY Park where a tennis ball was placed in a toilet and had to be removed. The Run Run Reindeer running event will be held on Saturday, December 23, 2017 at 9:00 a.m. There are between 700 and 1000 runners anticipated to participate this year.

Bob Flowers introduced Fire Chief Dan Nelson and Assistant Chief Charlie Peterson. He provided an electronic report, a copy of which is available by request through Ivins City Hall. He reported that the consolidation of Ivins and Santa Clara's Fire Department is going extremely well and has been more difficult than they thought. **Chief Dan Nelson** provided a photo of the new fire engine that is in the process of being delivered. A copy of the photo is available by request through Ivins City Hall. **Assistant Fire Chief Charlie Peterson** indicated that he has been with Ivins Fire Department for 12 years and felt they are moving in a positive direction with the consolidation. He referred to the agenda item regarding the Utah Wildland-Urban Interface Code. He spent most of his career doing that. He referred to the fires currently burning in California. Literally thousands of homes a day are being lost. Ivins City's forward thinking with the Wildland Interface agenda item will really help the communities stay safer. He fully supported that and gave the Mayor and City Council his kudos for addressing that. He reported that he and Chief Dan are housed in the Ivins City Firehouse building and that is working out very well. **Chief Dan Nelson** reported that the Fire Department is very supportive of the Wildland-Urban Interface item on the agenda. He indicated that the consolidation is going well. There are 62 personnel on the roster. Some of those may change, depending on activity level but there are currently five (5) full-time employees. There is one (1) approved position that came from Santa Clara that will be filled in the future. With the consolidation, there are currently four (4) fire stations, four (4) front line fire engines, one (1) ladder truck, four (4) ambulances, five (5) wildland engines, a UTV and a water tender. They are working on building an apparatus and maintenance program to make sure they have everything they need going forward. Ivins ambulance license is coming due and there will be an official name change in January and personnel will come over to Santa Clara at that time as well. With the consolidation, they have been better able to respond to calls and retain an ambulance in Ivins while responding to those calls. The purchase of the new fire engine is phenomenal and he stated that they are extremely thankful for Ivins support in all of this.

B. Planning Commission Report

Mike Rodriguez reported that the Planning Commission held three (3) Public Hearings regarding a zoning map amendment changing a Mobile Home Zoning District to Single Family Residential, a zone change/map amendment from Residential to Multi-Family and an update to the Transportation Master Plan. They recommended approval of a Preliminary Plan for Westbrook Townhomes and continued the discussion regarding carport restrictions and recreational vehicles.

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 approve a proposed Preliminary Plan and Zoning Map Amendment for a Subdivision Enhancement Overlay District for Haven at Heritage Acres, located at approximately 400 West and 400 South. Seth Foster, Owner; Alpha Engineering, Applicant

Dale Coulam indicated that this is on for Public Hearing due to the subdivision enhancement overlay component that involves zoning density. They're requesting the base density. There are

62 lots in the subdivision and the City requested that the developer provide two (2) acres for a detention basin. The developer has agreed to do that. The majority of lots range in size from 8500-9000 sq ft and this development is similar to the Cliffrose development. It complies with the requirements of Ivins ordinances and staff recommends approval of the Preliminary Plan. Staff doesn't usually make a recommendation on zoning but indicated that this development complies with the base density. **Mayor Hart** opened the Public Hearing. **Shan Foster** is a partner with the owner and stated that they are excited about the process and building in Ivins. There being no other comments, **Mayor Hart** closed the Public Hearing.

B. Discuss and consider approval of Ordinance No. 2017-24, an Ordinance of Ivins City, Utah, approving a Preliminary Plan and Zoning Map Amendment for a Subdivision Enhancement Overlay District for Haven at Heritage Acres

Council Member Mehr referred to the City requiring the detention basin be built and inquired if that is an absolute. **Dale Coulam** stated that the City is strongly suggesting that because it is critically needed in that area. **Mayor Hart** clarified that the detention basin is a benefit to the developer as well and appreciated them accommodating that. **Council Member Mehr** referred to the name of the development including the word "Acres" and clarified that the lots are not acre lots. **Council Member Roberts** inquired if this development will have an HOA (Home Owners Association). **Shan Foster** indicated they will have CC&R's (Covenants, Conditions and Restrictions) but no HOA.

MOTION: Council Member Densley moved to approve Ordinance No. 2017-24, an Ordinance of Ivins City, Utah, approving a Preliminary Plan and Zoning Map Amendment for a Subdivision Enhancement Overlay District for Haven at Heritage Acres
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

Roll call vote. All Council Members voted in favor.

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and consider approval of Ordinance No. 2017-23, an Ordinance of Ivins City, Utah, amending Title 14 of the Ivins City Code entitled "Buildings and Construction" to adopt recommended guidelines for defensible space

Dale Coulam indicated that he made one modification, changing the word "standards" to "recommended guidelines". The purpose of this ordinance is educational and there is no penalty involved. He had been waiting to bring this forward until Deputy Fire Chief Charlie Peterson was available to comment. He is resident of Kayenta with expertise in Wildland fires. **Council Member Densley** inquired if this went before the TRC (Technical Review Committee). **Dale Coulam** clarified that it began with Chief Brad Hannig. He took information from this source and put together a letter that was sent to all of the HOA's (Home Owners Associations) in Kayenta. The City would do that again to continue the education process as well as have

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someone from the field attend HOA meetings and hold discussions to make this educational. There is a misconception of defensible space about that being cleared ground, which it is not. This would be applicable City wide. **Council Member Densley** referred to the ordinance that was passed regarding bamboo. **Dale Coulam** clarified that was designated as illegal vegetation and is not allowed. There were some property owners who were grandfathered but if the bamboo were to burn down, it cannot be replanted. The City is slowly making progress in making those areas safer. **Mayor Hart** stated that he liked the changes. The ordinance is intended to be helpful and not punitive. **Council Member Mehr** inquired in general if state code is modified or amended, if that automatically translates to Ivins ordinance. **Dale Coulam** clarified each City has the option to adopt or not adopt those.

MOTION: Council Member Mehr moved to approve Ordinance No. 2017-23, an Ordinance of Ivins City, Utah, amending Title 14 of the Ivins City Code entitled "Buildings and Construction" to adopt recommended guidelines for defensible space
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

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

B. Discuss and consider approval of the Planning Commission's recommendation to approve a Preliminary Plan for Best Acres Twin Homes located on the south side of 200 South at approximately 100 West and 200 West. Tim and Gia Best, Owners; Brian Lewis, Applicant

Mike Rodriguez stated that this consists of five (5) lots on a 1.17 acre parcel. Each lot is at least 10,000 sq ft and would have a single story twin home with a two car garage on it. There were no questions or concerns.

MOTION: Council Member McDonald moved to approve the Planning Commission's recommendation to approve a Preliminary Plan for Best Acres Twin Homes located on the south side of 200 South at approximately 100 West and 200 West
SECOND: Council Member Densley
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. Discuss and consider approval of the Planning Commission's recommendation to approve a Preliminary Plan for Westbrook Townhomes located at approximately 200 South off of 200 West. Troy Nelson, Owner; Brent Baxter, Applicant

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Mike Rodriguez indicated that the developer would like the option to sell the townhomes separately in the future. The TRC (Technical Review Committee) and Planning Commission reviewed this. it is compliance with City Ordinances and they recommended approval.

MOTION: Council Member Densley moved to approve a Preliminary Plan for Westbrook Townhomes located at approximately 200 South off of 200 West
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

D. Discuss and consider approval of the Planning Commission's recommendation to approve an Amended Preliminary Plan for the Red Desert Subdivision located at approximately 350 North to 600 East. Roush Enterprises, LLC, Owner/Applicant

Mike Rodriguez stated that this subdivision consists of 18 lots on a total acreage of 9.67 acres. The property is zoned RE-15 and this is a standard subdivision that complies with City ordinances. **Council Member Densley** inquired if the subdivision will be gated. **Mike Rodriguez** clarified that it would. **Council Member McDonald** inquired if drainage and grading issues have been addressed. **Mayor Hart** indicated that the drainage would be improved with the development and the elevation has been established. **Council Member McDonald** stated that the City will most likely be dealing with complaints when the developer starts grading but there's isn't a lot that can be done about that because the development is uphill. **Dale Coulam** indicated that they're required to follow all City ordinances and standards but there will be a difference in height because Ivins is a sloped City. **Council Member Densley** inquired if the developer can only build single story homes or if they're allowed to build two-story homes. **Mike Rodriguez** stated they will need to comply with height and setbacks and although it would be possible to build a two-story home, it would be difficult. **Council Member McDonald** referred to previous discussion regarding drainage. **Dale Coulam** clarified that the applicant has agreed to install a pipe rather than leaving an open ditch. **Council Member McDonald** commented that he was glad to see neighboring residents attending the meeting from the beginning of the process.

MOTION: Council Member Johnson moved to approve the Planning Commission's recommendation to approve an Amended Preliminary Plan for the Red Desert Subdivision located at approximately 350 North to 600 East
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

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E. Discuss and consider approval of Resolution No. 2017-20R, a Resolution of Ivins City, Utah, approving the designation and appointment of a representative to serve on the Administrative Control Board of Washington County Special Service District No. 1 for the Calendar Year 2018 and for such time thereafter until a successor has been designated and appointed

Mayor Hart suggested that Council Member Cheyne McDonald be appointed to this board.

MOTION: Council Member Mehr moved to approve Resolution No. 2017-20R, a Resolution of Ivins City, Utah, approving the designation and appointment of Cheyne McDonald to serve on the Administrative Control Board of Washington County Special Service District No. 1 for the Calendar Year 2018 and for such time thereafter until a successor has been designated and appointed
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

Roll call vote. All Council Members voted in favor.

F. Discuss and consider approval of Resolution No. 2017-21R, a Resolution of Ivins City, Utah, maintaining level of employee core benefits

Wally Ritchie indicated that with the core benefits that the City provides, the majority of the expense are health benefits. The City has had Altius providing the health benefits but they merged or were bought out by Aetna and the City noticed some changes in customer service, responsiveness and coverage issues. The City budgeted for a 7% increase. Cigna offered the same plan as Altius/Aetna but Cigna's plan includes the deductible in out of pocket. PEHP's plan was very close but they required a three (3) year contract and the deductibles and out of pockets were higher. **Council Member Mehr** stated that it didn't occur to him earlier but he is an Intermountain Health Care employee. He inquired if the rates that are going up are going up for the employee or the City. **Wally Ritchie** clarified that medical insurance benefits are provided 100% by the City. **Council Member Mehr** inquired as to the benefit of each plan. **Wally Ritchie** explained the plans. **Council Member Mehr** thanked him for the information.

MOTION: Council Member Mehr moved to approve Resolution No. 2017-21R, a Resolution of Ivins City, Utah, maintaining level of employee core benefits in choosing Cigna
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

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Roll call vote. All Council Members voted in favor.

G. Discuss and consider if there are circumstances where the City would consider subordinating its priority lien

Dale Coulam indicated there have been several circumstances over the years since the SAA (Special Assessment Area) lien was implemented, where individuals have asked if the City would subordinate its priority lien. The City's lien is ahead of any mortgage. He referred to the IRS or Tax Commission subordinating and stated those agencies won't do that. The City is now five (5) years into the project and there are still quite a few outstanding liens. Currently if a property is sold, the SAA lien is paid off. He has had a resident ask if the City would subordinate its lien so they can refinance. There is nothing that would prevent them from turning around and selling the property and if Ivins subordinated, it would be in second position to the mortgage. If there was a default, the City would not get paid. Individually, it doesn't seem like a large amount of money but when you multiply the amount by what is outstanding, there's approximately $171,000 of exposure to the City, with approximately $400,000 still outstanding. He doesn't have the authority to waive what the State of Utah has given Ivins. **Council Member Roberts** disclosed that he has an SAA against his property and ran up against this when he applied for a Home Equity Line of Credit. Wally Ritchie stated that from a finance position, it's nice for Ivins to be in first position because it secures the lien. **The Mayor and City Council** discussed subordinating its priority lien and agreed that the City should not do that.

6) CONSENT AGENDA

A. Approval of City Council Meeting Minutes for November 16, 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	AYE

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 reported that he only has one more (1) meetings after this and referred to the helicopter issue with Tuacahn and Sentierre. He stated that the picture on the material was distasteful and inappropriate. He's a Veteran and he deals with Veterans with PTSD (Post Traumatic Stress Disorder) and residents claiming that in the material is not an issue. There is a difference in sound between a commercial helicopter and a military

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helicopter. **Mayor Hart** indicated a discussion regarding the helicopter issue will be held the second City Council meeting in January.
Council Member Densley - no report

B. Mayor

Mayor Hart reported there was a Public Hearing with the BLM (Bureau of Land Management), which was a necessary step to advancing the Lake Powell Pipeline. It was the second of three (3) Public Hearings. He and Dale Coulam met with Logan Reed and Michael Kane regarding suicide prevention. It was a very interesting conversation and there is a growing need regarding that. He suggested to Mr. Reed and Mr. Kane that they make a presentation to the City Council. He attended a lunch at Dixie Regional Medical Center where they reviewed the progress on several expansion projects that are underway and the medical professionals they're bringing in for Neurosurgery.

C. City Manager/Attorney Dale Coulam

Dale Coulam thanked the Mayor and City Council for approving the employee benefits package because open enrollment begins tomorrow. He reminded them of the Christmas party, which will be on Tuesday, December 12, at 6:00 p.m. at the Santa Clara City building. **Council Member Densley** inquired if the Lake Powell pipeline was going to happen. **Mayor Hart** indicated that it's still going through the process but if it doesn't happen, it will be a death blow to Washington County. It's moving forward and the sense is by end of 2018 they will have all of the environmental work in and hope to go into the design phase in 2019 or 2020, with construction beginning in 2025.

D. Items to be placed on future agendas

Council Member Roberts urged the Mayor and City Council to find some way to incentivize building traditional neighborhoods like Heritage Estates because it brings families in and is unique, not like the cookie cutter styles.

9) CLOSED MEETING

10) ADJOURNMENT

MOTION: Council Member Mehr moved to adjourn
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

The meeting adjourned at 7:10 p.m.

Respectfully,

Kari Jimenez
Ivins City Recorder

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