IVINS
CITY COUNCIL
MINUTES
December 21, 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, Building and Zoning Administrator Mike Rodriguez, and Public Works Director/City Engineer Chuck Gillette.
EXCUSED: None.
Audience: Jessica Mousley, Claudette Larsen, Dan & Jan Brown, Miriah Elliott, Jason Smith and others who did not sign in.

A. Acknowledgement of Quorum

Mayor Hart acknowledged there was a quorum present.

B. Flag Salute

Council Member Johnson led the Flag Salute

C. Invocation

Council Member Johnson gave the Invocation

D. Disclosures

There were no disclosures or conflicts of interest with items on this meeting's agenda.
Mayor Hart indicated that this was Council Member Roberts last Council meeting as a City Council member and personally thanked him for his service on the City Council.

2) REPORTS, PRESENTATIONS AND APPOINTMENTS

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

Chuck Gillette reported there was a water leak on 400 West and 400 South where a dead-ended line had a cap pop off. The City opened bids this week to complete the road section on 600 West and 400 South. The lowest bid was from JP Excavation and that will come forward to the City Council for review and approval. Staff is busy crack sealing, in preparation for maintenance on the roads in the spring. There are some roads in Ivins that he has structural concerns about, those being Taviawk, Puerto Drive and portions of Center Street, Snow Canyon Drive and Tuacahn Drive. Those roads are showing serious signs of fatigue. The City has a Geotech looking at the soils to figure out what's wrong.
Mike Rodriguez reported that the City has issued 112 single family building permits to date and has received an application for a large remodel at Red Mountain Resort. Solar permits are steady and Ivins has a new Code Enforcement Officer by the name of Kevin Lameka. He is a retired Chicago Police Officer. **Council Member McDonald** inquired as to the target for the year for building permits. **Mike Rodriguez** indicated between 100 and 120. There have been 51 issued in the current fiscal year.
Wally Ritchie clarified that the City budgeted based on 100 building permits. He provided the November Budget report to the Mayor and City Council, a copy of which is available by request

DRAFT

through Ivins City Hall. The Budget for the Fiscal Year Ending 2017 is closed and the Auditors are done with their reports and they have been submitted to the State and to the GFOA (Government Finance Officers Association). The City received the main property tax revenue check this month and will start the budget process over again in January. **Mayor Hart** inquired if the Sales Tax was increasing or if the City received what was forecast. Wally Ritchie clarified that it is ahead of where it was projected to be.

B. Planning Commission Report

No report. The meeting on December 19, 2017 was cancelled due to lack of a quorum.

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 Zoning Map Amendment from MH (Mobile Home Zoning District) to R-1-10 (Single Family Residential, 10,000 sq ft minimum lot size) within the blocks of 200 North to 400 North and between 200 West and 200 East; Ivins City-Applicant

Dale Coulam referred to the map with an area highlighted in orange and indicated that this is another step in the process of assigning a zoning district to what had previously been zoned Mobile Home (MH). The Planning Commission held a Public Hearing, reviewed the proposed amendment and recommended approval. **Mayor Hart** opened the Public Hearing. There being no comments, **Mayor Hart** closed the Public Hearing.

B. Discuss and consider approval of Ordinance No. 2017-25, an Ordinance of Ivins City, Utah, amending the Zoning Map from MH (Mobile Home Zoning District) to R-1-10 (Single Family Residential, 10,000 sq ft minimum lot size) within the blocks of 200 North to 400 North and between 200 West and 200 East

Council Member Mehr inquired as to why this hasn't occurred previously. **Dale Coulam** clarified that part of it had to do with the timing of losing the former Building and Zoning Administrator. This was in the process but not complete and the City waited to proceed until a new Building and Zoning Administrator was hired. **Council Member Densley** clarified that anything that is currently there is allowed but if it's moved, it can't be moved back in and no structural additions are allowed to be made on what's existing.

MOTION: Council Member Johnson moved to approve Ordinance No. 2017-25, an Ordinance of Ivins City, Utah, amending the Zoning Map from MH (Mobile Home Zoning District) to R-1-10 (Single Family Residential, 10,000 sq ft minimum lot size) within the blocks of 200 North to 400 North and between 200 West and 200 East
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

DRAFT

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

C. Public Hearing on the Planning Commission's recommendation to approve a Zone Change/Map Amendment from R-1-5 (Single Family Residential, 5,000 sq ft minimum lot size to RM (Multi-Family Residential) located at approximately 560 South and 150 East; Jason Smith-Applicant; JLB3S, LLC-Owner

Dale Coulam stated that the developer intends to build townhouse structures totaling 12 units and instead of one building with 12 units, like the property directly to the south, they would like to build three (3) separate buildings. The property is bordered to the South by Multi-Family and the project is part of the in-fill development in that neighborhood. **Mayor Hart** opened the Public Hearing. There being no comments, **Mayor Hart** closed the Public Hearing.

D. Discuss and consider approval of Ordinance No. 2017-26, an Ordinance of Ivins City, Utah, regarding a Zone Change/Map Amendment from R-1-5 (Single Family Residential, 5,000 sq ft minimum lot size) to RM (Multi-Family Residential) for property located at approximately 560 South and 150 East

There were no questions or comments.

MOTION: Council Member Roberts moved to approve Ordinance No. 2017-26, an Ordinance of Ivins City, Utah, regarding a Zone Change/Map Amendment from R-1-5 (Single Family Residential, 5,000 sq ft minimum lot size) to RM (Multi-Family Residential) for property located at approximately 560 South and 150 East
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.

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss setbacks for the Twinhome and Townhouse Zones

Mike Rodriguez indicated that the ordinance states that if a Twinhome or Townhouse project is adjacent to a Single-Family zone, the setbacks may need to be doubled. That requirement was put in place prior to the City adopting the Twinhome and Townhouse zoning districts. With the upcoming projects, this requirement may need to be amended to accommodate these new zoning districts which were adopted to better fit into a residential neighborhood. **Mayor Hart** inquired if the developer had requested these changes. **Dale Coulam** stated "no" and clarified that the what he was showing was merely a good illustration of the issue. He clarified that a Twinhome is very similar to a Single-Family home but it's still considered Multi-Family. **Council Member Roberts** inquired as what the purpose was and stated that it didn't matter how many people live in the house. **Mayor Hart** clarified that everything was based on larger scale projects. The **Mayor and City Council** discussed setbacks for continuous building lengths and determined that there needs to be a way to break up a large continuous building so that it's

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aesthetically pleasing. **Mayor Hart** didn't think there ought to be any additional requirements on Twinhome or Townhome zones and suggested that the larger setbacks should kick in for building lengths greater than 80 or 100 feet or make a determination on length that is equal to or less than a maximum length and then the requirement for additional setbacks kick in. **Council Member Densley** inquired what other cities were doing. **Mike Rodriguez** wasn't aware of how the other cities are addressing this but stated that in general they are primarily concerned with mass. The **Mayor and City Council** agreed that the ordinance needs to be clarified and requested that Mike look into what other cities are doing to address this.

MOTION: Council Member Densley moved to continue this discussion to the next Council meeting to obtain more input from Staff
SECOND: Council Member Johnson

Council Member Mehr requested discussion and inquired if that would be enough time for Staff to obtain the information. **Mayor Hart** suggested that it could be table and brought back when Staff has the information. **Council Member Densley** amended the Motion.

MOTION: Council Member Densley moved to table
SECOND: Council Member Mehr
VOTE: The motion carried.

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

B. Discuss and consider approval of a Revocable License Agreement

Dale Coulam indicated that lot 31 is owned by Mike Rodriguez and the rock detention basin is next to his lot. He has asked the City if he could acquire a section of land that was part of the detention basin to put a slab of concrete. The City suggested a Revocable License Agreement be used, similar to what was used with Red Rock Park. The license is a right to use the property but is not ownership and is revocable if the City needs to use the property. With the agreement, the City would maintain less. **Mike Rodriguez** clarified that placing a concrete pad in that location would widen the driveway approach to the garage and side yard.

MOTION: Council Member Densley moved to approve a Revocable License Agreement for lot #31 I-CFR-1-31
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

DRAFT

6) CONSENT AGENDA

A. Approval of City Council Meeting Minutes for December 7, 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 - no report

Council Member Roberts provided a Mosquito Distribution Chart for 2017 to the Mayor and City Council. A copy of the chart is available by request through Ivins City Hall. He reported that there were only ten (10) cases of West Nile virus were found in Washington County in 2017 and none of those were in Ivins or Santa Clara. The majority of the cases were in Washington and Hurricane. There are only two (2) types of mosquitoes that carry the West Nile virus. The Zika virus is carried by a different mosquito and there are 16 different active species in Washington County. **Council Member Roberts** recapped his experiences while serving on the City Council and indicated that in that time the City addressed issues regarding RV parking, large trucks, tractor trailer trucks, horses, chickens, bees, trapping of coyotes, vacation rentals, an RV resort, fought to continue to fight the future of the BLM (Bureau of Land Management) and its management plans, fought the no growth supporters that tried to lock up resources that would affect Ivins and others and deal with the HCP (Habitat Conservation Plan-Red Cliffs Desert Reserve) regarding the detention basin that was finally built in the canyon. He referenced the following highlights during his time as a City Council Member: The City was approached by resident Tracy McDonald, who is blind, regarding public transportation and the City pursued that and the City now has bus service in Ivins; a resident by the name of McKinzie Hansen approached the City Council regarding kids walking in the road because there were no sidewalks and that started the process for the SAA (Special Assessment Area) curb, gutter and sidewalk project; the roundabout on Center Street/Tuacahn Drive/Snow Canyon Drive was started and finally finished; it was a great accomplishment for the Southern Utah Veterans Home to locate in Ivins; the Mayor and a City Council Member sitting on the Snow Canyon Advisory board has been beneficial for Ivins; the City adopted the BluCan recycling program; the Sentierre project started; the City adopted the RAP Tax and through that has supported the Tuacahn Center for the Arts and the Kayenta Center for the Arts/Kayenta Arts Foundation; Fire Lake Park was officially named and improved; the Rocky Vista University medical school locating in Ivins was historic; and the Police and Fire Departments combined with Santa Clara. He hoped that the City Council would push the Planning Commission to have a consultant help them obtain a more precise Land Use Plan that does not use RA-1 as a default zone until someone petitions the City. It's important to make every effort to make

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that transparent on the intent of what the zones really should be. He'd like to see taxes and fees kept low. He encouraged the Mayor and City Council to protect individual property. Municipal Government is really the government that is closest to the people and it's hard sometimes to have to make decisions on issues when it seems that the multitudes of people are on one side of an issue. When a City Council studies issues and looks at the findings and facts, they can make a decision based upon consistent principles to protect property rights and liberty. He indicated that it has been an honor to serve on the Council the past 8 years and he hasn't taken the responsibility lightly. He's had the honor of serving with wonderful people and the process of serving on the City Council has been civil and enjoyable.

Council Member Johnson - no report

Council Member McDonald reported that he struggled with the recycling program being enacted because of the decisions that were being made by the Washington County Solid Waste District Executive Board and since then, he has been trying to get onto the Executive Board. He was successful last week. The advantage of being on the Executive Board is that you are closer to the front of things that are placed before the board and you can help navigate and make decisions. He congratulated Council Member Roberts for serving on the City Council.

Council Member Mehr stated that he had gratitude for Council Member Roberts and wished him all the best.

B. Mayor

Mayor Hart thanked Dale Coulam and City Staff for the great Christmas Party. He reported that on December 11, 2017 he and Wally Ritchie attended a Legislative Policy meeting at the Utah Local Governments Trust regarding issues that the Legislature will be dealing with. This past week he attended a symposium in Las Vegas for the Washington County Water Conservancy District regarding water law, which is complicated. He reported that water use is down dramatically in California and Arizona even though the population has gone dramatically up.

C. City Manager/Attorney Dale Coulam

Dale Coulam thanked Council Member Roberts on behalf of Staff for being supportive of staff, participating in the City Council meetings and asking questions in advance rather than surprising staff with questions at the meeting. He clarified that the Planning Commission is working on the RV ordinance and that will come forward to the City Council in the near future. He reported that the Washington County Economic Summit will be held on Thursday, January 11, 2018 at the Dixie Center. It's an excellent summit and if they'd like to attend, let the City Recorder know.

D. Items to be placed on future agendas

Council Member Roberts would like to see ATV access to BLM property.

9) CLOSED MEETING

10) ADJOURNMENT

MOTION: Council Member Roberts moved to adjourn

SECOND: Council Member Mehr

VOTE: The motion carried.

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

DRAFT

Council Member Roberts	AYE
Council Member Densley	AYE

The meeting adjourned at 6:55 p.m.

Respectfully,

Kari Jimenez
Ivins City Recorder

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