IVINS
CITY COUNCIL
MINUTES
March 15, 2018

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 Elliott, Council Member Densley, and City Recorder Kari Jimenez.

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: Council Member Mehr

A. Acknowledgement of Quorum

Mayor Hart acknowledged that there was a quorum present. Council Member Mehr was excused.

B. Flag Salute

Council Member Densley led the Flag Salute

C. Invocation

Council Member Densley gave the Invocation

D. Disclosures

There were no disclosures or conflicts of interest with items on this meeting's agenda.

2) REPORTS, PRESENTATIONS AND APPOINTMENTS

A. Concept Plan Report for Purple Sage Subdivision located at approximately 141 West and 200 North. William Craig-Owner/Applicant

Mike Rodriguez reported that this is a single lot that will be subdivided into a flag lot and there is an existing home on the property.

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

Mike Rodriguez provided written reports, copies of which are available by request through Ivins City Hall. He reported that they issued eight (8) single family building permits in February and a couple so far in March. The City also issued a permit to Red Mountain Resort for substantial improvements that have a valuation of over $800,000. He reported that the Ivins Code Enforcement Officer is staying on top of nuisances.

Chuck Gillette reported that the Red Mountain Dams rehabilitation design is anticipated to be complete in the next couple of months, with the improvements to take place during the winter season of 2018-2019. The 600 West 400 South gap fill project is complete and the road is open to traffic. The landscaping is in at the 2 Million Gallon Tank and fencing will be installed in the near future. He reported that there were no water leaks last month. The Public Works department applied more than 15,000 pounds of crack seal to the streets and has issued a request for bids for all slurry seal projects. There are a lot of roads that are heavily traveled and are impacted. **Mayor Hart** referred to a ridge beyond the crosswalk when you exit the roundabout on 200 East, heading south and inquired if that can be shaved or smoothed out. **Chuck Gillette** indicated that he will look at that. **Council Member Densley** referred to irrigation lines and requested that he be kept apprised on that project. **Chuck Gillette** reported that they are working on the Master Plans for Culinary and Irrigation Water and will meet with the

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Washington County Water Conservancy District, the City of Santa Clara and St. George City regarding those. It looks like there will need to be an additional reservoir in Ivins and that will likely be in the Kayenta Wash. **Council Member Densley** inquired as to the status of the light pole that is supposed to be replaced on Docena Drive. **Chuck Gillette** stated that he will follow-up on that. **Mayor Hart** thanked Public Works for the repairs on the side of Tuacahn Drive and requested that they look at the area near the cattle guard that is being undercut. **Chuck Gillette** indicated that he will look into that.

Wally Ritchie provided a budget report to the Mayor and City Council, a copy of which is available by request through Ivins City Hall. He reported that there are no issues. The City has received the money from Washington County for their contribution to the Fire Lake Park project. He reported that employee Char Raine is now handling Human Resources and the City has hired a new individual, Laurel Hill, in the front office. He reported that the Legislative Session is over and the Utah League of Cities and Towns will be providing a summary of each bill and how it affects municipalities.

Fire Chief Dan Nelson reported that the Fire Department will be holding a family night at the Firehouse in Ivins on Thursday, March 29th, beginning at 6:30 p.m. The consolidation of the Fire Department is going well and they're preparing for Wildland training that is coming up. **Mayor Hart** inquired if their outdated equipment has been replaced. **Chief Nelson** stated that they have purchased some SCBA's (Self-Contained Breathing Apparatus') and radios and they submitted a grant to purchase 8 more SCBA's.

C. Planning Commission Report

Mike Rodriguez reported that the Planning Commission held three (3) Public Hearings. Two (2) of the Public Hearings were concurrent Land Use Amendments and Zoning District Changes and one (1) Public Hearing was a Zoning Map Amendment from Mobile Home Zoning District to Single Family Residential. On the first two (2) Public Hearings, the applicants requested a Zoning District Change to R-1-10, Single Family Residential, average lot sizes of 10,000 sq ft with lot averaging. The Planning Commission took public comment, considered the requests and determined that a Zoning District Change of RE-12.5, Single Family Residential, average lot sizes of 12,500 sq ft with lot averaging was more appropriate. Regarding the third Public Hearing, the Planning Commission recommended approval of the Zoning Map Amendment as requested. Those Public Hearings and recommendations will proceed to the City Council. The Planning Commission also approved a Final Plat for Indigo Trails Phase 1-C.

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 Subdivision Text Amendment regarding overhead power lines

Dale Coulam indicated that the expense to lower the power lines can be unduly burdensome and if the voltage is more than 15kv on overhead power lines, those cannot be placed underground. **Council Member Densley** referred to Rocky Mountain Power pulling the wire after the trench is dug for the conduit and the poles lined up and inquired if they still do that. **Dale Coulam** clarified that they do but they also charge for it. **Council Member Densley** inquired if it was possible to charge a latecomer to help recover some of the cost. **Dale Coulam** stated that would be a pioneering agreement and he didn't feel that those were

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enforceable without each property owner agreeing to it in advance. It's possible to bring the power underground by doing a gap fill project where everyone signs off and agrees to the project or do another SAA (Special Assessment Area) but the Historic Township already has a current SAA. **Mayor Hart** opened the Public Hearing. There being no comments, **Mayor Hart** closed the Public Hearing.

B. Discuss and consider approval of Ordinance No. 2018-03, an Ordinance of Ivins City, Utah, amending the Subdivision Ordinance

There was no discussion.

MOTION: Council Member Densley moved to approve Ordinance No. 2018-03, an Ordinance of Ivins City, Utah, amending the Subdivision Ordinance
SECOND: Council Member McDonald
VOTE: The motion carried.

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

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

C. Public Hearing on the Planning Commission's recommendation to approve a proposed Zoning Text Amendment regarding setbacks in the Twinhome and Townhouse zoning districts

Dale Coulam stated the existing zoning text requires that setbacks for multi-family buildings be increased by 100% when they are adjacent to single family zones. In order to allow compatible development of Twinhome and Townhouse zone, is the Planning Commission recommended to amend the zoning text to allow the length of single story Twinhome buildings up to 80 feet and allow Townhomes in a TH zone to have wall plane offsets of at least 10 feet. **Mayor Hart** opened the Public Hearing. **Riley Richardson** with Richardson Brothers Homes indicated that he understood the concept but they will run into some problems if the property is not deep enough. Twinhome and Townhome style projects are a more affordable type of housing and it's important that the City Council look at what they're proposing because the cost to meet additional requirements is passed on to the buyer. There being no other comments, **Mayor Hart** closed the Public Hearing.

D. Discuss and consider approval of Ordinance No. 2018-05, an Ordinance of Ivins City, Utah, clarifying setbacks in the Twinhome & Townhouse zoning districts

Council Member Densley indicated that with the current requirements, the City is trying to create aesthetically pleasing projects but he also understood keeping costs down. **Mayor Hart** explained that somewhere between the setbacks being for aesthetics and doing something that is burdensome, especially in an affordable housing setting, there may be some other options. If the length of a unit or series of units goes to the maximum of 60 feet, there's going to be a more severe setback or break than them building 20 feet with a 4 foot change, another 20 feet and then another 4 foot change or 40 feet with a 5 foot change or similar. Maybe the City needs to think in terms of what is a reasonable separation if it's not 10 feet. If the object is to get these types of homes, which could potentially be two (2) stories, farther away, the City should change the setback and not create a hybrid. **Council Member Densley** wasn't set on the 10 foot

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setback but he wanted a setback that provides a distinct look and keeps the project from looking like a box. **Dale Coulam** clarified that there's already a requirement for 2 foot offsets every 40' feet so that there are some wall plane variations. The Planning Commission came up with a compromise that still has the same effect of increasing the setback 100%. The City Council is left with two (2) alternatives if they don't want to increase the setback 100%. The City Council could increase it by a lesser percent i.e. 50% which would be a setback of 15 feet instead of 10 feet or they do what they did with the Twinhomes and allow a total building length of 80 feet. **Mayor Hart** stated the 50% increase in setback makes the most sense. If the object is to reduce the impact of the presence of a sizable building behind a residential development, to move the setback to 15 feet and then let the architectural requirements dictate, that makes more sense because what happens in front of the building, that isn't impacted by the building or section of the building that is pushed the farthest forward. **The Mayor and City Council** discussed the setbacks and determined that if the building is a two (2) story building, the maximum length could be 60 feet with a minimum setback of 15 feet and if they're a single story building, the maximum length could be 80 feet with a minimum 10 foot setback. **Dale Coulam** will re-draft this Ordinance and bring it back to the City Council for their review.

MOTION: Council Member McDonald moved to continue
SECOND: Council Member Elliott
VOTE: The motion carried.

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

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and consider approval of a Preliminary Plan for Red Mountain Vistas Townhomes, located at approximately Highway 91 and 300 West. Dutch Holdings, LLC-Owner; Bush Gudgell/Blake Frei-Applicant

Mike Rodriguez reported that this project consists of 72 lots with four (4) units per building and each with a two (2) car garage. The project is on a total of 7.9 acres. The property is zoned R-M Townhome - High Density Residential Multifamily Townhome District. The Planning Commission recommended approval of this project with an additional recommendation that a fence be required between Highway 91 and the property.

MOTION: Council Member Johnson moved to approve the Preliminary Plan for Red Mountain Vistas Townhomes, located at approximately Highway 91 and 300 West. Dutch Holdings, LLC-Owner; Bush Gudgell/Blake Frei-Applicant
SECOND: Council Member Elliott
VOTE: The motion carried.

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

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B. Discuss and consider approval of Resolution No. 2018-03R, a Resolution of Ivins City, Utah, adopting the Municipal Wastewater Planning Program

Chuck Gillette indicated he was waiting for additional information and requested that this be tabled.

MOTION: Council Member McDonald moved to table
SECOND: Council Member Elliott
VOTE: The motion carried.

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

C. Discuss and consider approval of Resolution No. 2018-04R, a Resolution of Ivins City, Utah, re-appointing a Planning Commission Member

There was no discussion.

MOTION: Council Member Elliott moved to approve Resolution No. 2018-04R, a Resolution of Ivins City, Utah, re-appointing a Planning Commission Member, specifically Jeff Loris
SECOND: Council Member Johnson
VOTE: The motion carried.

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

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

D. Discuss and consider approval of Resolution No. 2018-05R, a Resolution of Ivins City, Utah, re-appointing Arts Commission Members

Mayor Hart read the name of the individuals recommended to be re-appointed. There was no discussion.

MOTION: Council Member Johnson moved to approve Resolution No. 2018-05R, a Resolution of Ivins City, Utah, re-appointing Arts Commission Members as Christie Gubler, Kevin Warnick, Kathy Ravenberg, Judith Kapuscinski, Matt Marten, Mike Scott and Eva Lorentzen
SECOND: Council Member Elliott
VOTE: The motion carried.

Council Member McDonald	AYE
Council Member Johnson	AYE

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Council Member Elliott	AYE
Council Member Densley	AYE
Council Member Mehr	ABSENT

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

E. Discuss and consider approval of Resolution No. 2018-06R, a Resolution of Ivins City, Utah, appointing David R. Black to the Sensitive Lands Committee

There was no discussion.

MOTION: Council Member Elliott moved to approve Resolution No. 2018-06R, a Resolution of Ivins City, Utah, appointing David R. Black to the Sensitive Lands Committee
SECOND: Council Member McDonald
VOTE: The motion carried.

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

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

F. Discuss and consider approval of Resolution No. 2018-07R, a Resolution of Ivins City, Utah, re-appointing Lisa Rutherford to the Sensitive Lands Committee

Resolution

There was no discussion.

MOTION: Council Member Johnson moved to approve Resolution No. 2018-07R, a Resolution of Ivins City, Utah, re-appointing Lisa Rutherford to the Sensitive Lands Committee
SECOND: Council Member Elliott
VOTE: The motion carried.

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

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

G. Discuss and consider approval of Resolution No. 2018-08R, a Resolution of Ivins City, Utah, re-appointing Joanne Cooper to the Sensitive Lands Committee

There was no discussion.

MOTION: Council Member McDonald moved to approve Resolution No. 2018-08R, a Resolution of Ivins City, Utah, re-appointing Joanne Cooper to the Sensitive Lands Committee

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SECOND: Council Member Johnson
VOTE: The motion carried.

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

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

H. Discuss and consider approval of Memorandum of Understanding and expenditure for the cost sharing of lowering power utility for Kay's Court Townhomes

Chuck Gillette stated that the City recognized that the cost to lower power lines on small projects is high and Rocky Mountain Power has indicated that they do not want to lower power lines for very small segments. Staff discussed this with the developer of Kay's Court Townhomes. The City and the developer have agreed that the City will pay 37.5% of the costs and the developer will pay 62.5%.

MOTION: Council Member Densley moved to approve the Memorandum of Understanding and expenditure for the cost sharing of lowering power utility for Kay's Court Townhomes
SECOND: Council Member Johnson
VOTE: The motion carried.

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

6) CONSENT AGENDA

A. Approval of expenditure for sign inventory services
B. Approval of expenditure for concrete and asphalt installation for Fire Lake Park access road and parking lot
C. Approval of City Council Meeting Minutes for March 1, 2018

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

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

7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) REPORTS

A. Council

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Council Member McDonald - no report
Council Member Johnson - no report
Council Member Elliott - no report
Council Member Densley - no report

B. Mayor

Mayor Hart reported that he attended the Fire and Ice Gala with the Dixie Foundation, representing Ivins. Each year the event raises funds for student scholarships for students in lower income situations and unable to pay tuition. They raised over $350,000 at that event. He attended a CEC (Community Education Channel) board meeting. He thanked the City Council for the modest additional funding that the City Council provided to retain one of the CEC reporters full time. The CEC is willing to come to Ivins and cover any significant event. He reported that Expedia listed Ivins as one of the 15 places for the perfect childfree getaway.

C. City Manager/Attorney Dale Coulam

Dale Coulam inquired if the City Council would like to discuss lengths of multi-family buildings when they would abut uses other than Single Family Residential. The Mayor and City Council agreed that they should discuss that at the next City Council meeting. He referred to the Public Hearing at the Planning Commission regarding the school property on 200 West. At one point the applicant suggested that instead of RE-12.5 with lot averaging, that they do a split zone of R-1-10 along the street, RE-12.5 along Tenaya Estates. He had advised the Planning Commission that the zoning district should follow the boundary lines but has since recalled a few instances where such a buffer zone up against existing homes had been allowed.

D. Items to be placed on future agendas

9) CLOSED MEETING

MOTION: Council Member McDonald moved adjourn this open meeting and enter into a Closed Meeting to discuss the sale of real property pursuant to Utah Code Section 52-4-205(1)(e)
SECOND: Council Member Elliott
VOTE: The motion carried.

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

The meeting adjourned at 7:20 p.m.
Respectfully,

Kari Jimenez
Ivins City Recorder

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