IVINS
CITY COUNCIL
MINUTES
June 7, 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 Mehr, 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, Public Works Director/City Engineer Chuck Gillette, Public Safety Director Bob Flowers, Fire Chief Dan Nelson, and Building and Zoning Administrator Mike Rodriguez.
EXCUSED: None.

A. Acknowledgement of Quorum

Mayor Hart acknowledged there was a Quorum present

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. Kanta Village Townhomes Concept Plan Report

Mike Rodriguez reported that this subdivision consists of 90 proposed units on 9.12 acres, located west of Movara Fitness Resort and between Riders Mountain View Tire building and the cell phone tower.

B. Presentation regarding street lighting - Chuck Gillette

Chuck Gillette reported that he was expecting to have a demo street light head prior to this meeting but received notice earlier this week that the demo won't be in until next week. He requested that this be tabled to the next City Council meeting.

C. Department Reports: Parks and Recreation and Public Safety

Dale Coulam indicated that Benny Sorensen provided a written report. A copy of the report is available by request through Ivins City Hall. He showed photos of Desert Rose Park which the Parks staff recently finished and commented how nice it was. He also referred to a couple of photos in Benny's report where cardboard had been dumped at City Hall. The cardboard recycling bin has been removed from City Hall but individuals are still dumping it at City Hall in the parking lot. City staff has had to clean up after them. He suggested that the City may want to pay for a cardboard dumpster at City Hall that would be emptied once a week. It would cost the City approximately $350 a month for that service. **Mayor Hart** inquired of Council Member McDonald if the County is still recycling cardboard. **Council Member McDonald** stated yes, through the Binnie program but indicated that the facility had a fire two days ago due to someone putting a lithium battery in the recycling. **Council Member Densley** inquired as to the status of the recycling bins at Lightfoots gas station. **Dale Coulam** indicated that they requested the

DRAFT

cardboard dumpster be removed because people would make a mess at that location as well. He clarified that cardboard can be recycled in the BluCan. **Council Member Densley** inquired about opening the dumpsters during business hours. **Wally Ritchie** stated that the dumpsters by the cemetery are not recycled. The **Mayor and City Council** agreed that there should be one dumpster in the City Hall parking lot designated for cardboard.

Fire Chief Dan Nelson reported that they responded to a fire where a kid tried to burn weeds and embers landed on the roof and caught the shingles on fire. They were able to put the fire out quickly. They are getting prepared for the next few months of fire season. **Mayor Hart** commented that this whole region is a wildfire waiting to happen because it's been so dry. **Fire Chief Nelson** indicated "absolutely" and commented that he drove through the Kayenta area recently and indicated that it was scary to see the fuel that's there. He reported that a Wildland crew of 7 is helping fight the fire in the Manti LaSalle area.

Police Chief Bob Flowers reported that they are receiving complaints about speeding again and have placed the speed trailers in the areas of the complaints. The investigative unit is busy and things are going well at the animal shelter. He reported that Ivins City is the second safest City in the State of Utah. **Council Member McDonald** inquired if they found the individual(s) responsible for breaking into and swimming in the water tank at Tuacahn. **Chief Flowers** indicated "yes". The individuals decided to brag about it at a graduation party and one of the SCI Officers was there and heard it. **Mayor Hart** stated he's glad they got to the bottom of it and hopes it will discourage others.

D. Planning Commission Report

Mike Rodriguez reported that the Planning Commission saw the Kanta Village Townhomes Concept Plan at their meeting and reviewed a Preliminary Plan for the Altura subdivision with lot averaging located at approximately 200 West Center Street. There were three Planning Commissioners present and they voted unanimously to approve that Preliminary Plan. They also approved a Final Plat for Townhomes 560 located at approximately 560 South 150 East and a Final Plat Amendment for Crescent Moon Village Phase 1A located adjacent to the entrance of Fire Lake Park.

Mayor Hart indicated that there will be an Emergency Preparedness program tomorrow evening at 6:00 p.m. at the Ivins Fire Station.

3) CITIZEN COMMENT & REQUEST FOR FUTURE AGENDA ITEMS - NONE

Mayor Hart stated there are two (2) comment forms submitted, one from Kathy Barth and one from Susan Sekerka. **Kathy Barth** resides at 1298 Wisteria Court just west of the Kayenta Art Village. She indicated that she emailed Public Works Director/City Engineer Chuck Gillette regarding her request for crosswalks at the intersection of Kwavasa and Kayenta Parkway and received a reply from him regarding those. She requested that the City consider installing a four-way stop at that intersection to help with the pedestrian traffic. She was concerned about pedestrians being hurt. **Chuck Gillette** stated that the City has talked about putting in a roundabout there because they are going to need some type of intersection control there in the future. Currently it doesn't meet the volume recommendations. **Council Member McDonald** indicated that the Mayor and City Council should defer to Staffs' recommendation. **Chuck Gillette** stated that some of the traffic count volumes on Kayenta Parkway are 100 vehicles per day but the criteria in the guidance is 300 vehicles per day. The City can add pedestrians to those volumes but he wasn't sure that was going the total count by much. **Mayor Hart** inquired as to options. **Chuck Gillette** indicated that the City is going to

DRAFT

stripe the crosswalks but warned if there are too many signs, people stop reading them. They will start with striping the crosswalks and then re-address this in six (6) months. **Mayor Hart** stated Susan Sekerka submitted the other comment but was unable to attend. Her comment was regarding the need for cardboard recycling.

4) PUBLIC HEARING AND ACTION ITEMS

None

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and consider approval of Resolution No. 2018-15R, a Resolution of Ivins City, Utah, appointing a City Treasurer

Dale Coulam reported that former City Treasurer Debbie Bannon has taken an accounting position with the City of Santa Clara. The recommendation for her replacement is City employee Jennifer Chapman who has been working in the Parks and Recreation and Public Works Departments and is the current Deputy City Treasurer.

MOTION: Council Member Densley moved to approve Resolution No. 2018-15R, a Resolution of Ivins City, Utah, appointing a City Treasurer
SECOND: Council Member Mehr
VOTE: The motion carried.

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

Roll call vote. All Counselor members voted in favor.

B. Discussion regarding Recreation Public Purposes Act application

Chuck Gillette reported that they have been working on this and are ready to submit an application but they have three different layouts and would like the Council to weigh in on which layout should be submitted. The three layouts are: 1) A City Cemetery, a City Public Works Yard, a City Public Works Communications Tower and a Regional Park with baseball fields; 2) A City Cemetery, a City Public Works Yard and a City Public Works Communications Tower; and 3) A City Cemetery, a City Public Works Yard, a City Public Works Communications Tower and a Regional Park with soccer fields. He indicated that the Parks and Recreation Department has told him they would not want baseball fields but felt that soccer fields that were versatile could serve a number of purposes. **Council Member Densley** stated that this would be a good opportunity to include a dog park. The **Mayor and City Council** liked layout 3 with the versatile soccer/rugby/lacrosse fields.

C. Discuss and consider approval of Ordinance No. 2018-10, an Ordinance of Ivins City, Utah, amending Title 2 of the Ivins City Code entitled "Administration" and Title 3, Chapter 12 of the Ivins City Code entitled "Purchasing"

Dale Coulam indicated that the City Council has seen this several times. It's a re-write and a hybrid between the old City Purchasing Ordinance and the new State of Utah procurement code. **Council Member McDonald** stated that he thought at one time they discussed giving preference to local vendors. **Dale Coulam** indicated they discussed that but determined that because of the size of Ivins, that would be too restrictive. **Council Member Mehr** referred to

DRAFT

the definition of the lowest responsible bidder. **Dale Coulam** stated that the definition is a hybrid.

MOTION: Council Member Johnson moved to approve Ordinance No. 2018-10, an Ordinance of Ivins City, Utah, amending Title 2 of the Ivins City Code entitled "Administration" and Title 3, Chapter 12 of the Ivins City Code entitled "Purchasing"
SECOND: Council Member Densley
VOTE: The motion carried.

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

Roll call vote. All Council Members voted in favor.

D. Discuss and consider approval of Resolution No. 2018-17R, a Resolution of Ivins City, Utah, approving the Certified Property Tax Rate for Calendar Year 2018

Wally Ritchie indicated that this is part of the process every year and the numbers are provided to the municipalities by the County. **Council Member Mehr** inquired as to what this means to Ivins budget and revenue. **Wally Ritchie** clarified that due to growth the City's tax revenue has increased.

MOTION: Council Member Densley moved to approve Resolution No. 2018-17R, a Resolution of Ivins City, Utah, approving the Certified Property Tax Rate for Calendar Year 2018
SECOND: Council Member Mehr
VOTE: The motion carried.

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

Roll call vote. All Council Members voted in favor.

E. Discuss and consider approval of Resolution No. 2018-16R, a Resolution of Ivins City, Utah, amending the Budgets for Fiscal Year Ending June 30, 2018 and adopting the Final Budgets for Fiscal Year Ending June 30, 2019

Wally Ritchie stated that the FYE 2019 budget hasn't changed from what has been discussed. The budgets are balanced, there are no surprises and everything is covered.

MOTION: Council Member Elliott moved to approve Resolution No. 2018-16R, a Resolution of Ivins City, Utah, amending the Budgets for Fiscal Year Ending June 30, 2018 and adopting the Final Budgets for Fiscal Year Ending June 30, 2019
SECOND: Council Member McDonald
VOTE: The motion carried.

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

DRAFT

Council Member Elliott	AYE
Council Member Densley	AYE

Roll call vote. All Council Members voted in favor.

F. Continued discussion and consideration to approve Ordinance No. 2018-11, an Ordinance of Ivins City, Utah, amending the Zoning Ordinance regarding Multi-Family Building Length & Storage

Dale Coulam referred to Section 1 sub (2) and clarified that the general rule for a maximum length of multi-family residential buildings is 120 feet period. **Mayor Hart** indicated that he has received two (2) additional documents, a letter from Terry Marten and a packet from Riley Richardson of Richardson Brothers Custom Homes that included illustrations and a description of their project. Copies of these documents are available by request through Ivins City Hall. **Mike Rodriguez** referred to photographs and information that he provided to the City Council for comparisons and the Mayor and City Council reviewed those. **Council Member Elliott** referred to Rocky Vista University and stated she understood that they were granted an exception for the building height. **Mayor Hart** clarified that the exception was for the mechanical equipment. **Council Member Elliott** referred to Rocky Vista University, their building widths and the breezeways on the student housing buildings and inquired in terms of the building widths and breezeways, if those were in compliance with the ordinance. **Dale Coulam** stated that at the time, the City's Building and Zoning Administrator determined that those complied. **Council Member Densley** indicated that he saw this project as a good opportunity for a new family, starter home or similar to move into. **Mayor Hart** commented that the way the program was explained to him by the Richardsons', it's a very noble program but they are talking about the impact to the City with buildings this size and if this is approved, it becomes available to any developer and not just this project. **Council Member Elliott** understood that they're really talking about Multi-Family that abuts commercial or Multi-Family and there aren't a lot of areas in Ivins where that would occur. **Mike Rodriguez** stated that is correct and there aren't that properties that are currently zoned for that, although someone could always ask for a property to be re-zoned. **Mayor Hart** referred to the interior units. **Dale Coulam** indicated that the Planning Commission determined that if it's their own project and their own buildings, it isn't a concern because they would be purchased knowing how long the interior buildings were. It's the perimeters that they're concerned about because they would be imposing on someone else's view. **Mayor Hart** inquired if the ordinance that is currently in place allows for longer buildings on interior. **Dale Coulam** stated no, they're only allowed to be 120 feet which is the current general rule. **Council Member McDonald** suggested using a formula that is similar to what they use with lot averaging in subdivisions where some of the buildings would be larger and some of them would be smaller. **Mike Rodriguez** requested that the City Council establish a specific length with a maximum number because that would be easier to interpret, apply and explain to an applicant. **Council Member Elliott** indicated that in this area they are allowed to build a maximum height of 35 feet and inquired what their plan was. **Riley Richardson** stated everything shown is under 25 feet and the reason the plan is laid out the way it is, is to provide every home with a garage. They prefer to build that way rather than build condos. **Council Member Elliott** pointed out that the plan has a lot of open spaces and a pool and she liked that. **Council Member Mehr** was concerned for the Ivins community and referred to the points made by Terry Marten previously about open spaces, parking, having places to recreate and the like. He read the definition of compromise and indicated that he did

DRAFT

not feel that the City should compromise because the property owners knows what the current ordinance is and should work within that ordinance. **Council Member Johnson** liked Terry Marten's comment in his letter about weighing the benefits as well as the difficulties. She would have preferred to never have a large building in her community but it isn't that way and the size of the proposed units dwarf in comparison to the Rocky Vista University student housing yet she didn't find the student housing buildings offensive. They're not favorable but she doesn't hate or despise those buildings because she knows what they are and why they're there. She didn't find the proposed units offensive, given the location. **Council Member Mehr** commented that he didn't think the City should use Rocky Vista University as the new standard to build under. There would not be a majority opinion in the community that the size of the Rocky Vista University student housing buildings are favorable. Just because Ivins isn't rural Ivins, isn't a reason to throw in the towel. **Council Member Johnson** indicated she wasn't trying to throw in the towel but she didn't think that the City needs to not allow things in certain places because we want to stay the way we are now. **Council Member Elliott** stated that the City isn't going to be able to stop growth and it would be sad to see Ivins become exclusive and price everybody out but she wants to make sure these projects are done in a smart and thoughtful way. For this particular decision, especially given the heights on the plan, the units are not overly imposing and she would be in favor of changing the ordinance with the percentage change of 40% rather than 50%. **Mayor Hart** was personally concerned about the mass of a building becoming a basis for other projects. **Dale Coulam** clarified that as the ordinance is drafted, that would only be allowed if it abuts a Commercial zone, Multi-Family zone or Mixed Use Zone. **Mayor Hart** indicated that this strikes him as the City accommodating a developer and a project and the City ought to be focused on what is an acceptable sized building in this City. When it comes to scale and mass, likely the individual who has the most expertise is here is Terry Marten. He invited Terry Marten to the podium. **Terry Marten** stated that never in the last 30 years has he spoken against a project and that's not what he's doing now. The way he's approached working with Ivins is working with the Planning Commissioners, the planners and others to find ways to create an ordinance that works. He believed that the City had that in the current ordinance that worked with 120 feet as the maximum length for a building. Everywhere he's built, he has read the codes and found ways to comply with those. He felt that the City would be opening Pandora's box by allowing exceptions but if the City wanted to do that, he suggested that they hold public hearings. They **Mayor and City Council** discussed formulas and ideas to determine what the maximum length of a building should be. **Mike Rodriguez** suggested that they say that a maximum building length of 150 feet would be allowed only if it abuts commercial, multi-family, or mixed use zones or if it is in the interior of a project. **Council Member Mehr** inquired as to what the Planning Commission recommended and what the vote was. **Dale Coulam** indicated that they passed it approving an increase of up to 50% if the building abuts Commercial and 25% if it abuts Multi-Family, Mixed Use Zoning or when the buildings are within the interior of the Multi-Family project. **Mike Rodriguez** stated that the vote was four (4) to one (1) with Planning Commissioner Lance Anderson dissenting.

MOTION: Council Member Elliott moved to approve Ordinance No. 2018-11, an Ordinance of Ivins City, Utah, amending the Zoning Ordinance regarding Multi-Family Building Length & Storage, to specify that Multi-Family Residential Buildings where the long side abuts a C-1 Zone or Multi-Family Zoning or is interior to the Multi-Family project, maximum building length be 150 feet

DRAFT

SECOND: Council Member Densley
VOTE: The motion carried.

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

Council Member Mehr requested discussion not related to what they were just talking about. He requested discussion regarding the storage space that is addressed in the Ordinance. **Dale Coulam** referred to Section 2 and indicated that Kayenta has approximately 16,000 sq. ft. of allowed storage space left. Kayenta was granted storage space a long time ago and that space had been proposed in the heart of the Crescent Moon Village. The upper part of the Crescent Moon has developed for uses other than storage so Kayenta would like to move the storage to another area along the road leading to Crescent Moon from Hwy 91. This was put into the Table of Uses for use of limited storage space and is only allowed in the Light Manufacturing zone. **Mayor Hart** reminded the City Council of the current Motion and Second. Roll call vote. Three (3) Council Members voted in favor and two (2) Council Members voted in opposition. The motion carried and the Ordinance passed.

G. Discuss and consider approval of Resolution No. 2018-14R, a Resolution of Ivins City, Utah, authorizing a credit toward paying utility bills for activated Guard and Reserve Military personnel

Dale Coulam stated the City had this in place previously but the figures are outdated. It is now references the base rate and is worded to continue in the future. **Council Member Mehr** inquired how many Veterans are taking advantage of this benefit. **Wally Ritchie** indicated currently no one but there was one (1) in the last four (4) years one and there has been one (1) recent inquiry. **Council Member McDonald** inquired how the City was making Veterans aware of this option. **Mayor Hart** suggested that the information be placed in the newsletter. **Council Member Mehr** suggested that the Veterans Affairs Administration be provided with the information. **Council Member Elliott** suggested that the information be provided on the website.

MOTION: Council Member Mehr moved to approve Resolution No. 2018-14R, a Resolution of Ivins City, Utah, authorizing a credit toward paying utility bills for activated Guard and Reserve Military personnel
SECOND: Council Member Johnson
VOTE: The motion carried.

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

Roll call vote. All Council Members voted in favor.

H. Discuss and consider approval of Ordinance No. 2018-12, an Ordinance of Ivins City, Utah, adopting the Amended City Council Meeting Schedule for the Calendar Year of 2018

Mayor Hart stated this was prompted by the July and September meeting changes.

DRAFT

MOTION: Council Member Densley moved to approve Ordinance No. 2018-12, an Ordinance of Ivins City, Utah, adopting the Amended City Council Meeting Schedule for the Calendar Year of 2018
SECOND: Council Member Elliott
VOTE: The motion carried.

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

Roll call vote. All Council Members voted in favor.

I. Discussion regarding entrance sign on Highway 91

Dale Coulam indicated there are two entrances on Highway 91 into Ivins. One is by the On Guard Storage unit as you drive up the hill on Highway 91 past the cemetery from Santa Clara and the other one is across from the road going into Fire Lake Park. It's possible to have two different designs because of that. City Staff was asked to provide some designs because there were no responses to the RFP (Request for Proposals). **Council Member Densley** liked the first design but would like the new City logo with the swish to be added. **Mayor Hart** stated he has received a number of comments on the entrance from Snow Canyon Parkway. Ivins is an extraordinary City and he did not feel like any of the examples provided were extraordinary. He'd like to see something more contemporary. **Council Member Mehr** suggested that a photo be taken of the of actual locations and then superimposed to see how the signs would fit in the different locations. **Council Member McDonald** - that Ivins resident Steve Ruesch commissioned the eagle on the firehouse and he will contact him for ideas. **Council Member Densley** indicated he will ask Ivins resident and Arts Commission member Kathy Ravenberg to sketch out some ideas. **Council Member Elliott** stated that her brother-in-law is an artist and she'll approach him about providing some ideas. **Mayor Hart** commented that Jennifer Chapman has done a great job of providing some options but he was intrigued to see what ideas will be provided by the artists mentioned. The **Mayor and City Council** agreed to table this and bring it back after some other ideas are brought forward. **Wally Ritchie** asked the Council Members to be aware of cost when approaching the artists.

J. Discuss and consider approval of advertising for bids for the sale of approximately 16 acres located at approximately 700 East Center Street with a minimum bid starting at $2,870,000.00

Mayor Hart indicated that this is the appraisal amount on the property and the City intends to sell it to accomplish another civic need. **Dale Coulam** stated that the City Council may want to consider some conditions or requirements of bidders where they would build something similar to what was previously approved in the Palisades Preliminary Plan with single story single family homes that blend in with the rest of the Palisades development. The open space and trail down the eastern side of the property to Center Street would be required and access to the Palisades subdivision from Center Street would also be required. **Mayor Hart** commented that from a development standpoint, it would be best to hold to the original plan or some reasonable plan. **Dale Coulam** indicated that this requires a Public Hearing to approve and move forward. The **Mayor and City Council** discussed timing, bids, bid bonds, receiving a Letter Of Credit or proof of funds for the bid amount and determined they should approve this to advertise

DRAFT

for bids, bring it back to the City Council with a bid package for their review and tentatively schedule the Public Hearing for the second City Council meeting in August.

MOTION: Council Member Mehr moved so move
SECOND: Council Member McDonald
VOTE: The motion carried.

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

6) CONSENT AGENDA

A. Discuss and consider approval of an expenditure to purchase a 2018 Mirage Cargo Trailer for the Public Safety Department
B. Discuss and consider approval of an expenditure for water valve replacements and 200 W 300 N system improvement
C. Approval of City Council Meeting Minutes for May 17, 2018

Mayor Hart inquired what Public Safety used the cargo trailer for. **Wally Ritchie** clarified for incident and emergency command and to store crime scene equipment or emergency equipment. **Council Member McDonald** inquired if Santa Clara would be splitting the cost. **Wally Ritchie** stated "yes".

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

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

7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) REPORTS

A. Council

Council Member Densley - no report
Council Member Elliott - no report
Council Member Johnson - no report
Council Member McDonald reported that he may not be at the first City Council meeting in July. He may be in Germany with the Washington County Solid Waste District for a meeting regarding recycling.
Council Member Mehr expressed gratitude to City Staff and the Department Heads. When he receives contact forms from residents and forwards them to Dale Coulam or whomever at the City, they are quick to respond and the residents appreciative that.

B. Mayor

No report

C. City Manager/Attorney Dale Coulam

DRAFT

No report

D. Items to be placed on future agendas

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 Elliott	AYE
Council Member Densley	AYE

The meeting adjourned at closed at 8:29 p.m.

Respectfully,

Kari Jimenez
Ivins City Recorder

DRAFT