IVINS
CITY COUNCIL
MINUTES
June 21, 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 Deputy City Recorder Sharon Allen.

STAFF: City Manager/Attorney Dale Coulam, Director of Finance/Assistant City Manager Wally Ritchie, Public Works Director/City Engineer Chuck Gillette, and Building and Zoning Administrator Mike Rodriguez.

EXCUSED: None.

Audience: Claudette Larsen, Paul and Dee Bottino, Logan Blake and others who did not sign in.

A. Acknowledgement of Quorum
B. Flag Salute--**Council Member Cheyne McDonald**
C. Invocation--**Council Member Cheyne McDonald**
D. Disclosures--None.

2) REPORTS, PRESENTATIONS AND APPOINTMENTS

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

Mike Rodriguez stated we had 119 permits for the fiscal year and a few more in the works that will take us to probably 120 to 130 permits. Permit activity is steady. Permits show 64 total single family homes for the calendar year 2018. Code enforcement report shows a lot of weed and RV complaints.

Wally Ritchie stated the budget report looks good. We have just a week and a half left for the fiscal year and then the new one begins. There is lots going on with the legislature and clarifying statutes. \Wally reported had been confirmed by the Senate to be on the private activity review board for the State.

B. Planning Commission Report

Mike Rodriguez stated that the Planning Commission meeting recommended approval for Sage Villas Townhomes. Council had taken action previously to amend the zoning code to lengthen multi-family building walls to 150 ft. Sage Villas came forward with their Preliminary Plan based on that change. They have a total of 54 units on that 5 acre parcel.

3)CITIZEN COMMENT & REQUEST FOR FUTURE AGENDA ITEMS

4) PUBLIC HEARING AND ACTION ITEMS

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and consider approval of a Preliminary Plan with lot averaging for Altura Subdivision, based on the Planning Commission's recommendation to approve. Located at approximately 200 West Center Street. Development Solutions Group-Applicant. DSG Holdings, LLC-Owner

Mike Rodriguez stated that this property was owned by the Washington County School District on 200 West and Center. It was rezoned to RE-12.5 with a lot averaging overlay, with 49 lots on 17.5 acres. There is a detention basin on the southwest corner that was recommended by our City

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Engineer. This development will be built in three phases. The lots that face 200 West will front 200 West and the rest will be interior lots and have a block wall.

MOTION: Council Member Johnson moved to approve a Preliminary Plan with lot averaging for Altura Subdivision, based on the Planning Commission's recommendation to approve. Located at approximately 200 West Center Street. Development Solutions Group-Applicant. DSG Holdings, LLC-Owner

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

B. Discuss and consider approval of Resolution No. 2018-18R, a Resolution of Ivins City, Utah, amending the User Rates for Wastewater

Dale Coulam stated this Resolution is simply a pass-through rate increase. The cost on one is 10 cents and the other is $2.12. Those are our costs that were increased, and we are simply passing those increases through. **Council Member Dennis Mehr** inquired if it ever goes the other direction? **Wally Ritchie** stated six years ago we had the wastewater treatment plant reduced by about $6.00 and they reviewed their study and reduced it. Now they are raising it $2.12. It does go both ways. **Council Member Cheyne McDonald** asked if it was the same rate Countywide or is it by distance? **Wally Ritchie** stated the rate that we are charged is the same rate they charge Santa Clara. It is a uniform rate, and then we have a portion on top of their rate for our own maintenance of lines. This is essentially for the treatment plant and the regional lines that go into it.

MOTION: Council Member Elliott moved to approve Resolution No. 2018-18R, a Resolution of Ivins City, Utah, amending the User Rates for Wastewater. Unanimous Roll Call Vote.

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

C. Discuss and consider approval of Resolution No. 2018-19R, a Resolution of Ivins City, Utah, amending the Ivins City Culinary Water Rate to pass-through Washington County Water Conservancy District's Wholesale Water Rate increase of $0.10 per 1,000 gallons

Dale Coulam stated this is the other pass through resolution. Washington County Waster Conservancy District rates went up, so we pass that cost through to the City. **Council Member Ron Densley** inquired when does increase start? **Dale Coulam** stated July 1st.

MOTION: Council Member Densley moved to approve Resolution No. 2018-19R, a Resolution of Ivins City, Utah, amending the Ivins City Culinary Water Rate to pass-through Washington County Water Conservancy District's Wholesale Water Rate increase of $0.10 per 1,000 gallons Unanimous Roll Call Vote

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

D. Discuss and consider approval of bid package for the sale of approximately 16 acres located at approximately 700 East Center Street

Dale Coulam stated that this is a rough draft. We were given a few parameters last meeting. He used a format that another City had use for about the same purchase price. They used 5% earnest money, so our draft used that also. The minimum bid is 2.87 million dollars and with this bid package we will attach the appraisal summary letter. This is requesting fixed price sealed bids with the balance in cash at closing. The schedule we propose is that on the July 2nd City Council meeting we will make any adjustments you would like, then finalize that and send it out. The draft proposes closing bids on Wednesday August 1st and opening bids that afternoon. That would allow us time to amend our agenda for the August 2nd meeting to announce the winning bid. They have until the next day at 5 pm to close with cash. We have put the conditions in regarding the use of the property. The Blood family donated 10 acres of land to the City to be used for a municipal purpose, and they are agreeable with using the sale proceeds for a new City hall and are grateful that the City would have recognition on the wall of the new City Hall thanking them for their generous gift. Do you want to indicate lot sizes and on the Preliminary plan that was originally approved were they just on pads? **Mayor Hart** stated it needs to have highest and best use and it is a PD and it was approved with the number of lots on there. **Dale Coulam** stated back then it did not require the 30 ft or 50 ft, but they have to keep the East trail open. It just has to stay at that density. Otherwise they come in and ask for a zone change. Lot sizes could vary, as long as they build it in substantial conformity with the Preliminary plan they have that vested density and a similar layout that was proposed. **Mayor Hart** stated we may not need Condition 'A'. In Condition 'B' it says it will resemble the prior plan. **Dale Coulam** stated he will eliminate that. Also anyone that buys the Property must provide a road from Center Street to the connecting road in Palisades. **Council Member Ron Densley** stated what about non-refundable earnest money? Is the Title Policy paid for? **Dale Coulam** stated the earnest money is not non-refundable for the successful bidder. We will pay for a title policy but the Buyer would pay all other closing costs. We propose using Southern Utah Title Company. **Mayor Hart** stated the way it reads it doesn't look clear in there that the unsuccessful bidders get their earnest money refunded. **Dale Coulam** stated he would clarify that **Council Member Ron Densley** inquired isn't one day kind of tight to pay cash for? **Mayor Hart** stated they get their financing in place when they are working on their bids. **Dennis Mehr** inquired if Vista or the Church nearby could bid, or does it have to be housing? **Dale Coulam** stated housing and the Property is not adjacent to those other properties. **Council Member Miriah Elliott** inquired that the conditions will be included in the deed? **Dale Coulam** stated we will talk to title about that, but if they build what is previously approved those documents and the preliminary plan are already in place. Anything else is going back to the beginning starting with zoning for approval. **Council Member Miriah Elliott** inquired if the trail is in the Development Agreement? **Dale Coulam** stated not in the original, but in the amended. The trail and the street and single story homes all need to be in the deed restriction. **Council Member Ron**

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Densley stated that would all be taken into consideration on approval of the plat. **Dale Coulam** stated right so if we are comfortable with the development agreement on when they commence construction we don't need Condition E. **Mayor Hart** stated since we don't know what the amended agreement was when the upper portion was purchased they probably have 5 years left. **Ron Densley** stated the other City that had a similar price what did they wind up getting? **Dale Coulam** stated he doesn't know, it was out of state. It had a similar price, although there was a building on it. Ours is raw land. We also applied some conditions from the format used by SITLA **Council Member Ron Densley** stated properties that are moving in St George lately, there is a bidding war going on. **Dale Coulam** stated we have it as sealed bids and give it to the highest bid. SITLA gets bids and then the highest two get into a bidding war by auction. **Mayor Hart** stated this is a nice clean way to do it. **Wally Ritchie** stated what if we have tie bids? **Dale Coulam** stated that would be an auction situation. **Council Member Dennis Mehr** stated whichever is more transparent to the public is what he is in favor of. **Dale Coulam** stated that would be the process being proposed. **Wally Ritchie** stated in the event of a tie, we would do a sealed bid for the best and final offer. **Council Member Miriah Elliott** stated if you get rid of Condition A, make sure it is clear to say single family home and single story in Condition B. **Dale Coulam** stated in Condition B we clearly state single family and Condition C says single story. Architecture is to be similar to Palisades to the North. We will bring this back to City Council on July 2nd.

E. Discuss and consider minimum bid amounts to surplus City vehicles

Wally Ritchie asked Council Member Cheyne McDonald his thoughts on pricing. **Council Member Cheyne McDonald** stated these vehicles are tagged as police vehicles. They are a bit more abused and driven hard. Our maintenance schedule mitigates a lot of that, but if you start at or below, or at low book value. **Wally Ritchie** stated all four vehicles are still here. **Dale Coulam** stated they have not proposed the low on fair condition rather that good condition as before **Council Member Cheyne McDonald** stated yes start at the minimum. **Council Member Cheyne McDonald** suggested that the minimum bid be $500.00 below the low book in fair condition.

MOTION: Council Member Mehr moved to approve minimum bid amounts to surplus City vehicles, $500.00 below low book in fair condition.
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. Approval of Change Order to relocate water lines and storm drain necessitated by the new Fire Lake Park/Ivins Reservoir road

Council Member Cheyne McDonald stated he would like to know more about the Fire Lake Park change order. **Dale Coulam** stated there were water lines and storm drain that needed to be relocated as a result of the new road. This change order helps send storm water down the road on Highway 91 and into the wash. It also runs water lines up to Crescent Moon Village. It was necessitated by the location and width of the new road. **Council Member Cheyne McDonald** stated okay that is fine. **Mayor Hart** stated the retaining walls happening against the

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reservoir on the north side of the peninsula there is a severe drop. This will be more like bench seating.

B. Approval of amount to purchase material for retaining walls at Fire Lake Park
C. Approval of purchase for four (4) radios for the Public Safety Department
D. Approval of Joint Planning Commission and City Council Meeting Minutes for May 29, 2018
E. Approval of City Council Meeting Minutes for June 7, 2018

MOTION: Council Member Mehr moved to approve the Consent Agenda or Consent Agenda items
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

7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) REPORTS

A. Council

Council Member Cheyne McDonald stated he is traveling to Germany for a week to review their recycling program. Everything there goes through a process, and what can't be recycled goes into tight pellets and then burned with coal to make coal more efficient. They harvest out the current landfill and the gases. Glass is sorted by color mechanically, etc. The purity is so pure that it is a commodity. **Mayor Hart** stated it is better recycling program than our program and they use everything in the landfill. **Council Member Cheyne McDonald** stated there is a fund to maintain our landfills for 50 years after we quit using them, which equates to millions of dollars. **Mayor Hart** stated they are also used in power generation.

B. Mayor

Mayor Hart stated we had our kick off meeting for emergency preparedness. Council Member Jenny Johnson will be our liaison of a Mayor Steering Committee and it still remains under the direction and supervision of public safety but we will help put together the outreach program.

C. City Manager/Attorney Dale Coulam

Dale Coulam stated a potential developer south of the roundabout is looking into a project that would go into parts of Santa Clara and into St George as well. The developer is proposing higher density in Santa Clara and wants to use the lava from all three cities to satisfy their open space requirements that the cities' might have. That doesn't work so he questions if we would be willing to separate with some of the lava and let Santa Clara annex that into their City so that it counts as open space. No one has seen a plan yet; it is all verbal and conceptual so far. They indicated they have no intent of building in the lava and the owner claims there is a conservation easement for that.

D. Items to be placed on future agendas

Council Member Miriah Elliott stated that she has been noticing that we have watering going on during really hot hours and St George City has an ordinance for night time watering only. **Dale Coulam** stated we have Stage 1, which is voluntary, not mandatory but we stay in Stage 1 mode. We may want to amend it, so that the hours are the same as St. George. Parks and agricultural fields use irrigation water when they can get the water. **Mayor Hart** stated we may

have to move to level 2 this year. We have a conservation ordinance that he would love to review soon.

9) CLOSED MEETING

10) <u>ADJOURNMENT</u>

MOTION: Council Member Densley moved to adjourn

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

The meeting adjourned at 6:30 p.m.

Sharon Allen
Ivins City Recorder

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