IVINS
CITY COUNCIL
MINUTES
November 1, 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, and Council Member Densley.
STAFF: City Manager/Attorney Dale Coulam, Director of Finance/Assistant City Manager Wally Ritchie, Parks and Recreation Director Benny Sorensen, Director of Public Safety Bob Flowers, Public Works Director/City Engineer Chuck Gillette, and City Recorder Kari Jimenez.
EXCUSED: None.
Audience: Frankie Fleming, Dan & Jan Brown, Becky Warren, L. Jones, Sandy Perkins, Shelley Haupt-Teeples, Lisa Rutherford, Sharm & Michael Barton, Shelley Moeller, Bill Wentworth and others who did not sign in.

A. Acknowledgement of Quorum
B. Flag Salute

Council Member Elliott led the Flag Salute

C. Invocation

Council Member Elliott provided some comments and quotes and requested that instead of a traditional prayer, one minute of silence be observed.

D. Disclosures

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

2) REPORTS, PRESENTATIONS AND APPOINTMENTS

A. Department Reports: Parks and Recreation and Public Safety

Benny Sorensen provided an electronic report, a copy of which is available by request through Ivins City Hall. He reported that there were approximately 350 participants in The Boo Dash fun run. There were approximately 100 trick-or-treaters that went through the Ivins City Hall spook-alley and afterwards they were able to visit the Oscar Mayer wiener-mobile and get a whistle. Parks staff is continuing to work on the cemetery and there were three (3) burials in October. An RFP (Request for Proposals) was sent to the newspaper for the Skate Park and emailed to nine (9) vendors that design and build skate parks. He has received six (6) inquiries back so far.

Public Safety Report

Santa Clara Ivins Fire Chief Randy Hancey reported that there was a house fire last week in the area of 800 South. They had a great response with three (3) engines, including the new fire truck and 29 firefighters on scene. The firefighters were appreciative of the new SCBAs (self-contained breathing apparatus') and turnouts (protective clothing) that the City Council recently purchased. One (1) person was transported to the hospital and as of today was still in critical condition with smoke inhalation and minor burns. The State Fire Marshal came down and a report is expected in the next week with an official determination as to the cause of the fire, which looks like it's electrical in nature. **Mayor Hart** inquired as to the proximity of the fire to adjacent homes and if they evacuated the other homes. **Randy Hancey** stated that there was a

DRAFT

home on each side of this home and those catching fire is always a concern, but they were able to spray water on the exterior walls to cool them down and protect them. They also evacuated the other homes and as part of that they went through the homes to make sure it was safe before letting them back in. **Council Member Johnson** indicated there are more things involved in protecting homes than just from the fire. They also have to protect them from any water damage and similar. **Council Member Densley** inquired as to their response time. Randy Hancey stated four (4) minutes from the initial call to the first engine was on-scene. The ambulance was first on scene and that response time was three (3) minutes.

Chief Flowers complimented Randy on the job he did on that call. He indicated that he was driving down Highway 91 and saw a plume of smoke coming from the home and within seconds the home was fully engulfed. He referred to the electronic report that he provided to the Mayor and Council. A copy of the report is available by request through Ivins City Hall. He reported that he spoke with the County regarding animal control and told them that if the City continues to assist them with taking in sick animals, they need to get a contract in place. SCI assisted with the first annual Oktoberfest at Tuacahn. They were expecting approximately 2000 people, but it ended up being a large event, with approximately 12000 people attending. It was a parking nightmare, but they'll work on that for next year. **Council Member McDonald** inquired as to what the JAMAR trailer does. **Chief Flowers** indicated that it surveys traffic. **Mayor Hart** referred to attending a meeting with the other Mayors recently and they discussed salaries for law enforcement officers. He inquired as to what was occurring in the County regarding that. **Chief Flowers** provided some information and the **Mayor and City Council** discussed that. **Chief Flowers** thanked the Mayor and City Council for addressing this issue a year and a half prior to it becoming a bigger issue.

B. Planning Commission Report

Commissioner Anderson reported that the Planning Commission held a Public Hearing regarding zoning text amendments and approved the Final Plats for Palisades at Snow Canyon Phase 6 and Coyote Gulch Commercial.

3) CITIZEN COMMENT & REQUEST FOR FUTURE AGENDA ITEMS

None

4) PUBLIC HEARING AND ACTION ITEMS - NONE

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discussion regarding on-site presentation/visit of Red Mountain Dam projects

Chuck Gillette reported that they went on site and looked at the Red Mountain dam projects that will hold back and control the water flowing down the main washes into Kayenta. He inquired if they had any questions. There were no questions and no discussion.

B. Discuss and consider approval of VAWA (Violence Against Women Act) grant application

Chief Flowers indicated that this grant is for a full-time officer position to investigate and handle domestic violence cases. He reported that Shelley Haupt was recently hired through a grant as a Victim Program Coordinator and that position has been extremely successful in supporting victims in the community. The position that this grant would provide for is a needed position and fully funded for one (1) year. **Shelly Haupt** reported that she has been in her position at SCI for almost 90 days and because she's assisting victims, that is creating more work for the officers. **Chief Flowers** stated that this will move the department into the future and asked for the Mayor and City Council's support to apply for the grant. **Council Member Elliott** was very supportive of this and indicated that a presentation on this was given at the

DRAFT

DOVE center. **Council Member Densley** inquired if the position is only funded for one (1) year. **Chief Flowers** indicated yes but stated that they are going to organize the department to take an officer off the road to be in that position because he believed strongly that it's needed.

MOTION: Council Member Densley moved to approve the VAWA (Violence Against Women Act) grant application
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

C. Discuss and consider approval of an amount for Kayenta Arts Foundation RAP Tax Distribution

Dale Coulam stated that this is a two step process. We have a contract with Tuacahn because of a bond where they receive RAP tax funds from Ivins City in the amount of $10,000.00 each year. The City also has a contract with the Kayenta Arts Foundation where they receive RAP tax funds from Ivins City ranging between $3,000.00 and $10,000.00, depending on what the City Council decides. The contract amount for the Kayenta Arts Foundation comes forward in November and is funded in January. He indicated that the City has also received a letter from Tuacahn requesting additional RAP tax funds and the City will likely be submitting a letter for the use of RAP tax funds to fund entrance signs. Tonight, the City Council needs to decide how much the City will fund pursuant to the contract with Kayenta Arts Foundation. The City funded the Kayenta Arts Foundation the full amount of $10,000 last year. **Council Member Mehr** asked a clarifying question regarding the appropriateness of using RAP Tax funds for signs. **Dale Coulam** indicated that there were discussions regarding this previously and it was determined if it's a sign, it doesn't need to go to the Arts Commission but if it goes to them, then it's considered art and could be funded with art funds. **Council Member Densley** inquired if the Kayenta Arts Foundation's application is reviewed on an annual basis. **Dale Coulam** stated that it was but Tuacahn's contract distribution was automatic. **Council Member Elliott** inquired if the City knew what the City's total RAP tax amount it would receive for the year. **Wally Ritchie** indicated that after Tuacahn's distribution amount, there is approximately $26,000 that would be available for distribution. **Mayor Hart** commented that the Kayenta Arts Foundation has essentially been funded privately, with very little help from the City and their performances and facility have been proven to be a very successful thing and they are recognized as an outstanding venue. One of the outstanding obligations or burdens that they have right now is that they owe the City the delayed impact fee. **Council Member Mehr** stated that any funds the City may provide to them, he would want to see those used to develop the arts and not settle debts with the City. **Council Member Densley** suggested the City distribute $3,000 to them. **Council Member Mehr** was supportive but the question was in what amount. **Council Member Elliott** indicated that she would support the full amount of $10,000. **Council Member McDonald** stated that the City may be using RAP tax money for City entrance signs as well as considering the additional request from Tuacahn. He was in favor of providing $5,000 of RAP tax funds to the Kayenta Arts Foundation and then when the time frame opens for additional

DRAFT

requests, they can request more at that time. **Council Member Johnson** and **Council Member Densley** supported that. **Dale Coulam** clarified that Kayenta Arts Foundation will not be required to file another application in December because they have made clear that what they have filed is their application for that as well.

MOTION: Council Member McDonald moved to approve the amount for Kayenta Arts Foundation RAP Tax Distribution this year to be at $5,000.00
SECOND: Council Member Densley
VOTE: The motion carried.

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

D. Continued discussion regarding streetlighting

Chuck Gillette referred to the light manufactured by Hubble and stated that the problem with that light is there is no firm cost and they are not easy to work with. The alternative manufacturer is ANP Lighting. The City could consider switching the manufacturer. The **Mayor and City Council** discussed the two different lights and what they were seeing in the Council room was not what they'd actually get. They requested that Chuck provide a picture of what the City would really be getting. **Mayor Hart** requested the rules be suspended for Chuck to see if he could provide a picture of what the City would be getting.

MOTION: Council Member McDonald moved to suspend the rules and move to Item 5)F
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

F. Discussion regarding Affordable Housing and the possibility of establishing a task force or committee to consider same

Mayor Hart stated this is a follow-up to the joint work meeting that was recently held with the City Council and Planning Commission. There is a serious problem regarding Affordable Housing in Utah and is becoming a crisis. The idea at the end of that combined work meeting was to put together a specialized task force to study this issue and come forward with some recommendations. **Dale Coulam** indicated that he attended a Land Use Conference last week regarding this and Wally Ritchie attended a webinar through the Utah League of Cities and Towns through the Utah League of Cities and Towns. He is prepared to go through the PowerPoint that the League showed. **Wally Ritchie** provided the PowerPoint presentation, a copy of which is available by request through Ivins City Hall. The Utah League of Cities and Towns has prepared Resolution #2018-004 to do the following: support City-initiated expansion of accessory dwelling units; review zoning, regulations and processes to facilitate housing where

DRAFT

infrastructure and transportation supports development; support and comply with Moderate Income Housing Plan requirements; support inclusionary zoning in appropriate places; support state and federal policies that ease labor and materials costs and improve wages and oppose legislative efforts to preempt local authority over land use, use a one-size-fits-all approach or reduce existing local revenues. The Utah League of Cities and Towns understands that the municipalities do not want political cover from the State on land use decision making. Location matters-density doesn't make sense everywhere and density for the sake of density is not smart growth. **Dale Coulam** stated that he made some initial changes to this Resolution and they may have more changes before the Council comes to a consensus. He further stated that there was a bill passed in California that set benchmarks and if the municipality didn't meet those benchmarks, the State could ultimately take away their land use authority. He stated Utah legislators have said they prefer not following that model. **Mayor Hart** indicated that there is so much to digest on this matter. He requested that the City Council provide names to him to serve on the task force and suggested that the meetings be held at a time of day where Dale Coulam and/or Wally Ritchie could attend and advise. The Mayor will provide the names to the City Council at the next City Council meeting.

D. Continued discussion regarding streetlighting

Chuck Gillette provided photos that the City Council requested. After a lengthy discussion regarding which lights the City Council should use, the **Mayor and City Council** agreed that Chuck Gillette should obtain a sample bollard light and order two (2) lights, one 14' light and one 18' light, all from the ANP company. Once they are installed and the City Council has a chance to see what they look like installed, they will discuss this on a future City Council agenda.

E. Discuss and consider approval of Resolution No. 2018-29R, a Resolution of Ivins City, Utah, amending Lighting Design Standards

Mayor Hart indicated that he didn't see the commercial portion included in this. **Chuck Gillette** clarified that would require bringing forward and modifying the outdoor lighting ordinance. **Mayor Hart** stated that he's received complaints about the lighting at Rocky Vista University lighting and he'd be interested to know what their lighting requirements really are. **Council Member McDonald** inquired if there's a reason to specify the manufacturer. **Chuck Gillette** stated yes, it's for consistency. The City could pick the light, purchase them and then sell them to the developer at no mark-up. **Dale Coulam** inquired if the City would be cutting anybody out in the private industry if the City dad that. **Chuck Gillette** indicated the City would not because the City would be buying from the local representative and not marketing them up or competing with anybody. **Dale Coulam** stated that they should specify which manufacturer, Hubble or ANP or table this until the City Council can see how they look installed. The **Mayor and City Council** agreed that this should be tabled.

MOTION: Council Member Mehr moved to table
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

DRAFT

G. Discuss and consider approval of Resolution No. 2018-28R, a Resolution of Ivins City, Utah, regarding Utah's Housing Needs

Council Member Elliott commented that they could delete the Wasatch Front reference and put in Washington County instead. She was in favor of passing this tonight. **Dale Coulam** indicated that the Housing Gap Coalition provided a Resolution to the City and he prepared one as well. **Council Member Mehr** stated that he acknowledged and recognized that there's a need to look at this. He felt that Dale Coulam did a good job and liked his Resolution. He supported the Pledge of Support but commented that the City shouldn't be pledging what's outlined in the "Measures to be considered" portion of the Resolution until the City has experts that have evaluated the housing needs and come back to the City Council with their recommendation. Mayor Hart suggested that paragraph number "2. Measures to be considered." be removed.

MOTION: Council Member Elliott moved to approve Resolution No. 2018-28R, a Resolution of Ivins City, Utah, regarding Utah's Housing Needs, removing the second sentence in item 2.
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. Discussion regarding revisiting regulations prohibiting the rental of accessory dwelling units

Mayor Hart commented that since this will likely be a discussion that the task force has, he inquired if they should bring it back after the task force is formed and has discussed this. **Dale Coulam** stated that would be fine but that Council Member Elliott and Council Member Densley have requested this previously. **Mayor Hart** recommended that Dale Coulam look into the implications. The Mayor and City Council agreed. **Council Member Elliott** commented that her only concern was it is going to take a while for the task force to get going. **Mayor Hart** indicated that it can be brought back before the task force addresses it and suggested this be tabled for Dale Coulam to bring back additional information regarding this. The Mayor and City Council agreed.

MOTION: Council Member Elliott moved to table this discussion
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

DRAFT

6) CONSENT AGENDA

A. Approval of an expenditure for replacement computers
B. Approval of an expenditure to purchase one (1) vehicle for the Public Safety Department
C. Approval of NRCS Ivins Debris Basins 1-6 Rehabilitation Project expenditure for construction engineering services
D. Approval of City Council and Planning Commission Joint Work Meeting Minutes for October 11, 2018
E. Approval of City Council Meeting Minutes for October 18, 2018

MOTION: Council Member McDonald 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 referred to the question regarding the gas tax that is on the ballot and inquired if the money will go to schools. **Wally Ritchie** stated it was his understanding that 70% of the money goes to schools and 30% goes to the counties based on the B&C road funds tax formula.
There were no other reports by the City Council members.

B. Mayor

No report

C. City Manager/Attorney Dale Coulam

No report

D. Items to be placed on future agendas

Council Member Elliott stated that it would be a good idea to look at the commercial lighting portion of the code and inquired if the City has the ability to go back to Rocky Vista University regarding their outdoor lighting. **Mayor Hart** indicated that he had some ideas on that.

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

DRAFT

The meeting adjourned at 7:56 p.m.

Respectfully,

Kari Jimenez,
Ivins City Recorder

DRAFT