IVINS
CITY COUNCIL
MINUTES
December 20, 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, and Council Member Densley.
STAFF: City Manager/Attorney Dale Coulam, Director of Finance/Assistant City Manager Wally Ritchie, Building and Zoning Administrator Mike Rodriguez, Public Works Director/City Engineer Chuck Gillette, Parks and Recreation Director Benny Sorensen, and City Recorder Kari Jimenez.
EXCUSED: Council Member Johnson, Council Member Elliott
Audience: Sharon Barton, Shelley Moeller, Lisa Rutherford, Jan & Dan Brown, Regina Roper, Michael Barton, Chris Haddad, CJ Koharcheck, Lance Anderson and others who did not sign in.

A. Acknowledgement of Quorum

Mayor Hart acknowledged there was a quorum present and indicated that Council Member Johnson and Council Member Elliott were 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. Department Reports: Building Department; Public Works/Engineering; Finance Report

Mike Rodriguez reported that there are a few multi-family projects under construction and the issuance of building permits has continued to be steady. The City is continuing to address code enforcement issues and he is working with Council Member Densley and Chuck Gillette regarding outdoor lighting and will report back to the City Council on that in January.
Chuck Gillette reported that the Public Works crew repaired four (4) leaks in November and replaced all of the water services in the old Tuscan Grove subdivision. That subdivision is now known as the Arrowhead subdivision. The construction plans didn't require the developer to replace the faulty pipe, so the City replaced it. He met with Hurricane City, who went through the process and received a settlement on the faulty pipe. Hurricane City provided Ivins with a contract person and Chuck Gillette contacted him. The representative told Chuck that they will replace pipe that was installed from 2001 to 2006. The City is now working on where the faulty pipe is in the system, locating it and providing that data to the representative. **Council Member McDonald** inquired if they will also do anything about what the City has already replaced because of their faulty pipe. **Chuck Gillette** stated he hasn't argued about that yet but that was part of the City of Hurricane's settlement.
Wally Ritchie reported that the City submitted the 2018 Financial Report to the State and the information for the PAFR (Popular Annual Financial Report) was also submitted to the GFOA

(Government Finance Officers Association). The City received the property tax money in December and things are going well.

B. Planning Commission Report

Mike Rodriguez reported that the Planning Commission meeting was light. They continued to discuss the overlay amendments on Chapters 7 and 8 of the Zoning Ordinance as well as use of accessory dwelling units. They also approved a Final Plat for Posovi 2-E.

3) CITIZEN COMMENT & REQUEST FOR FUTURE AGENDA ITEMS

None

4) PUBLIC HEARING AND ACTION ITEMS

A. Public Hearing on Ivins City proposed Water Conservation Plan

Mayor Hart opening the Public Hearing. **Lisa Rutherford** is a resident of Ivins and commented that she realized putting this plan together was a big job and that this version was better than the 2013 version. She stated that the newest plan was likely expanded because of the State of Utah requiring certain things from the cities now. She had some big concerns about the current plan but applauded Ivins for having the .75 ERU (Equivalent Residential Unit) need in the plan. State wide, generally water plans are based on.89 ERU, which drives up the need for water and makes it look like there is a need for a lot of water when perhaps that isn't the case. In the new plan there's a lot of reference to State information whereas the 2013 plan was focused mostly on Ivins City. It's interesting that Utah's Municipal and Industrial Water Conservation Plan, Investing in the Future 2014, emphasizes post-poning the construction of large water development projects, delaying capital investments to upgrade or expand existing water facilities, conserving energy as less water is treated and pumped and create a more sustainable way of life. This all ties into the Lake Powell Pipeline which she has objected to for many years. The plan mentions that Washington County reduced its water use by more than 30% from 2000-2015 but it's important to remember that in 2000, this County was using about 400 gallons per capita per day so we don't want to break our arm, slapping ourselves on the back too vigorously. The plan mentions that Ivins City is working with private Ivins Irrigation Company to start metering its connections. She applauded that. It's clear from State reports and water meetings she attended that all water should be metered. The report also says that Ivins City has the most expensive water rate structure in Washington County of the larger municipal water systems although it's clear that Ivins still uses a lot more water than other desert cities. People can still use 30,000 gallons a month, which is about 1,000 gallons per day, and for 2.8 people per home, which is Ivins current demographic, that works out to about 375 gallons per capita per day so some people are still able to use a lot of water for just around $80 a month. She didn't think that's a real strained water rate. With regard to Ivins changing demographics and 18% of the homes being second homes, those homes can be factored in to Ivins water usage to make the usage more accurate. The County likes to say that they can't do this but in Albuquerque, New Mexico they factor in their second homes by using their per home demographic and since Ivins is 2.8, Ivins could easily factor that in to show how that affects Ivins water usage. In the plan, it says that a monthly newsletter is sent to all residents with the water bill. There are no monthly newsletters coming in with the water bills anymore, they're all online so that needs to be corrected. At the last City Council meeting, they talked about unaccounted lost water and how it had spiked to 20% for the past two years but then the newly revised water plan says that Ivins is down around the 15% national average so she was wondering how between last months discussion and this revised report, Ivins was able to get our water losses down to the national

average. She sees the plan as an improved effort on the part of the City and she knew it was a lot of work for staff to do this, but she still thought that this is not really a plan. It's good that water budgets are being discussed and she thought that was an incredibly important piece to having water conservation being effective in Ivins but wanted to make it clear that she didn't think that those who are already conserving water in the City should be punished by any sort of a water budget plan. It's important to reward those who are conserving. She thanked the Mayor and City Council for their time and listening to her thoughts. There being no further comments, **Mayor Hart** closed the Public Hearing.

B. Discuss and consider approval of Resolution No. 2018-32, a Resolution of Ivins City, Utah, adopting the 2018 Water Conservation Plan for Ivins City

Chuck Gillette addressed the water loss issue. That was simply a massive error in his spreadsheet and stated that he was glad they found it. The City wasn't losing as much water as he thought the City had been losing. He understood what Lisa Rutherford was saying when she commented that there are no firm targets, but he disagreed. The firm target is to reach a 10% reduction in a 10 year period. The strategies are more difficult because those have to go to the City Council and the Council has to discuss and approve those. **Mayor Hart** stated that they're committed to doing that. **Chuck Gillette** commented that all of the strategies wouldn't be brought forward in the first year but they're going to work on them unless the City Council wants to set a more defined schedule. Regarding the water rates comment, the City is reviewing the water rates and those will be increasing with the new water rate study and that will be discussed further at the upcoming Work Meeting but that wouldn't require the City to change this current Water Conservation Plan at this point. **Mayor Hart** referred to the comment about the newsletter. **Dale Coulam** indicated that with every electronic utility bill, there is an electronic newsletter. Additionally, people can request a copy and the City will put on the utility bill instructions as to how the different methods people can receive a copy of the newsletter if they're not currently receiving one. **Council Member McDonald** stated that he just checked his utility bill and the newsletter is right there with it. **Lisa Rutherford** stated she was referring to hard copy. **Dale Coulam** clarified that if someone wants a hard copy, they have to specifically request that because the City did away with hard copies and went electronic. **Lisa Rutherford** commented that it isn't clear in the plan. **Council Member Mehr** suggested saying a monthly newsletter is available to all residents with the utility bill instead of using the words "is sent to". The **Mayor and City Council** agreed. **Council Member Mehr** referred to the plan referencing a monthly newsletter that includes at least six monthly news articles and suggested that instead of referencing a specific number, use the word "regular" monthly articles or reminders. **Chuck Gillette** indicated that the City could include a spotlight or reminder to conserve water. **Council Member Densley** referred to the water rates increasing and inquired if it needed to be clarified that the City wasn't raising the rates, just passing them on. **Chuck Gillette** stated that the financials are saying that an increase is required to continue to do the things that the City is doing. **Mayor Hart** indicated that compared to the 2013 plan, this current plan is far more detailed and rigid. **Council Member Mehr** referred to the water use restriction during certain hours and inquired how the City Council arrived at that. **Dale Coulam** clarified those are the hours the City Council previously had adopted but they are contrary to what the City has stated that follows what the City of St. George does.

MOTION: Council Member Densley moved to approve Resolution No. 2018-32, a Resolution of Ivins City, Utah, adopting the 2018 Water Conservation Plan for Ivins City

as amended
SECOND: Council Member McDonald
VOTE: The motion carried.

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

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

C. Public Hearing to receive public comment and consider amendments to the Ivins City FYE 2019 General Fund, Debt Service Fund, Parks Impact Fee Fund and Capital Projects Fund Budgets

Wally Ritchie commented that it's that time of year we make adjustments. Any adjustments are typically made because projects were postponed from one fiscal year to the other. The current adjustments are being made due the Capital Projects which are Fire Lake Park, Cemetery expansion, and entrance signs as well as repayment of the Washington County loan for the Tuacahn trail. There are four (4) Funds affected by this amendment. The General Fund, Debt Service Fund, Parks Impact Fee Fund and the Capital Projects Fund. The amendment will address major changes since the beginning of the fiscal year. **Mayor Hart** opened the Public Hearing. There being no comments, **Mayor Hart** closed the Public Hearing.

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

Council Member Mehr inquired if the $20,000 figure for the entrance signs is for all of the signs. **Wally Ritchie** clarified that that is for two (2) signs.

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

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

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

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and consider approval of award of contract and expenditure for skatepark design and construction

Benny Sorensen reported that they sent out an RFP (Request for Proposal) and received five (5) responses from the top companies in the Country. Most of the individuals on the skatepark committee reviewed the proposals and agreed that Spohn Ranch should be selected. All of the contractors were close, and all would have likely done an excellent job, but Spohn Ranch was the only company that showed up on site and met with the City. The City is hoping to be finished with this project by June, 2019. **Council Member McDonald** commented that one of the things he liked about Spohn Ranch was they give the City a list of things to the City can do to saving

money on some of the improvements. **Council Member Densley** inquired if it will be comparable to the one that is in St. George. **Council Member McDonald** indicated that it won't be as large because the site in Ivins isn't as big, but it will be laid out better. **Mayor Hart** thanked Council Member McDonald for championing this project. **Council Member Densley** inquired if RAP tax funds could go towards this project. **Benny Sorensen and Wally Ritchie** indicated that it could. **Mayor Hart** suggested that if that occurred that there be a plaque or something in place indicating that the project was paid for in part with RAP tax funds.

MOTION: Council Member McDonald moved to approve award of contract and expenditure not to exceed $250,000 for the skatepark design and construction to Spohn Ranch
SECOND: Council Member Mehr
VOTE: The motion carried.

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

B. Discuss and consider approval of award of contract and expenditure for cemetery asphalt improvements

Benny Sorensen reported that they finished laying the sod this afternoon and this expenditure is to complete the asphalt improvements.

MOTION: Council Member Mehr moved to approve award of contract and expenditure for cemetery asphalt improvements
SECOND: Council Member McDonald
VOTE: The motion carried.

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

C. Discuss and consider approval of Fiscal Year 2019/2020 Budget Preparation Calendar

Wally Ritchie commented that this calendar doesn't change from year-to-year, only the dates change. He reported that the Legislature changed the date to adopt the budget to June 30th rather than June 22nd.

MOTION: Council Member Mehr moved to approve Fiscal Year 2019/2020 Budget Preparation Calendar
SECOND: Council Member McDonald
VOTE: The motion carried.

Council Member Mehr	AYE
Council Member McDonald	AYE

Council Member Densley	AYE
Council Member Johnson	ABSENT
Council Member Elliott	ABSENT

D. Discuss and consider approval of Five Year Plan and Fiscal Forecast

Wally Ritchie referred to a PowerPoint presentation and indicated that this is a kick-off for the budgeting process and updated on an annual basis. A copy of the PowerPoint presentation is available by request through Ivins City Hall. The financial forecast is that the growth economy will be slowing over the next five (5) years. There are several projects in the plan over the next 5 years and there is a need for staffing in several departments, including at City Hall but that can't realistically occur until a new City Hall is built because there is no room currently. **Council Member Mehr** referred to the Transportation goal to evaluate and expand transportation and inquired if the City still has an objective to expand public transportation. **Mayor Hart** clarified that it would be to evaluate the need. Multi-family housing tends to be an area of high public transportation use and the routes and number of stops are determined by the City of St. George and they go through a careful evaluation when they make those decisions.

MOTION: Council Member Densley moved to approve Five Year Plan and Fiscal Forecast
SECOND: Council Member McDonald
VOTE: The motion carried.

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

E. Continued discussion and consideration to approve Ordinance No. 2018-19, an Ordinance of Ivins City, Utah, adopting regulations governing "Sewer Pretreatment"

Dale Coulam stated that this ordinance was discussed at the last City Council meeting where they were going to make a motion to approve it, but it wasn't numbered and not formatted. This is now completed with numbering and formatting and is the same ordinance.

MOTION: Council Member McDonald moved to approve Ordinance No. 2018-19, an Ordinance of Ivins City, Utah, adopting regulations governing "Sewer Pretreatment"
SECOND: Council Member Densley
VOTE: The motion carried.

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

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

F. Discuss and consider approval of selection of consultant and expenditure for Coyote Gulch Wash Letter of Map Revision

Chuck Gillette reported that the Mayor and City Council have been discussing this. The City received three (3) proposals. All submissions were qualified and based on the criteria and scoring, the committee selected Rosenberg & Associates.

MOTION: Council Member Densley moved to approve selection of consultant and expenditure for Coyote Gulch Wash Letter of Map Revision
SECOND: Council Member McDonald
VOTE: The motion carried.

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

G. Discuss and consider approval of selection of consultant and expenditure for Street Gap Fill projects, 200 West Sewer Diversion and Lower Tuacahn Wash Line improvements

Chuck Gillette indicated that this is a combined streets and sewer project and the City needs designs on all of the projects based on the current plans and projects approved by the City Council. The City sent out an RFP (Request for Proposal) and received four (4) proposals. Based on the scoring, the City is recommending that Sunrise Engineering be selected. **Council Member Mehr** referred to engineering a portion of the lower Tuacahn Wash line that is not in Ivins and inquired how that works with Santa Clara paying for some of the costs. **Chuck Gillette** clarified that the City Council passed an agreement with Santa Clara approximately a year ago where Santa Clara will pay for a portion of that, but Ivins City will select the contractor and consultant and proceed with the project.

MOTION: Council Member Mehr moved to approve selection of consultant and expenditure for Street Gap Fill projects, 200 West Sewer Diversion and Lower Tuacahn Wash Line improvements to Sunrise Engineering
SECOND: Council Member McDonald
VOTE: The motion carried.

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

H. Discuss and consider approval of award of bid and expenditure for the Red Mountain Dams Rehabilitation project

Chuck Gillette stated that on Tuesday of this week the City received six (6) bids. Bidding in December was helpful because it drew some interest from some of the firms in Northern Utah and the low bid came in from contractor in Northern Utah. There was no local preference but that likely wouldn't matter in this case. They received good references for the contractor and the contractor has done similar projects. If the Council approves this tonight, it can be awarded

tomorrow. **Council Member McDonald** inquired if NRCS (Natural Resources Conservation Service) funds are being used for a portion of this project. **Chuck Gillette** indicated that 61% was being used, the State was contributing a portion and the City would pay the remaining amount.

MOTION: Council Member Densley moved to approve award of bid and expenditure for the Red Mountain Dams Rehabilitation project to Whittaker Construction not to exceed $1,711,120
SECOND: Council Member McDonald
VOTE: The motion carried.

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

I. Discuss and consider approval of Memorandum of Understanding for Arrowhead Subdivision regarding pavement cape seal improvements on Center Street, 200 North and 600 West streets

Chuck Gillette stated this needs to be done because there are storm drain projects that need to go in.

MOTION: Council Member McDonald moved to approve Memorandum of Understanding for Arrowhead Subdivision regarding pavement cape seal improvements on Center Street, 200 North and 600 West streets
SECOND: Council Member Densley
VOTE: The motion carried.

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

6) CONSENT AGENDA

A. Approval of City Council Meeting Minutes for December 6, 2018

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

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

7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) REPORTS

A. Council

There were no reports by the Council Members.

B. Mayor

Mayor Hart referred to the ballot initiative regarding the transportation tax to fund road infrastructure that was defeated on the ballot and advised the City Council that it will be an issue that they will need to discuss in the future after it goes through the County process.

C. City Manager/Attorney Dale Coulam

No report

D. Items to be placed on future agendas

Discussion regarding the transportation tax to fund road infrastructure after the County discusses it.

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 Densley	AYE
Council Member Johnson	ABSENT
Council Member Elliott	ABSENT

The meeting adjourned at 7:15 p.m.

Respectfully,

Kari Jimenez
Ivins City Recorder