IVINS
CITY COUNCIL
MINUTES
January 3, 2019

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 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, Parks and recreation Director Benny Sorensen, Director of Public Safety Bob Flowers, and Public Works Director/City Engineer Chuck Gillette.
EXCUSED: None.
Audience: Chris Haddad, Leslie Hill, Becky & Chuck Warren, Adam Allen, Rob Goodman, Shelley Moeller, Mike & Sharon Barten, Sandy Perkes, Dan & Jan Brown, Janet Blackwell, Ryan U. Brian Hill and others who did not sign in.

A. Acknowledgement of Quorum

Mayor Hart acknowledged there was a quorum present

B. Flag Salute

Council Member Johnson led the Flag Salute

C. Invocation

Council Member Johnson 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: Parks and Recreation and Public Safety

Benny Sorensen provided an electronic report, a copy of which is available on the Ivins City website or by request through Ivins City Hall. He reported that portions of Ivins Reservoir at Fire Lake Park have ice on it. The City held basketball clinics this year and 70% of the kids signed up for basketball attended. The City held a holiday hike that went up to the petroglyphs on land hill. There were between 530 and 550 runners that attended the Run Run Reindeer event. The sod is in at the cemetery and there were two (2) burials in December. The contract has been awarded for curbing and paving in the cemetery and that project is expected to start in January and then the paving will occur as the outside temperatures increase. **Mayor Hart** inquired as to the landscaping at Fire Lake Park. **Benny Sorensen** indicated they are hoping to get that in soon but they need to get the bathroom finished first. He reported that the Red Mountain Dam rehabilitation project will necessitate the closing of all of the trailheads in that area for approximately four (4) months until that project is completed. That information is in the newsletter and on Ivins' website.
Bob Flowers reported that there was one significant burglary on a construction site recently. Officer Russell made a significant stop the other night on Highway 91 that ended in the arrest of two (2) individuals who were wanted for first degree felony distribution. Investigations are busy and the victims advocate is doing a good job. The department will be focusing on texting and driving in the next couple of months. The Police Officer and Ivins' new K-9 leave

DRAFT

for school on Monday, January 7th. The Highway Patrol is trying to convince SCI to provide more DUI shifts. He commented that the new change in the alcohol law to .05 will not change the departments tactics at all.

Fire Chief Randy Hancey reported that they provided a dinner and presented awards to the fire fighters in December. Police Officer Nick Hallman was awarded Fire Fighter of the year. The awards were voted on by the other fire fighters and he appreciated what they all do for the department. They just hired Con Fulde full-time. He has worked with the fire department part-time for 15 years. They held a fire inspector class and completed an EMT class that has been going on for the last four (4) months. They are holding recruit training and wildland training. Fire fighters need to re-certify every year for wildland training. **Mayor Hart** inquired if they are still providing replacement of smoke detectors. **Chief Hancey** clarified that they replace batteries and if the actual smoke detector needs to be replaced, the resident obtains the unit and the Fire Department will assist with locating a contractor for them or assist with replacing the unit.

B. Planning Commission Report

No report. There was no Planning Commission meeting on January 1, 2019.

3) CITIZEN COMMENT & REQUEST FOR FUTURE AGENDA ITEMS

None

4) PUBLIC HEARING AND ACTION ITEMS

A. Public Hearing to receive input on the proposed disposition of a parcel of real property (approximately 0.03 acres) located at 595 West 400 South in Ivins (a portion of Parcel Number I-SB-37), to R Terry Marten.

Chuck Gillette indicated that the City realigned 600 West so that it intersects with Highway 91. During the realignment process, staff worked to acquire the necessary right-of-way to realign both 600 West and 400 South. Typically the City is able to acquire just the land necessary for the right-of-way but in this situation the right-of-way left a small piece of property remaining. There is a portion of property that is not needed for 400 South and needs to be sold to the adjacent land owner, R. Terry Marten. The City would maintain a utility easement per a previous property exchange agreement signed by the parties. R Terry Marten has agreed to purchase this small piece of property for $500.00. The property in the area is valued at approximately $80,000 per acre, justifying the $500 value. The exchange would occur with a Quit Claim Deed. **Mayor Hart** opened the Public Hearing. There being no comments, **Mayor Hart** closed the Public Hearing.

B. Discuss and consider approval to dispose of a parcel of real property (approximately 0.03 acres) located at 595 West 400 South in Ivins (a portion of Parcel Number I-SB-37) to R Terry Marten

There was no discussion.

MOTION: Council Member Johnson moved to approve the disposal of a parcel of real property (approximately 0.03 acres) located at 595 West 400 South in Ivins (a portion of Parcel Number I-SB-37) to R Terry Marten
SECOND: Council Member Elliott
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

C. Public Hearing to receive input on the proposed disposition of a parcel of real property (approximately 0.16 acres) located at 700 East 100 North in Ivins (a portion of Parcel Number I-SB-19-J), to Desert Sky Homes

Chuck Gillette stated that the City owns a 15.52 acre parcel of land that is adjacent to land owned by Desert Sky Homes which his in the process of completing phases 6 and 7 of Palisades at Snow Canyon. Both parties would benefit from a property exchange to enable a more sensible layout of new lots where both parties would be able to have one additional lot. Additionally, Desert Sky Homes has offered $21,600 of extended road improvements. The offered improvements are based on a valuation of $270,000 per acre. **Mayor Hart** opened the Public Hearing. **Brian Hill** is a resident of Ivins and lives near the referenced road and inquired how long it will be until that road is finished, creating a second access to that subdivision. **Mayor Hart** clarified that it's hard to say exactly when that would happen because it's based on development. **Mayor Hart** closed the Public Hearing.

D. Discuss and consider approval to dispose of a parcel of real property (approximately 0.16 acres) located at 700 East 100 North in Ivins (a portion of Parcel Number I-SB-19-J), to Desert Sky Homes

Mayor Hart commented that doing this will help with the current odd alignment of that road and make both parcels more valuable. **Council Member Mehr** inquired if $21,600 was fair market value. **Chuck Gillette** stated that it was. **Council Member Densley** inquired if Desert Sky Homes was interested in purchasing the 15.52 acre parcel from the City. **Dale Coulam** clarified that the City has not heard back from them and there is a discussion on the agenda tonight regarding whether or not to list that City property with a Realtor. Desert Sky Homes just purchased empty parcels so there may be no immediate need and no motivation but if it were listed for sale with a Realtor, that may motivate them or bring other buyers into the picture. **Council Member Densley** inquired if this needs to be done for Desert Sky Homes to install sewer and water. **Chuck Gillette** clarified that those are already in but they may be extending the utilities to the east for the phase 7. **Council Member Elliott** inquired if the developer would be completing that when they build their development or if they'll wait until the City property is sold. **Dale Coulam** clarified that they will make those improvements as they develop the subdivision. **Council Member Mehr** inquired as to the concern regarding an additional entrance. **Dale Coulam** stated that there is a contractual obligation to provide a second access to Center Street and anyone who purchases the City property would be required to put in that second access. **Council Member Densley** inquired if an emergency access needs to be addressed. **Mayor Hart** clarified that there is currently a second access for emergency purposes up above the development.

MOTION: Council Member Densley moved to approve disposal of a parcel of real property (approximately 0.16 acres) located at 700 East 100 North in Ivins (a portion of Parcel Number I-SB-19-J), to Desert Sky Homes
SECOND: Council Member Mehr
VOTE: The motion carried.

Council Member Mehr	AYE
Council Member McDonald	AYE

DRAFT

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

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and consider the Arts Commission recommendation for City entrance signs

Mayor Hart thanked the Arts Commission for doing a thorough job of researching this. They are recommending option 4 in some form on the west entrance into the City near the Kayenta subdivision at fixed price of $6,000. Each of the various options have some positives and negatives. **Council Member Densley** inquired if Terry Marten was going to pay to place a sign there. **Mayor Hart** clarified that Terry Marten would charge a flat fee of $6,000. **Dale Coulam** clarified that it was his understanding that Terry Marten would have one sign made and placed at the west entrance into the City near Kayenta for $6,000 and will absorb any costs over $6,000. With that sign in place, the City Council and the public could see it and have a better idea of what it looks like and then decide on a similar sign on Highway 91 coming into the City from Santa Clara. **Mayor Hart** clarified that the City doesn't have to decide on all of the entrances tonight. **Council Member Densley** and **Council Member Mehr** commented that they felt all of the entrance signs should be uniform. **Mayor Hart** suggested that the City could ask Terry Marten to make and place two (2) signed for $12,000. **Council Member Elliott** commented that the next step would be to test out different fonts and scales. **Council Member Mehr** commented that the Arts commission did a nice job of evaluating what the options were. He thought that the lead argument for option number 4 was that it appears to be the lowest price cost option and didn't think that should be the primary driver. He inquired if there were other options besides what's been shown. **Mayor Hart** clarified that this has gone out to the community three (3) times and what they have is what has been received. **Council Member Mehr** commented that if they don't love the options, they shouldn't go with them. **Council Member Johnson** stated that her concern was that the rational of option number 4 was the cost. The cost is a one-time thing and she felt that the Arts Commission should have focused on the arts part and not the cost part. **Mayor Hart** commented that he was sensing that the Council didn't want to move forward but possibly look at other options. He suggested that they could hand it off to a graphic artist to do something with the current options. The City Council agreed that they'd like staff to look into cost of graphic artist to come up with options. **Dale Coulam** referred to sign option number 2 that is located at the east entrance of the City on Snow Canyon Parkway. It may be difficult to replace that sign because the developer made a very generous donation for that roundabout and the developer still maintains the landscape buffer area through there so the City would need to give careful consideration to replace a sign at that location. The City Council commented that they didn't imagine replacing that one. **Mayor Hart** commented that he'd like staff to involve a professional to look at some of these ideas and give the City some alternatives.

MOTION: Council Member McDonald moved to table
SECOND: Council Member Densley
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

B. Discuss and consider distribution of uncommitted Arts RAP Tax Funds

Wally Ritchie indicated that there are three (3) requests for the remaining RAP tax funds and when everything is calculated, there is $21,451 left to distribute if the Council chooses to do that. KAF (Kayenta Arts Foundation) has requested $10,000, Tuacahn has requested $10,000 and the City has applied for $20,000 for entrance signs. **Council Member Mehr** inquired if that is all the requests that the City will receive. **Wally Ritchie** stated yes. **Council Member Mehr** referred to the entrance signs being paid with RAP tax funds. **Council Member Densley** commented that they are art. **Mayor Hart** stated that in his opinion, entrance signs are not art, they are City monuments. **Council Member Elliott** inquired if the Council has the discretion to give more than is requested. **Dale Coulam** indicated that they have the discretion to give more, give less or not distribute at all and hold the funds for another time. **Council Member Mehr** suggested that the funds be distributed to KAF and Tuacahn as requested and then retain the remaining amount of $1,451.00 in surplus. He inquired if the City made a request. **Wally Ritchie** stated that the City did make a request for $20,000 to fund entrance signs. **Mayor Hart** commented that he didn't believe the spirit of the RAP tax was to provide for entrance signs. It's meant to focus on art. **Council Member Densley** inquired if the City can use some of that money for lighting. **Wally Ritchie** clarified that it has to be for Arts or saved for future arts projects because Arts and Parks are separate. **Council Member Johnson** inquired if there was an amount set aside last year. **Wally Ritchie** clarified that all of the available RAP tax funds were distributed. **Council Member Elliott** suggested that the City Council honor both requests and save the remaining $1,451 for later. **Council Member Densley** indicated that the City could use some of the funds for flags and banners that go on the light poles. **Wally Ritchie** stated that in his opinion, those fall under normal City business. **Council Member Densley** indicated that the City has already committed $5,000 to KAF and $10,000 to Tuacahn and suggested that the City hold onto the funds. **Mayor Hart** stated that the spirit of the RAP tax isn't to hold onto it. **Council Member McDonald** commented that the City has multiple roundabouts that will need statutes placed in them and suggested that the City could hold some of the funds for those because those are expensive. **Dale Coulam** clarified that on the future roundabouts, those will likely be built beyond the time frame of the RAP tax and concurred with Mayor Hart that the intention was for the RAP tax funds to be distributed or used. The funds could be used for art in current roundabouts. **Council Member Johnson** agreed with Council Member Elliott, to honor the requests from KAF and Tuacahn and then hold the remaining amount in savings.

MOTION: Council Member Elliott moved to approve distributing RAP Tax of $10,000 to Kayenta Arts Foundation and $10,000 to Tuacahn as requested
SECOND: Council Member Johnson
VOTE: The motion carried.

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

DRAFT

Roll call vote. Three Council Members voted in favor and two council members voted in opposition. The Motion passed.

C. Discuss and consider whether a parcel of City property that is approximately 15.5 acres should be listed for sale with a Realtor

Dale Coulam indicated that the City requested proposals and initially received no responses so the City approached three (3) developers who seemed serious about purchasing the property. One developer is no longer interested so that leaves two (2) potential developers interested. The City met and talked with them about them making the City a proposal but there has been no response. If the City lists with a Realtor, that could move the process along and get the property sold while values are still high enough to use the proceeds to go towards a new City Hall. By listing with a Realtor, the City would have to pay a commission but would try and negotiate that. **Mayor Hart** commented that news travels quickly in the real estate world. The City would be looking at a 10% commission on each side. There is a bit of a down turn for raw land values but more than likely over a period time, that is going to go up. The need for a City Hall is becoming immediate and the quickest way to get the land sold is through a commercial Real Estate Broker, which will expand the pool of buyers dramatically. **Council Member Densley** inquired if they should put it out for an RFP (Request for Proposal) and negotiate the commission. **Mayor Hart** stated that the most interested individual is the developer above the City's property. He suggested that the City begin designing the new City Hall, anticipating the sale of the property. He would like to table this until after the Economic Summit that will be held next week in St. George and in the meantime, do some research on the commission structure. **Council Member Elliott** suggested trying a for sale sign placed on the lot. The **Mayor and City Council** agreed and commented that there may be more exposure with the Parade of Homes coming up in February. **Council Member Mehr** referred to there not being any more room for employees at the current City Hall and inquired if a modular building could be used in the meantime. Wally Ritchie clarified that there is no immediate hiring and the City will likely not hire until the time is right. There is no place for modular buildings and the City doesn't own the parking lot. **Council Member McDonald** commented that it was wise to start designing the new City Hall rather than waiting. **Mayor Hart** suggested this be tabled for further discussion and in the meantime authorize the City to put up a sign on the City property on Center Street to let the general public know that it's for sale. **Dale Coulam** stated that an RFP will be on a future agenda for discussing regarding the City Hall design. **Council Member Elliott** referred to the City advertising the City property themselves and requested that the City investigate online advertising as well.

MOTION: Council Member Mehr moved to table
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

DRAFT

D. Discuss and consider approval of Resolution No. 2019-01R, a Resolution of Ivins City, Utah, appointing a representative to the Southwest Mosquito Abatement District Board of Directors

Mayor Hart recommended that Miriah Elliott continue to represent Ivins City on this board.

MOTION: Council Member Mehr moved to approve Resolution No. 2019-01R, a Resolution of Ivins City, Utah, appointing Miriah Elliott as a representative to the Southwest Mosquito Abatement District Board of Directors
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

Roll call vote. All Council Members voted in favor.

E. Discuss and consider approval of electing a Mayor Pro Tem for the 2019 calendar year

Council Member McDonald inquired of Council Member Densley as to how long he has been Mayor Pro Tem. **Council Member Densley** stated two years. **Council Member Johnson** nominated Council Member Mehr as Mayor Pro Tem. Council Member McDonald indicated that he could support that or Council Member Densley. **Council Member Elliott** nominated Council Member Densley as Mayor Pro Tem. **Council Member Mehr** stated that he would vote for himself as Mayor Pro Tem for the experience.

MOTION: Council Member Johnson moved elect Council Member Mehr as Mayor Pro Tem for the 2019 calendar year
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

6) CONSENT AGENDA

MOTION: Council Member Mehr moved to pull the Minutes from 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

DRAFT

A. Approval of expenditure for streets pavement crack seal maintenance

MOTION: Council Member McDonald moved to approve item A of the Consent Agenda
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

B. Approval of City Council Meeting Minutes for December 20, 2018

Mayor Hart indicated that a resident who made comments at the City Council meeting on December 20, 2018 would like her comments included in the Minutes. **Dale Coulam** stated that Minutes are a summary and the City Recorder summarizes those but if the Mayor or a City Council member makes a request for something to be verbatim, the City tries to accommodate that. This request is a little unusual because it's a resident making the request but the City can do that since the comments were actually made.

Note: The language to be included in the Minutes is under agenda item 4)A Public Hearing on Ivins City proposed Water Conservation Plan and will read as follows: "There are no real firm targets. There are a lot of good ideas in this plan but there are no firm targets as far as schedules on when each thing is going to be achieved and who is responsible for it and how Ivins is going to get there. That's important if they're going to have a Water Conservation Plan."

MOTION: Council Member Elliott moved to approve City Council Meeting Minutes for December 20, 2018, as amended
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

6) CONSENT AGENDA

8) REPORTS

A. Council

Council Member Densley - no report
Council Member Elliott - no report
Council Member Johnson - no report
Council Member McDonald reported that the Washington County Solid Waste District approved an agreement to transfer the recycling collection to Republic Services because Dixie Waste was purchased by Republic Services. That is a very good thing for the recycling program. They are working hard to make sure the recycling program continues. There has been no movement on the Letter of Intent signed with the German company but there are other interesting options that are popping up regarding plastic recycling. They will be setting up some

DRAFT

solar panels at the landfill as well as possibly some wind towers to start generating electricity. They'll also be doing a study on the gas that's produced by the landfill to see if it can be cleaned and utilized.

B. Mayor

Mayor Hart reported that the annual Neighborhood Meetings will be held on January 22, 23 and 24, 2019 at Ivins City Hall and will begin at 7:00 p.m.

C. City Manager/Attorney Dale Coulam

Dale Coulam reminded the Mayor and City Council of the City Council Work Meeting on Thursday, January 10, 2019 after the Economic Summit. The Work Meeting will begin at 4:00 p.m. **Council Member Densley** stated that he won't be present for that meeting.

D. Items to be placed on future agendas

Council Member Densley indicated that he gave some information to Chuck Gillette and Mike Rodriguez regarding lighting in parking lots relating to ADA (Americans with Disabilities Act) and inquired when the City Council would be discussing that. **Dale Coulam** stated that Planning Commissioner Mike Scott also provided some information on lighting to them and that Chuck and Mike weren't ready to come forward with the information for discussion yet.

9) CLOSED MEETING

10) ADJOURNMENT

MOTION: Council Member McDonald moved to adjourn

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

The meeting adjourned at 7:07 p.m.

Respectfully,

Kari Jimenez
Ivins City Recorder

DRAFT