# IVINS
## CITY COUNCIL
## MINUTES
## March 21, 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 Mayor Hart, Council Member Mehr, Council Member McDonald, Council Member Johnson, Council Member Elliott, and Council Member Densley.

**STAFF:** City Manager/Attorney Dale Coulam 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 AND PRESENTATIONS**

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

**Mike Rodriguez** reported that the current issuance of building permits is comparable to last year although the City is seeing more activity recently and that is expected to continue. The first two (2) building permits have been issued for the Red Mountain Vistas townhomes across from Movara. Regarding issuing multi-family permits, those are now on the building department report that he provides to the Mayor and City Council. Tuacahn is expanding the Hafen indoor theater balcony and a permit for their actor housing construction is expected to be issued in the next couple of weeks. The rest of the permit activity is holding steady and the code enforcement activity has tapered off.

**Chuck Gillette** reported that staff has been busy helping at the Ivins Reservoir with the new restrooms being installed. They have also been crack sealing in preparation for the street maintenance project. On the agenda tonight is the 2019 streets pavement maintenance for a slurry seal and chip seal but there is also a premium sealcoat proposal that was not included as part of the approval request. That is due to the fact that two (2) different products were proposed by two (2) different companies, Holbrook Asphalt and Straight Stripe. Staff needs to evaluate the two (2) proposals closer before making a recommendation. The Red Mountain project on the dams is moving along; they put out an RFP (Request for Proposals) for the irrigation design and will be getting pricing back from the Engineers the week of March 25, 2019. **Council Member Mehr** referred to the street pavements maintenance and inquired if the company's references are part of his reason for selecting the company. **Chuck Gillette** stated "yes".

**Lane Mecham** provided a monthly budget report to the Mayor and City Council, a copy of which is available on Ivins website www.ivins.com and available by request through Ivins City Hall. He reported that Ivins is in the budget season and working with the Department Heads. Ivins' current investments are earning a return slightly above the PTIF (Public

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Treasurers Investment Fund) account. **Mayor Hart** inquired if all items to date are within what they should be to come out at or ahead of what was budgeted. **Lane Mecham** stated that the run rates are looking good for the end of the year and right it looks like the City will come under the budget. **Dale Coulam** clarified that the City amended the budget earlier in the year and withdrew some funds from the reserve fund so the City hopes to have an excess so that the City won't have use reserves.

**Mayor Hart** referred to some art displayed in the entrance at City Hall and commented that Ivins residents Mike Scott and Patty Dupre launched efforts to attain the International Dark Sky designation. They contacted Vista Charter School in Ivins and held a competition to portray the Night Sky and some of the artists and their teacher were present. A professional judge judged all of the entries and five (5) winners were chosen. Vista Arts teacher **Eva Lorentzen** commented that her students are amazing. The **Mayor and City Council** thanked them for their work.

B. Planning Commission Report

**Mike Rodriguez** reported that the Planning Commission held a Public Hearing regarding proposed zoning overlay amendments, chapters 7 and 8 of the Zoning Ordinance. They also approved an amended and extended final plat for Indigo Trails Phase 1-C and recognized outgoing Planning Commission members Adel Murphy and Mike Scott.

**Council Member McDonald** indicated that he needs to leave early for a charity event and requested that the rules be suspended to address agenda item 5)A at this time.

**MOTION: Council Member McDonald moved to suspend the rules and move agenda item 5)A up in the agenda.**

**SECOND: Council Member Densley**

**VOTE: The motion carried.**

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

**5) DISCUSSION AND POTENTIAL ACTION ITEMS**

A. Discuss and consider approval of Resolution No. 2019-08R, a Resolution of Ivins City, Utah, appointing Planning Commission Members

**Mayor Hart** indicated that since he took office as Mayor, it has been his intent to create, to the extent possible, a professional Planning Commission because what they do is extremely important. There are two (2) positions that need to be filled. He called for applications or expressions of interest and he has selected two individuals who are among the most qualified in terms of planning experience. The first individual he recommended be appointed was Doug Clifford. He is a former City Council Member and Mayor of Pleasant View City in Utah. **Doug Clifford** introduced himself and commented that Pleasant View City had a similar growth experience as Ivins. He has the time and interest to offer his services to the community. **Council Member Johnson** inquired what he likes about Ivins. **Doug Clifford** stated that he loves the views. They moved here several years ago and thought they were going to be in the Green Springs area but saw the beauty of Ivins and decided this was where they wanted to be. **Mayor Hart** indicated that his second recommended appointment is Ed Haworth. He has never been on a Planning Commission but was a Professional Planner in California and Arizona. **Ed Haworth** stated that he moved to Ivins several years ago and has

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been involved in developing several resort destination communities. **Council Member McDonald** inquired what his favorite part about Ivins is. **Ed Haworth** indicated taking his grandkids and friend from out of town to the Kayenta area of Ivins and showing them the night sky and open space. He commented that he is also a bus driver with Zion National Park. **Council Member Johnson** commented that she sent an email to the Mayor with her concern that she felt that Ed was overqualified for the position and the only reason she thought that was Ivins is her home where she grew up and she's concerned about trying to lead it to grow faster than is wanted. She inquired of Ed what the smallest community was that he worked with in his capacity. **Ed Haworth** stated the desert communities of Perris and Tustin in Orange County, California where the populations were approximately 6,000. He commented that he was well aware of his potential dominance of a meeting as well. **Council Member McDonald** indicated that it was nice to meet Doug and Ed and stated that he had some strong feelings about the appointments because he served on the Planning Commission for quite some time and his intent is not to hurt anybody's feelings. One thing he has always felt that the Planning Commission needs is someone who has a lack of expertise because sometimes when you stack a board with so many experts, it can be difficult to accomplish some things. As he reviewed the Mayor's recommendations, Ed Haworth is heading up the Affordable Housing Task Force and felt that with his expertise that his service is best served on the that task force. He also had a concern with him serving on both the task force and the Planning Commission with there being a lot of California thought. He felt that a different member on the Planning Commission with lack of expertise would be appropriate. **Council Member Densley** stated that he appreciated all of those who submitted their interest for the appointments. He wanted to see someone with business experience appointed, representing the town and residents of Ivins as a whole and indicated that he encouraged Dave Robinson to submit for the appointment. **Council Member Elliott** stated that she was in support of the Mayor's suggested appointments and pointed out that both of the suggested appointments are residents of Ivins. **Mayor Hart** agreed with that point of view and indicated that a resident at large is a resident. He commented that if you were to advertise to hire for a position that the person that has the best or most experience and highest credentials should be hired. He stated that the Planning Commission is not political and is given specific task to plan and these appointments are his as the Mayor with the advice and consent of the City Council. **Council Member Mehr** indicated that all of those who applied appear to be very qualified and interested in serving and commented that Ed Haworth is already on the team chairing the Affordable Housing Task Force. He stated that he preferred to bring another person on the Planning Commission rather than having one person doing both jobs. **Council Member Johnson** inquired if Ed Haworth would be able to do both jobs. **Dale Coulam** clarified that there's nothing that says he can't do both. **Mayor Hart** referred to the Affordable Housing Task Force and stated that is a short term thing and will likely be concluded in the next couple of months. **Council Member Elliott** indicated that she works closely with Ed Haworth on that task force and appreciates his ideas and passion to try and achieve a balance and make the process public and open. **Council Member Johnson** stated she had more questions for Ed Haworth and inquired if the City could appoint one Planning Commission member and post appointing Ed Haworth's until she has had a few more questions answered. **Mayor Hart** commented that he received emails from the City Council members saying that they support whomever but clarified that that is a backwards approach to this because the appointments are coming through the City Council rather than consenting to the Mayor's appointment. **Dale Coulam** indicated that the City could split the Resolution into two

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Resolutions to appoint the Planning Commission Members separately. If they appoint one position tonight, there will be a four (4) member commission for the next meeting and that is more than a quorum. **Mayor Hart** encouraged anyone who had detailed questions to make direct contact with Ed Haworth.

**MOTION: Council Member McDonald moved to approve Resolution No. 2019-08R, a Resolution of Ivins City, Utah, appointing Doug Clifford to serve for four (4) years as a Planning Commission Member**
**SECOND: Council Member Densley**
**VOTE: The motion carried.**

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

Roll call vote. Four (4) Council Members voted in favor and one (1) Council Member voted in opposition.

Council Member McDonald was excused at 6:25 p.m.

**3) CITIZEN COMMENT REQUESTING FUTURE AGENDA ITEMS**

None

**4) PUBLIC HEARING AND ACTION ITEMS**

A. Public Hearing on the Planning Commission's recommendation on a Project Plan for Movara Villas, located at approximately 290 Fitness Way. Movara Fitness Resort-Owner, Cameron Kelsh-Applicant

**Mike Rodriguez** stated that this plan proposes the construction of 20 two-story one (1) bedroom studio villas consisting of 709 sq ft. on 1.5 acres of the 5.28 acre site. The amended project plan appears to be in compliance with City Ordinances. The Planning Commission's recommendation clarified that the setback to the buildings will be a minimum of 10 feet to the building foundation from the privacy walls along the boundary of the landscape buffer, adjacent to the Highway 91 right-of-way. **Mayor Hart** opened the Public Hearing. There being no comments, **Mayor Hart** closed the Public Hearing.

B. Discuss and consider approval of the Planning Commission's recommendation on a Project Plan for Movara Villas

**Dale Coulam** indicated that with a mixed use development, you are blending the requirements of a residential zone and a commercial zone. The units would be separated with a minimum space of 10 feet in between and the small units have an overhang designed up to 3 feet and where the second floor overhangs, that area could be used as covered parking or a covered patio. Most people who stay fly in and are driven to the resort so parking is sufficient. He clarified that the landscape buffer is an average of 30 feet so that the wall can meander. **Council Member Mehr** inquired about distances between buildings. **Dale Coulam** clarified that normally the side setback is 10 feet for each building so 20 feet total. Because these units are small, the distance between the buildings is 10 feet and meets the building and fire codes. **Council Member Johnson** referred to the 3 foot overhang from the second floor encroaching into the 10 foot

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setback. **Mike Rodriguez** clarified that the overhang could encroach into that 10 foot setback. **Mayor Hart** commented that this is considerably less impactful and is a nice idea. **Mike Rodriguez** agreed. **Council Member Elliott** stated that the project looks nice.

**MOTION: Council Member Mehr moved to approve the Planning Commission's recommendation on a Project Plan for Movara Villas**
**SECOND: Council Member Elliott**
**VOTE: The motion carried.**

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

C. Discuss and consider approval of the Planning Commission's recommendation regarding a Preliminary Plan for Movara Villas, located at approximately 290 Fitness Way. Movara Fitness Resort-Owner, Cameron Kelsh-Applicant

**Mike Rodriguez** reported that the Preliminary Plan is for the same project and same units just discussed under agenda item 4)B. The Preliminary Plan conforms with Ivins City's' codes and regulations. **Mayor Hart** inquired if the project will be phased. **Mike Rodriguez** clarified that it will be one large project.

**MOTION: Council Member Elliott moved to approve the Preliminary Plan for Movara Villas, located at approximately 290 Fitness Way. Movara Fitness Resort-Owner, Cameron Kelsh-Applicant**
**SECOND: Council Member Johnson**
**VOTE: The motion carried.**

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

D. Public Hearing to discuss proposed salaries for elected officials and salary ranges for statutory officers and department heads

**Dale Coulam** reported that the last time the City Council addressed this was in 2015. The prior City Council gave guidelines to staff as to how these salaries were established. The City also has a salary data source for municipalities in the State that over the years has been reliable and accurate. This year the City has budgeted for a 4% merit increase pool. **Mayor Hart** opened the Public Hearing. There being no comments, **Mayor Hart** closed the Public Hearing.

E. Discuss and consider approval of Ordinance No. 2019-03, an Ordinance of Ivins City, Utah, approving salaries of elected officials and salary ranges for statutory officers and department heads

**Council Member Densley** referred to some employees wearing two hats and commented that he appreciated that and felt that the ranges were appropriate. **Council Member Elliott** agreed with Council Member Densley but was uncomfortable with the City Council receiving a raise. **Dale Coulam** clarified that for the last two years any increase for the City Council was budgeted to Heritage Days. **Council Member Johnson** recalled former Council Member Roberts declining

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the increase as well and it's uncomfortable for the City Council Members but they need to think about others who come in after the current City Council Members and serve. **Council Member Mehr** commented that some of the proposed market bases are going down and inquired if that presents a problem because the City wants to attract and retain employees. He also inquired if that would incentivize looking at the City of St. George. **Dale Coulam** clarified that the City Council originally asked him not to use the City of St. George but the City does watch what they're doing closely as it relates to wages because that is where Ivins' employees would likely go. He also clarified that when a range goes down, it usually means that someone who has been in that position for a long time has retired and been replaced with someone at a lower salary. **Council Member Densley** commented that Ivins' benefit package is really good and that's one reason why the City hasn't lot employees to other municipalities. **Dale Coulam** stated that Ivins employees are appreciative of what the City Council has done regarding benefits. **Council Member Elliott** referred to individuals performing two jobs and inquired as the City grows, if those jobs will need to be separated. **Dale Coulam** indicated "yes" but clarified not until there's a new City Hall because there's no place to house additional employees. **Mayor Hart** commented that he'd like any increase that would come to him, to go to the Ivins Princess Pageant. He referred to a few of the salary ranges for Dale Coulam and Chuck Gillette where they're performing two functions and felt that they should reflect the maximum of the City Attorney because he's deserving of that and the range for Chuck Gillette's positions need to be looked at. He referred to the current City Recorder and felt that she's highly capable and that her salary also needed to be looked at. **Dale Coulam** thanked the Mayor for his comments. He clarified that the City Manager's position is governed by a contract and he receives what is allocated for increases for Department Heads. As it relates to the other positions, he will look at those. **Council Member Mehr** stated that the way he would think of a range is the entry point and then so many years of experience. **Dale Coulam** clarified that mid point is someone functioning well in their job and as they get closer to the higher end of the salary range, that would be someone who is more experienced, has additional qualifications and/or tenure. **Council Member Mehr** referred to raises for the City Council and agreed with Council Member Elliott and Mayor Hart with it being an opportunity to serve. He recognized that the stipend acknowledged that serving on the City Council takes time and that has value. He was very comfortable approving the ranges for all except for the City Council. He suggested that they hold the current amount for the City Council where it is. **Council Member Densley** would like what increase would come to him to go back into Heritage Days. **Dale Coulam** clarified that the Mayor and City Council can still look at the Princess Pageant and Heritage Days budgets during the budget process and if they are so inclined, they can increase those budgets.

**MOTION: Council Member Mehr moved to approve Ordinance No. 2019-03, an Ordinance of Ivins City, Utah, approving salary ranges for statutory officers and department heads only and that the elected officials remain at the current rate**
**SECOND: Council Member Johnson**
**VOTE: The motion carried.**

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

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

**5) DISCUSSION AND POTENTIAL ACTION ITEMS**

B. Discuss and consider approval of the Amended Development Agreement and Subdivisions for Sentierre Padre Canyon Resort and Sanctuary

**Dale Coulam** indicated they discussed this at the last City Council meeting and this is on for approval tonight. **Council Member Mehr** was not present at the prior City Council meeting and inquired why this agreement was being amended. **Dale Coulam** clarified that there has been a change in the market and there are now more units for sale, amended from 44 to 52 units; however, there are more rental keys as well.

**MOTION: Council Member Elliott moved to approve the Amended Development Agreement and Subdivisions for Sentierre Padre Canyon Resort and Sanctuary**
**SECOND: Council Member Mehr**
**VOTE: The motion carried.**

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

C. Discuss and consider approval of expenditure for the acquisition of real property for the proposed Irrigation Tank Site

**Chuck Gillette** reported that the purchase of this property will solidify the City's ownership of the future tank site and access. The City recently approved Irrigation Master Plan and the tank site was on property owned by the Irrigation Co. so the City approach the Irrigation Co. and talked to them about this property and offered them the appraisal value. **Council Member Mehr** referred to the property consisting of 4.58 acres compared to the appraised value of $39,000 and inquired if it's waste land. **Council Member Densley** clarified that it sits at the bottom of the wash. **Chuck Gillette** commented that it's steep and there's no access. **Council Member Mehr** inquired if both parties felt this acquisition was fair. **Chuck Gillette** and **Council Member Densley** indicated yes.

**MOTION: Council Member Mehr moved to approve the expenditure of $39,000 for the acquisition of real property for the proposed Irrigation Tank Site**
**SECOND: Council Member Johnson**
**VOTE: The motion carried.**

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

**6) CONSENT AGENDA**

**Council Member Mehr** requested that the street pavement maintenance item be removed from the Consent Agenda for discussion.

B. Approval of City Council Meeting Minutes for March 7, 2019

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**MOTION: Council Member Densley moved to approve Consent Agenda item B**
**SECOND: Council Member Densley**
**VOTE: The motion carried.**

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

**7) CONSENT AGENDA ITEMS FOR DISCUSSION**

A. Approval of expenditure for 2019 streets pavement maintenance

**Council Member Mehr** had questions regarding the companies and if the City has captured what needs to be included. **Chuck Gillette** clarified that the slurry seal, HA5 product or whatever product the City ends up using, is not part of this maintenance. That will be brought forward to the City Council in the future. Regarding the companies, American Pavement has done three (3) projects for Ivins and he was really confident in their abilities. The project that Morgan Pavement did was troublesome. **Council Member Mehr** inquired if these companies do all services that the City is looking for in street maintenance. **Chuck Gillette** indicated no. **Mayor Hart** suggest that the City get in contact with HOAs (Home Owners Associations) that have private roads and are looking for this same kind of treatment to be done because they may be able to get theirs done at the same time. **Chuck Gillette** clarified that the City does contact them and they get the same price. **Mayor Hart** suggested that the City send something out to the HOAs letting them know this is going on. **Chuck Gillette** stated that he will ask his Assistant to do that.

**MOTION: Council Member Mehr moved to approve the expenditure for 2019 streets pavement maintenance**
**SECOND: Council Member Johnson**
**VOTE: The motion carried.**

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

**8) REPORTS**

A. Council

**Council Member Mehr** - no report
**Council Member Johnson** - no report
**Council Member Elliott** reported that she'll be emailing Dale the proposed Ivins City signs to put on a City Council meeting for discussion regarding entrance signs
**Council Member Densley** - no report

B. Mayor

**Mayor Hart** reported that there is an event taking place at the Veterans Home commemorating the 50th Anniversary of the Vietnam War honoring the Vietnam War Veterans. **Mayor Hart** read the Proclamation, a copy of which is available by request through Ivins City

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Hall. **Council Member Mehr** suggested adding a sentence that recognizes those missing in action. The **Mayor and City Council** agreed.

C. City Manager/Attorney Dale Coulam

**Dale Coulam** reported that Lane Mecham attended a Government Accounting course in Salt Lake City and is busy working with the department heads wrapping up their budgets. Wally Ritchie (former Director of Finance) will be at the office tomorrow, March 22nd, to assist with finalizing those and then Lane Mecham and Jennifer Chapman will put the budget books together for presentation to the City Council.

D. Items to be placed on future agendas

**9) CLOSED MEETING**

**10) ADJOURNMENT**

**MOTION: Council Member Johnson moved to adjourn**
**SECOND: Council Member Elliott**
**VOTE: The motion carried.**

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

The meeting adjourned at 7:32 p.m.

Respectfully,

Kari Jimenez
Ivins City Recorder

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