IVINS
CITY COUNCIL
MINUTES
August 15, 2019

1) WELCOME AND CALL TO ORDER

MAYOR AND COUNCIL: The meeting was called to order at 5:31 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, Building and Zoning Administrator Mike Rodriguez, Public Works Director/City Engineer Chuck Gillette, and Director of Finance Lane Mecham.
EXCUSED: None.
Audience: Tim & Sharon Gillespie, Pat Barton, Pat Robichaux, Chris Haddad, Randall Johnson, Patty Dupre, Mike Scott, Claudette Larsen, Laurie Floisand, Regina Roper and Steve Waldee, Bonnie Kline, Shelley Mofller, Michael & Sharon Barton, Jack & Jackie Scully, Mary Hogan, Tom W., Levandoski, Dave Robinson, Mike Guisinger, Brian & Leslie Hill, Alan & CJ Koharchek, Brandon & Teri Booth, Hyrum & Gail Smith, Jancy Peters, Marilyn Livingston, Derek Larsen, Jan Salisbury, Shelley P., Becky & Chuck Warren, Kevin & Rebecca Smith, Sherry Breitenbach, Lance Anderson, Pamela Palmer and others who did not sign in.

A. Acknowledgement of Quorum

Mayor Hart acknowledged there was a quorum present

B. Flag Salute

Council Member McDonald led the Flag Salute

C. Invocation

Council Member McDonald 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

Mike Rodriguez reported that the permit activity is continuing. There are some new townhomes being built and they just issued the last building permits for the Cliffrose and Haven at Heritage subdivisions. There are four buildings under construction in the Red Mountain Vistas townhomes subdivision and two of those are complete. He reported that Ivins Code Enforcement Officer is busy addressing weed complaints.
Chuck Gillette reported that they hired a new employee in July and commented that the Public Works department has been able to do a lot of projects in-house because of the qualified and well trained crew that Public Works has. They replaced 220 feet off 48" pipe on 200 West because the pipe failed. They did a great job and he felt the job was done better than a contractor may have done. There have been a lot of water leaks this past month. He will be presenting bids to the City Council for the 200 West sewer diversion and the Highway 91 sewer line and Tuacahn wash access improvements. The Red Mountain Dams rehabilitation project is nearly complete. The only thing left is re-vegetation that will occur in the fall. He'd like to take the City Council on a tour of that project. **Council Member Elliott** referred to a resident that is

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renting in Ivins and was struggling with an extraordinary large bill because of a leak. She stated that Travis Gubler with the Public Works department put together a report and the landlord is giving the renter some relief. **Council Member Elliott** appreciated the attention to that situation.

Dale Coulam commented that Lane Mecham is out of town but an electronic report was submitted. A copy of the report is available by request through Ivins City Hall and on Ivins website.

3) CITIZEN COMMENT REQUESTING FUTURE AGENDA ITEMS - NONE

4) PUBLIC HEARING AND ACTION ITEMS - NONE

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and consider approval of Resolution No. 2019-19R, a Resolution of Ivins City, Utah, appointing Grand Marshals for the Ivins Heritage Days Parade

Mayor Hart read the Resolution to the audience, a copy of which is available on Ivins website or by request through Ivins City Hall. **Mayor Hart** provided a copy of the Proclamation to each Grand Marshal. **Hyrum Smith** thanked the Mayor and City Council and commented that they were humbled and honored to be Grand Marshals for the parade.

MOTION: Council Member Mehr moved to approve Resolution No. 2019-19R, a Resolution of Ivins City, Utah, appointing Grand Marshals for the Ivins Heritage Days Parade
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

Roll call vote. All Council Members voted in favor.

B. Discuss and consider approval of the Development Agreement for the Sage Villas Subdivision project

Dale Coulam reported that this is the townhouse project next to Ryder's Automotive off of Highway 91. That project will be built in phases and the final step is this Development Agreement. A standard Development Agreement outlines what improvements are going to be made and who is going to do what. This project has an affordable housing component to it but that hasn't been addressed in the Development Agreement as it is currently. He asked if the City Council would like to pursue further negotiations with the applicant regarding the affordable housing component of the project. If so, this can be postponed to the next City Council meeting in September, which will not hinder the project. **Council Member Elliott** thought that the Council should give this some thought and understood that the affordable housing component is a voluntary component that the applicant chose to do. **Council Member Johnson** agreed with Council Member Elliott.

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MOTION: Council Member Elliott moved to continue
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

C. Discuss and consider approval of Ordinance No. 2018-18, an Ordinance of Ivins City, Utah, amending Outdoor Lighting Standards regarding color

Chuck Gillette stated that the City would like to move forward with this as a temporary solution until a permanent solution is identified. The minimum requirement for commercial, which is non-residential, streets and parking lots, would be 3000 kelvins and the requirement to use the amber filter. The amber filter will continue to be used in the street lights and bollards. The City hasn't ordered all of the lights yet but the City has ordered one lamp that doesn't have the clear glass globe around it. The globe is no longer needed because the amber filter keeps the bugs away from it. **Council Member Johnson** referred to the residential requirement of no more than 2700 kelvin and commented that she went to Home Depot and found that the majority of the outdoor lighting for residential is 3000 kelvins or higher and the Home Depot employees told her they are going to be seeing more of the 3000 kelvin lights or higher. She was concerned that it would be difficult for residents to find bulbs that were 2700 kelvins and suggested the maximum be 3000 kelvin instead of 2700, so as not to make it a hardship on residents to obtain a light. She stated that she loves the night sky but the Council needs to be aware of the availability of the lighting. **Council Member Mehr** wanted to clarify the difference between a 2700 kelvin light and a 3000 kelvin light. Chuck Gillette stated that the 3000 kelvin light is whiter but it is better than a 4000 or 5000 kelvin light. **Council Member Elliott** preferred the consistency of what Ivins is trying to achieve elsewhere with the 2700 kelvin light but if the other City Council members prefer the 3000 kelvin light, she would be open to that. **Council Member Johnson** wanted to hear the presentation on the Night Sky Initiative before making a decision.

MOTION: Council Member Johnson moved to suspend the rules and hear the presentation on Ivins Night Sky Initiative
SECOND: Council Member Elliott
VOTE: The motion carried.

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

D. Presentation and discussion regarding recommendations for updating entire outdoor lighting ordinance. Ivins Night Sky Initiative

Mike Scott provided a PowerPoint presentation, a copy of which is available by request through Ivins City Hall. The mission of Ivins Night Sky Initiative is to improve, preserve, and protect the night sky over Ivins and their heritage of dark skies through education and information, about

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environmentally responsible outdoor lighting. He referred to the demonstration regarding shielding and reducing the color temperature of the parking lot lights at Rocky Vista University and reported that they felt that the shielding and filtering design addresses their concerns of cost and safety but they wanted a prototype so City employee Wilson Jimenez created one and Rocky Vista liked it. They have agreed to proceed with retrofitting eight (8) of their lights with the filter and shields as a test. He agreed that 3000 and 4000 kelvin lights are readily available but commented that lower kelvin lights are also available. To obtain the International Dark Sky designation, residential lights need to be 3000 kelvins or less and asked the City Council to consider less than 3000 kelvins. He stated that 2700 kelvins doesn't sound like much but it cuts the harmful blue light in half.

C. Discuss and consider approval of Ordinance No. 2018-18, an Ordinance of Ivins City, Utah, amending Outdoor Lighting Standards regarding color

Mayor Hart referred to Chuck Gillette and inquired if the City was planning to replace the lights that are shown in the Ivins Night Sky presentation. **Chuck Gillette** indicated that the City is planning new lighting on Center Street and to remove a couple of the problematic lights but beyond that, it's up to the City Council to budget money to replace other lights. **Council Member Johnson** referred to the distinction awarded by the International Dark Sky Association and inquired if the changes would need to be immediate. **Mike Scott** clarified that the International Dark Sky requires the City to show a plan of action and then implement that plan within five (5) years, with a three (3) year extension if the City is working towards the plan. **Council Member Johnson** appreciated the explanation and commented that she was still concerned with the availability of 2700 kelvin lights and indicated that a 3000 kelvin light was still within the International Dark Sky Associations requirements. **Mayor Hart** clarified that the new requirement would be for new construction only. **Council Member Elliott** stated that her only question was regarding the blue light. **Marc Deshowitz** is a Geologist and involved with the Ivins Night Sky Initiative. He stated that according to the American Medical Association, blue light is harmful to the macular in the back of the eye. UVA and UVB rays are harmful to the front of the eye but blue light can penetrate to the back of the eye and has been shown to be harmful to in other ways to humans, as well as insects. **Council Member Mehr** referred to this only affecting new construction and commented that he didn't see that in the ordinance. **Dale Coulam** clarified that it's not in the ordinance because this cannot be retroactive. **Council Member McDonald** stated that he contacted Wilkinson House of Lighting and was told that most 2700 Kelvin lighting has to be ordered in but 3000 kelvin is in stock. **Council Member Elliott** indicated that she preferred the 2700 kelvin lighting requirement. **Council Member Johnson** liked the softer lighting and appreciated the information about blue lighting. She wasn't opposed to the 2700 kelvin lighting, she was just concerned about availability. **Council Member Mehr** was okay with either the 2700 or 3000 kelvin lighting and was also concerned with the availability.

MOTION: Council Member Elliott moved to approve Ordinance No. 2018-18, an Ordinance of Ivins City, Utah, amending Outdoor Lighting Standards regarding color, as drafted
SECOND: Council Member Mehr
VOTE: The motion carried.

Council Member Mehr	AYE
Council Member Johnson	AYE

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Council Member Elliott	AYE
Council Member McDonald	NAY
Council Member Densley	NAY

Roll call vote. Three (3) Council Members voted in favor and two (2) voted in opposition. The motion carried.

E. Discuss and consider approval of an expenditure for construction of the 200 West Sewer Diversion, Highway 91 Sewer extension and lower Tuacahn Wash Sewer Line improvements

Chuck Gillette reported that these projects are to improve capacities.

MOTION: Council Member McDonald moved to approve an expenditure for construction of the 200 West Sewer Diversion, Highway 91 Sewer extension and lower Tuacahn Wash Sewer Line improvements
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

F. Discuss and consider approval of tortoise monitoring, material testing and additional engineering design services for the Red Mountain Dams Rehabilitation project

Chuck Gillette reported that the City recently completed the Red Mountain Dam rehabilitation project which included bringing the six (6) dams along the base of the Red Mountain into compliance with the most recent safety regulations and current engineering standards for a high hazard class dam. Staff recommends that Council approve this expenditure.

MOTION: Council Member Elliott moved to approve tortoise monitoring, material testing and additional engineering design services for the Red Mountain Dams Rehabilitation project
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

G. Discuss and consider an expenditure to purchase a used dump truck

Mayor Hart inquired if the City already has a dump truck. **Chuck Gillette** stated yes and that this is for a bigger dump truck to transport items and haul road base. **Council Member McDonald** inquired if the City has qualified and licensed dump truck drivers. **Chuck Gillette** indicated the City has a few but will be working with others on licensing. **Mayor Hart** inquired if they can share equipment with the City of Santa Clara. **Chuck Gillette** stated

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that the City has enough usage that it's important to have its own. **Council Member Mehr** commented that it's cheaper to rent a boat rather than to own one and inquired if the City could rent a dump truck for the times its needed. **Chuck Gillette** indicated that it takes time to go pick up the equipment and take it back. **Mayor Hart** inquired how often it would be used. **Chuck Gillette** stated not enough to justify a new piece of equipment but a couple times a week. **Council Member Densley** commented that this type of truck will hold its value and inquired if the vehicle has been looked at. **Chuck Gillette** indicated no but if the City Council grants the authority to purchase a used dump truck, they can have this one checked out and if it doesn't work out, they can look for a different one. **Council Member Densley** suggested that the oil be analyzed to determine the wear. **Chuck Gillette** stated that they need to send staff down to Phoenix to look at it. **Council Member Densley** commented that he'd also like to look at it and was nervous about this vehicle having a new engine put in. **Council Member Mehr** indicated that he wanted the team to have the tools and equipment they need but would prefer that Ivins borrow something like this from Santa Clara. **Chuck Gillette** stated that Ivins shares a lot of equipment with them and as Santa Clara is acquiring equipment, Ivins City doesn't have anything to offer them back. **Council Member Mehr** would like more due diligence on this. **Mayor Hart** suggested that the first thing to do is to explore options with Santa Clara.

MOTION: Council Member Densley moved to approve an expenditure in the amount of $100,000.00 with the option to share equipment with Santa Clara through an agreement or the option is to purchase a used dump truck that's been thoroughly evaluated and found worthy for that price
SECOND: Council Member McDonald
VOTE: The motion carried.

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

Chuck Gillette indicated that if the City doesn't decide to share the equipment with Santa Clara, he will submit a report to the Mayor and City Council.

H. Discuss and consider approval of an expenditure to purchase a skid steer loader

Chuck Gillette reported that the City is growing and with more employees, the City needs more equipment. They were sharing the other loader with the Parks Department but it is often being used by that department and not available.

MOTION: Council Member McDonald moved to approve an expenditure to purchase a skid steer loader $43,128
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

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I. Discuss and consider approval of Ordinance No. 2019-10, an Ordinance of Ivins City, Utah, amending the Purchasing Ordinance

Chuck Gillette reported that this is necessary as they are finalizing the RFP (Request for Proposals) for the new City Hall. The best way to get the best value through the Construction Management General Contractor process. **Mayor Hart** agreed and commented that it helps with cost management right from the start and allows them to anticipate nearly everything. **Council Member Mehr** stated that Intermountain Health Care does this and commented that it creates a partnership as well.

MOTION: Council Member Mehr moved to approve Ordinance No. 2019-10, an Ordinance of Ivins City, Utah, amending the Purchasing Ordinance
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.

J. Discuss and consider approval of one 2020 Ford F-150 truck for the Public Safety Department

Dale Coulam reported that the budget includes two new vehicles for Public Safety but only purchasing one (1) of the vehicles at this time. **Council Member Mehr** inquired what is done with the vehicles that are being replaced. **Dale Coulam** indicated that they are holding onto them in case a vehicle isn't available due to maintenance issues.

MOTION: Council Member Mehr moved to approve the purchase of one 2020 Ford F-150 truck for the Public Safety Department
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

K. Discussion regarding the Planning Commission's recommendation regarding Ordinance No. 2019-07 regarding roof variations

Mike Rodriguez reported this clarifies language in the existing ordinance as it relates to roof lines. **Dale Coulam** clarified that this is not on for approval because a Public Hearing is required. The Public Hearing will be held at the City Council meeting on September 5, 2019.

L. Continued discussion regarding amendments to Title 16, Chapters 7 and 8 of the Ivins City Code, except Chapter 7 Part 5 regarding Subdivision Enhancement Overlay, as recommended by the Planning Commission in draft Ordinance No. 2018-16

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MOTION: Council Member Mehr moved to continue this discussion to the next City Council meeting
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

6) CONSENT AGENDA

A. Approval of City Council Meeting Minutes for August 1, 2019

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 Mehr reported that a Boy Scout troop is being formed by Bob and Lorie Morris in Ivins City. They are acting as the chartered organization and providing the opportunity for youth in community. They are working on using the Southern Utah Veteran's multi-use room. He would like information to go in the newsletter when that occurs. He thanked the voters for participating in the Primary Election this week.
Council Member McDonald reported that the Washington County Solid Waste District ended their agreement with Rocky Mountain Recycling and have partnered with Republic Waste Services. It has gone from being cheaper to recycle, to being less expensive to bury rather than recycle. It currently costs $17 a ton to bury material but it costs $125 a ton to recycle. **Mayor Hart** commented that it's all due to the world market. **Council Member McDonald** commented that the prospects of continuing to recycle past the current contract is dim but he is hopeful. There is just under two (2) years left on the contract. The District is going to try and help advertise about what can be recycled so recycled material isn't contaminated. **Council Member Elliott** inquired if the District received any word back from the German recycling company regarding a Memorandum of Understanding. **Council Member McDonald** stated no but indicated that they have looked at a private solar power and gas generation company that could yield some dividends.
Council Member Johnson - no report
Council Member Elliott provided some packets that go in a vehicle glove box that was put together by the University of Utah Health Fire and Rescue Services for their yellow DOT program.
Council Member Densley - no report

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B. Mayor

Mayor Hart reported that the Washington County Fair was held last week and Ivins Princess Royalty were there at the ribbon cutting ceremony and performed their talents.

C. City Manager/Attorney Dale Coulam

Dale Coulam reported that the Utah League of Cities and Towns Annual Convention will be held in Salt Lake City September 11th through September 13th. They can let him or the City Recorder know if they'd like to attend but they will need to secure their own lodging.

D. Items to be placed on future agendas

Ivins Night Sky Initiative and the continued discussion regarding amendments to Title 16, Chapter 7 of the Ivins City Code

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 7:48 p.m.

Respectfully,

Kari Jimenez
Ivins City Recorder

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