IVINS
CITY COUNCIL
MINUTES
October 17, 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, and Council Member Densley.

STAFF: and City Manager/Attorney Dale Coulam, Building and Zoning Administrator Mike Rodriguez, Director of Finance Lane Mecham, and City Recorder Kari Jimenez.

EXCUSED: Council Member Elliott

Audience: Randy Johnson, Larry & Val Cazier, Judith Kapuscinski, Nancy Romney, Sue Gordhammer, Sharon Barton, Shelley Moeller, Brian & Leslie Hill and others who did not sign in.

A. Acknowledgement of Quorum

Mayor Hart acknowledged there was a quorum present. Council Member Elliott was excused.

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 permit activity remains steady. Three (3) homes have been permitted in the Arrowhead subdivision. The Cliffrose subdivision is built out and the second phase of the Haven at Heritage subdivision will likely be starting in the near future. The townhomes are continuing to be built and four (4) of the six (6) mobile homes located at 102 East 600 South have been removed. Solar permits are active and Ivins Code Enforcement Officer has been busy. **Mayor Hart** inquired if there have been any permit applications for Movara. **Mike Rodriguez** clarified that they're moving along with their site work but no paperwork has been submitted yet. This is the same case for the Sage Villas development.

Lane Mecham reported that he is working on the CAFR (Comprehensive Annual Financial Report).

B. Quarterly Finance Report

Lane Mecham provided a PowerPoint presentation to the Mayor and City Council, a copy of which is available by request through Ivins City Hall. He reported that unemployment in Washington County remains low and wages are increasing. The financials look good and are right on pace and operating expenses are in line with where they should be. Property taxes will be coming in this quarter. Department Heads are managing their budgets well and the budgets are conservative in expenditures. The City has been receiving calls regarding checking for leaks because the water rates went up and that increase is driving water conservation behavior.

C. Planning Commission Report

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Mike Rodriguez reported that they held a lengthy meeting with a significant number of individuals attending. They held a Public Hearing on the proposed Canyon Crossing development and took comments regarding traffic concerns. Due to the traffic counts, a full traffic study is required. The Planning Commission will discuss that project further after the traffic study is done. They recommended approval of a Preliminary Plan for the Taviawk subdivision. They held Public Hearings and recommended approval of proposed amendments to the General Plan, Transportation Master Plan, Trails Master Plan and Moderate Income Housing Plan. Those will go forward to the City Council. The Planning Commission meeting scheduled for November 5th was cancelled due to the Municipal Election but was re-scheduled to Tuesday, October 29th.

3) CITIZEN COMMENT REQUESTING FUTURE AGENDA ITEMS

Mayor Hart indicated that Randy Johnson has submitted a Citizen Request for four (4) future agenda items. He noted that the first item regarding the Dark Sky Initiative is a continued discussion that will be on an upcoming agenda. **Randy Johnson** referred to his second item, which was to revise ordinances to require a broad environmental impact for developments that include traffic, noise, light pollution, water usage and similar. His third request was to consider an ordinance that limits all commercial developments to no grass landscaping; and his fourth request was for the City Council to set a quarterly public question and answer forum between Ivins citizens and the City Council and Mayor for 30 minutes. **Mayor Hart** commented that the Neighborhood meetings are coming up in January where the residents will have the opportunity to have a face-to-face conversation.

4) PUBLIC HEARING AND ACTION ITEMS - NONE

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss status and listing the City's 15.52 acres of real property located at approximately 750 East Center Street for sale with a Realtor

Dale Coulam indicated that five (5) or six (6) months ago, the Mayor and City Council discussed this and the desire to sell this piece of property. The City had several parties express interest; ultimately, three (3) parties submitted offers. The parties were the developer of Palisades at Snow Canyon; Gardner Plumb, who proposed a townhouse project for part of the property and; Vista School, who proposed a land swap with the owner who owns property just north of Vista School. The sale of the property was then put on hold to make sure that the road and trail connections on the property happen no matter who owns it. He contacted the Attorney for the entity involved in the potential land swap with Vista School, as well as Vista School and confirmed that is not going to happen. He then contacted the developer of the Palisades at Snow Canyon development and he felt that the developer was posturing and indicated that he if an offer came in from him he did not think it would be what their original offer was. **Dale Coulam** stated that he thinks the Council needs to be discussing the possibility of listing the property with a Realtor. He has one (1) proposal and he will be requesting others to bring forward to the Council at the first meeting in November. Marketing efforts by the City on its own have been exhausted. He would like to know if that is agreeable so they can select a Realtor and get it listed, especially since the new City Hall hinges on the sale of this property. **Mayor Hart** commented that the City has missed the market because there were offers that weren't worked out. **Council Member Densley** referred to the possibility of selling it by owner and inquired if that is still an option. **Dale Coulam** indicated no and clarified that he not a Real

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Estate Broker, the City is not a Real Estate office and there is not enough staff to field the calls and questions. There's also the possibility of missing the market a second time. **Council Member Densley** stated that he noticed that the commission rate from the proposal was considerably lower than the standard for raw property and commented that was good and that brokerage handles marketing everywhere. **Council Member Mehr** commented that the need for a new City Hall isn't because the roof is leaking, the walls aren't sound or the foundation is crumbling, it is because the City needs more space to do the work of the City. If for some reason the economy changes, presumably the work of the City would also change. He wasn't feeling the sense of urgency because this property will be more valuable in the future and that might be in the long distant future but he felt there was value in being the tortoise in the race. He also commented that building in a down time would be less expensive. **Mayor Hart** clarified that the City outgrew the current City Hall 15 years ago they have employees tucked in compartments and stated that the need is there and has been there for some time. He commented that law enforcement has outgrown its space at Santa Clara City Hall and part of the RFP (request for proposals) includes the current City Hall building being re-purposed as the law enforcement building so it is a combination of needs. He stated that the City has been the tortoise and the only thing the City could do slower would be to do nothing. **Council Member Johnson** inquired how long the City Hall building would suit law enforcement's needs. **Mayor Hart** indicated it would be for a very long time. **Council Member Densley** stated that by selling the City property, the City could put in cash rather than obtaining a bond. He felt that the City should pursue selling the property and if it is sold, at that point in time they could make a decision to proceed with a new City Hall or not. The **Mayor and City Council** agreed. **Mayor Hart** commented that in a previous meeting the City Council discussed moving forward with the architectural work and $50,000 was authorized to proceed with that but that is far from what it is going to take to obtain finished plans. He then referred to the next agenda item.

B. Discuss and consider approval of the selection of an Architect and expenditure for new City Hall design

Mayor Hart indicated that Chuck Gillette and Tom Jorgensen worked on an RFP (request for proposals) where architects across the State and beyond had an opportunity to respond to that. That RFP was very detailed and laid out and was very detailed. The City would like the new City Hall to be a model of efficiency and conservation, utilizing energy efficient structural systems. The goal is that those efforts will lead to a positive return on investment over time. The City received four (4) proposals and assembled a selection committee to score those proposals based on the criteria in the RFP. The selection committee consisted of Mayor Hart, City Manager/Attorney Dale Coulam, Public Works Director/Engineer Chuck Gillette, Parks and Recreation Director Benny Sorensen, Building and Zoning Administrator Mike Rodriguez and the Director of Finance Lane Mecham. The selection committee chose the top two firms to interview, those being VCBO and CRSA. Following the interview process, the selection committee recommended selecting VCBO as the Architect. With the City Council's consent, the City would like to engage that firm and put the project under contract. **Council Member Mehr** inquired what the City would have through this process if the City property doesn't sell and a City Hall isn't built in the near future. **Mayor Hart** stated that the City would have building plans. **Lane Mecham** handed out information regarding estimates for the City Hall architectural costs, a copy of which is available by request through Ivins City Hall and indicated that the construction costs will require a deeper analysis. **Mayor Hart** referred to the funds that have been budgeted for the fire station remodel and because that remodel likely is not going to

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occur, that may be a resource still available and suggested that those funds be re-budgeted towards the architectural costs. He inquired if the $50,000 to start with the architectural firm is currently in the budget. **Lane Mecham** stated that it is and then increasing in the other respective funds. **Dale Coulam** clarified that the City currently has $50,000 for architectural costs but a budget amendment would be required for any amount above that. Ideally the City property would have been sold and the City could use those proceeds to cover the architectural costs and the bulk of the building costs. The City can move forward with $50,000 down and then identify sources to pay for the remaining design fees so that the City will at least have the building design that could be used in the future. Realistically, something has to happen like the sale of the City property because he did not see bonding for City Hall as an option. **Council Member McDonald** referred to two different costs - one with LEED certification and one without LEED certification and requested that the LEED certification be clarified. **Mayor Hart** indicated that it is essentially a green building certification where paperwork is filed to obtain that certification based on how the building performs. He is interested in the performance of the building rather than a plaque on the wall for the certification but as the building performs, the City can file for the certification later. The fact that the City would be scratching for resources to build City Hall, he was not expecting or promoting expending the additional funds to obtain the LEED certification. The City should build an extremely efficient building and requested that the Council bear in mind that they are not just talking about a new City Hall but also re-purposing the current City Hall. **Council Member Densley** commented that the City was going down the right road and hopefully by the time the Project Manager is involved, the City property will be under contract or sold and then the City Council can decide if they are going to move forward with building a new City Hall. **Mayor Hart** indicated that the Architects that were interviewed both agreed that the City should use the Construction Management approach, which is what Council Member Densley is referring to. **Council Member Mehr** stated that the City had a plan and the plan was defined as the budget and part of those assumptions were that we would sell the property. There's a belief by some here that the City has done their due diligence to try to sell the property and the City failed but he doesn't feel like that's the case. He was struggling with the City pulling money from different funds. **Council Member Densley** indicated that the City has $50,000 now. **Council Member Mehr** understood that there would need to be a budget amendment and requested clarification. **Lane Mecham** clarified the $50,000 is a down payment towards the total cost of $233,000. **Dale Coulam** stated that the $183,000 would be drawn from other budget funds and that would require a budget amendment. **Council Member Mehr** inquired why the City has a $183,000 surplus across the department and commented that the City should be budgeting more tightly because these are tax payer dollars. **Dale Coulam** clarified that some of the funds are more flush than at other times of the year but some of those are gathering money to pay for future projects. What the City would be doing is possibly putting off projects or at least fronting some of that money towards the architectural costs and then reimbursing the funds with impact fees that are collected in the future. The City would be advancing from those funds and paying the funds back with impact fees that are collected later. **Council Member Mehr** appreciated that but if he is just listening to this conversation, what he is hearing is the City is going to borrow money to accomplish this project and that borrowing is coming from an impact fee which may be loosely interpreted as qualifying. As a developer he would think that the reason there is an impact fee is because the developer brought services, roads, fire protection and similar to their new subdivision and that's what they are paying for and not a building in town. As the City grows, there is an impact

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and he understood that. He liked what the Council was saying about getting information and making good decisions but commented that the City should not be borrowing for a building. **Mayor Hart** indicated that the City borrows for parks and all kinds of things and they are talking about a necessity and didn't know why there was resistance for some borrowing for a City Hall and the conversion of the current City Hall. Ivins law enforcement is in Santa Clara and it is Ivins law enforcement. **Council Member Mehr** didn't want his position to be interpreted as a resistance, he was trying to understand. **Council Member Densley** stated that in the business world, if you want your business to grow, you have to have the financial means to invest and that is what the City is doing here. **Council Member Mehr** indicated that he understood that and commented that where he is stuck, is he didn't feel like the City has spent a lot of time trying to sell the property and there are others who feel the City has exhausted all of the options. His desire was to work hard so that the property sells and the City can finance a new City Hall. **Mayor Hart** stated that the reason the plans are crucial is that City can't get to the intersection of dream and reality until the City has plans and some associated costs. The investment in getting this part of that done, with the belief that the City property will sell within six (6) months and if it doesn't, then the City can pull the plug on the whole project, at least for the time being. **Council Member McDonald** understood that the City needs to move forward and there are upfront costs to that. He appreciated that the City is approaching this cautiously but understands the need after walking around the building. The Parks and Recreation Director is currently in an old conference room that split in half so that he and his assistant could have some space and the City is busting at the seams. **Mayor Hart** indicated that the first thing the City is going to need is another Building Inspector with the upcoming major projects. There might be other options to expand the current building but Ivins responsibility to law enforcement is significant. Ivins City remains the managing entity of the law enforcement side of Public Safety and Chief Flowers has been telling the City Council for a long time that they are out of space in Santa Clara and have been for some time and there is no room to grow there. Santa Clara has been gracious to allow them to utilize that space but they also have additional needs. **Council Member Mehr** stated that he was okay with the City proceeding with the Architect and be sensitive to the needs in the community and the priorities. **Council Member Johnson** agreed. **Mayor Hart** clarified that this will come before the Council time and time again so that the Council is well informed and efficient buildings do not have to be large buildings. The current City Hall is 6200 sq ft and they are looking at adding 4000 more sq ft. **Council Member McDonald** referred to the rough drawing that is 10,000 sq ft for the first portion and it looking like there is an expandable section. He inquired if that was the case. **Mayor Hart** confirmed that was the case and felt that it should be designed to be expandable.

MOTION: Council Member Densley moved to approve the selection of an Architect and expenditure for new City Hall design VCBO
SECOND: Council Member McDonald
VOTE: The motion carried.

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

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C. Discussion regarding the Arts Commission proposal for evaluation criteria for Arts RAP tax applications

Judith Kapuscinski stated she was present as a member of the Arts Commission and reported that a question came up about how the Arts Commission will evaluate proposals. The first part of the criteria is a checklist and the second part are things that were approved in the Arts Master Plan. Applications are due by December 31, 2019. **Council Member Densley** inquired if there was any stipulation that an applicant is required to be a resident of Ivins. **Judith Kapuscinski** indicated it is for government, non-profit or a business that provides a value to Ivins. **Council Member Densley** would like applicants to be in Ivins and benefit Ivins. The Council inquired if Red Mountain Elementary could apply and wanted to make sure it was spelled out that they are not excluded from this process. **Council Member McDonald** inquired if the City Council would see all of the applications or just the ones that the Arts Commission recommends. **Mayor Hart** indicated that the Council will see all of the applications. **Judith Kapuscinski** commented that this discussion is informational and not something that requires a motion or action.

D. Discussion regarding the Arts Commission proposal for a student art exhibition

Judith Kapuscinski indicated that they are implementing the Arts Master Plan and goal #2 and are proposing that the City Council approve a student art exhibition. The idea is that the Art Teachers at the schools select art work through the course and the art work would be hung at City Hall for approximately a month and then possibly displayed at Kayenta and Tuacahn. The City Council will determine the final selections and awards would be given at a City Council meeting. They are proposing a budget of approximately $200.00 for $100.00 given to the Best in Show plus 1st, 2nd and 3rd place ribbons and certificates. **Council Member Densley** thought this was a great idea and would like to see cash given for 1st, 2nd and 3rd place and suggested that the budget be increased to a total of $325.00 rather than $200.00. The **Mayor and City Council** agreed. **Council Member Mehr** would like to see all of Ivins City school kids participate, which includes a significant number of home schooled children. **Judith Kapuscinski** stated that the Arts Commission discussed that but proposed just the three schools this year to give the Arts Commission time to work out how to address that. **Council Member Mehr** requested that this come back before the City Council to talk about that. **Judith Kapuscinski** indicated that the Arts Commission will submit their annual report to the City Council sometime after April, 2020 because the student art exhibition will occur in April. **Council Member Mehr** inquired if there was someone on the Arts Commission that could gather the art of home schooled children. **Judith Kapuscinski** commented that the Arts Commission will discuss that and requested that this be approved as it is and if the Arts Commission can work out a way to expand the exhibit for home schooled children this year, they will. The **Mayor and City Council** agreed.

MOTION: Council Member Mehr moved to approve the Arts Commission proposal for a student art exhibition with the following two (2) amendments: 1) the prizes will cost approximately $325.00; and 2) the exhibited art will be judged by a panel of Artists
SECOND: Council Member Densley
VOTE: The motion carried.

Council Member Mehr	AYE
Council Member McDonald	AYE

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

Mayor Hart clarified that the City Council will be selecting the Artist. **Judith Kapuscinski** inquired if the Arts Commission would have the authority to add other students if they can come up with a reasonable way to do that. The **Mayor and City Council** agreed.

E. Discussion regarding 2020 employee benefits

Lane Mecham reported that the City currently has core employee benefits that are up for renewal. The current medical provider is Cigna. The City looked at costs and benefits and across the board all of the benefits are remaining the same. Staff recommends that the City switch from Cigna to PEHP. **Council Member Mehr** inquired if the City has given employees time to see how it would affect them and if the City has had any feedback. **Dale Coulam** clarified that the City let the employees know and they have not heard any concerns. If anything, PEHP is a more broad network. If employees are receiving ongoing treatments, they can start to get that process approved and make the switch as smooth as possible. **Council Member Densley** inquired if PEHP would cover any pre-existing conditions. **Lane Mecham** stated yes. **Council Member Mehr** inquired if Ivins employees participate in an HSA (Health Savings Account). **Dale Coulam** clarified that they do and that started last year so it will be a smooth transition. **Council Member McDonald** inquired how many employees Ivins has. **Lane Mecham** stated there are 44. **Dale Coulam** indicated that Staff just needs a thumbs up for this and that the first Friday in November will be open enrollment. A Resolution will be brought forward to formalize the employee benefits.

F. Continued discussion regarding amendments to overlay provisions of Chapters 7 and 8 of the Ivins City Zoning Ordinance

Dale Coulam stated that they are addressing Subdivision Enhancement Overlays (SEO's), without discussing percentages. The Planning Commission recommended changes that clarified the following: improved landscaped open space; design and architectural features that benefit adjoining subdivisions and the broader community; and voluntary variations to lot sizes for perimeter lots along public streets and adjoining subdivisions. **Mayor Hart** commented that he had some little things that he'll bring up in the future but indicated that conceptually the Planning Commission did a thorough job. **Dale Coulam** stated that he will eliminate the strike-throughs.

6) CONSENT AGENDA

A. Appointment of Poll Workers for Municipal General Election

Staff Report

B. Approval of City Council Meeting Minutes for October 3, 2019

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 Johnson	AYE
Council Member Densley	AYE
Council Member Elliott	ABSENT

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7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) REPORTS

A. Council

Council Member Densley - no report

Council Member Johnson - no report

Council Member McDonald reported that the Washington County Solid Waste District is still working on keeping the recycling program alive. They will likely start transporting the recycling product to the Las Vegas facility in the next week or so.

Council Member Mehr - no report

B. Mayor

No report

C. City Manager/Attorney Dale Coulam

Dale Coulam reported that the Moderate Income Housing update will be on the next City Council agenda as a Public Hearing. It has to be submitted to the State on or before December 1, 2019 and must include at least three (3) strategies from a list set forth in the statute and the plan that will be before the City Council has that. For the next five (5) years after submitting the update, the City will file a report for the State to evaluate. There will also be a Public Hearing at the next City Council meeting regarding the proposed boundary adjustment with Santa Clara for the far southeast corner of the City, which is part of the Black Desert Resort.

D. Items to be placed on future agendas

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 Densley	AYE
Council Member Elliott	ABSENT

The meeting adjourned at 7:32 p.m.

Respectfully,

Kari Jimenez
Ivins City Recorder

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