IVINS
CITY COUNCIL
MINUTES
November 7, 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 Elliott, Council Member Densley, and Director of Finance Lane Mecham.
STAFF: City Manager/Attorney Dale Coulam and Building and Zoning Administrator Mike Rodriguez. Director of Finance Lane Mecham, Chief of Police Bob Flowers, Fire Chief Randy Hancey, Public Works Director/City Engineer Chuck Gillette, Parks and Recreation Director Benny Sorensen
Audience: Claudette Larsen, Sally & Richard Tom, Mike & Karen Martinez, Lisa Rutherford, Michael & LeRoy Oliphant, Sue Gordhammer, Patty Dupre & Mike Scott, Rich Svien, Boyd Livingston, Loren Valadez, Marc Deshowitz, Lynne Mackechnie, Gwen Davies, Lois Diehl, Jake & Jackie Scully, LaDawn Richey, Mike Richey, Larry Myers, Michen Robinson, Kendra Thomas, Bekki Hafen, Derek & Andrea Larsen, Regina Roper, Sharon Barton, Shelly Moeller, Jeremy Young, Kelsi Kinder, Lacey Stanley, Don & C. Walter, Philip & Jayne Long, Christy Lueders, Joe, Kally & Kody Campbell, Garold Dodds, Kathy Barth, Judith Kapiscinski, Breck & Amber McArthur, Toni Schroath, Larry & Val Cazier, Stan & Peggy Spray, Shad Johnsen, Stephen Belmont, George Stoddard, Tracy Cole, Dave Toth, Lance Anderson, Micklee Hiatt, Debbie Gubler, Bill & Gillian Papanikolas, Kyleigh Jones, Jane Hugunin, Ali & Chris Kruger, Cheri Steele, Daniel Krupicka, David Cannon and others who did not sign in.
EXCUSED: Council Member Johnson

A. Acknowledgement of Quorum

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

B. Flag Salute

Council Member Elliott led the Flag Salute.

C. Invocation

Council Member Elliott invited Nancy Ross to provide the Invocation. She is a faculty member of Interdisciplinary Arts and Sciences at Dixie State University and is an ordained Elder and Pastor of the Southern Utah Community of Christ congregation.

D. Disclosures

There were no disclosures or conflicts of interest with items on this meeting's agenda.

2) REPORTS AND PRESENTATIONS

A. Proclamation recognizing November as National American Indian Heritage Month Proclamation

Mayor Hart read the proclamation. **Carol Edgren** commented that the Daughters of the American Revolution supports camps and scholarships and thanked the Council for supporting this Proclamation.

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MOTION: Council Member Mehr moved to approve the Proclamation recognizing November as National American Indian Heritage Month
SECOND: Council Member Elliott
VOTE: The motion carried.

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

B. Concept Plan Report for Anasazi Vista subdivision located at approximately 700 West 150 South. Frei 6 LLC-Owner; James and Devin Sullivan S&S Homes-Applicant

Mike Rodriguez reported that this subdivision consists of approximately 20.56 acres and being subdivided into 58 lots. The zoning is R-1-10 (Residential single family lots with minimum lot sizes of 10,000 sq ft). It is a standard subdivision and complies with Ivins City ordinances.

C. Department Reports: Parks and Recreation and Public Safety

Benny Sorensen provided an electronic report, a copy of which is available on Ivins website www.ivins.com . He reported that on November 23rd at 10:00 a.m., the Skate Park will be open. **Mayor Hart** commented that project was brought about by Council Member McDonald and was designed in collaboration with local youth and skilled professionals.

Chief Flowers provided an electronic report. A copy of the report is available on Ivins website. He reported that there was a burglary at a construction site near his residence. The individual went to jail.

Randy Hancey provided an electronic report, a copy of which is available on Ivins website. He reported that they held Red Ribbon Week last month at the fire station in Ivins. The recruit class for 2019 is currently going through hazmat training and they are going through the 2020 recruitment period with 8 individuals. The EMT class is finishing up and they have been busy with medical calls. **Mayor Hart** commented that the C.E.R.T. (Community Emergency Response Team) training class was last night.

D. Planning Commission Report

Commissioner Lance Anderson reported that stated the Planning Commission reviewed a Concept Plan for Anasazi Vista, recommended approval of a Preliminary Plan for Mojave Mesa and discussed amending density allowances for multi-family development.

3) CITIZEN COMMENT REQUESTING FUTURE AGENDA ITEMS

None

Mayor Hart requested that the rules be suspected and move items 5)A and 5)B up to this point in the agenda.

MOTION: Council Member Mehr moved to suspend the rules
SECOND: Council Member Elliott
VOTE: The motion carried.

Council Member Mehr	AYE
Council Member McDonald	AYE
Council Member Elliott	AYE

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Council Member Densley	AYE
Council Member Johnson	ABSENT

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and consider approval of Resolution No. 2019-24R, a Resolution of Ivins City, Utah, appointing an Arts Commission Member

Mayor Hart indicated that Phil Moulton is a long time resident of Ivins and a professional in the art world. **Phil Moulton** stated that he moved to Ivins from Las Vegas 11 years ago and he and his wife are active with art and the youth.

MOTION: Council Member Mehr moved to approve Resolution No. 2019-24R, a Resolution of Ivins City, Utah, appointing Arts Commission Member Phil Moulton
SECOND: Council Member Elliott
VOTE: The motion carried.

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

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

B. Discuss and consider approval of Resolution No. 2019-25R, a Resolution of Ivins City, Utah, appointing a Princess Pageant Director and Committee Chair

Mayor Hart introduced Callie Horne, Ivins current Miss Ivins and indicated that her mother Jennifer Horne is his recommendation for appointment as the Princess Pageant Director and Committee Chair. **Callie Horne** introduced her mother, Jennifer Horne. **Jennifer Horne** stated that she is a fan of pageants. When her daughters were little they participated in local pageants. She helped with Utah State's all girl pageant where she became the Assistant Director. She was the Director of the Miss St George pageant in 2016 through March of this year. She has a vested interest in Ivins and felt there are tremendous opportunities to serve.

MOTION: Council Member Elliott moved to approve Resolution No. 2019-25R, a Resolution of Ivins City, Utah, appointing Jennifer Horne as the Ivins City Princess Pageant Director and Committee Chair
SECOND: Council Member McDonald
VOTE: The motion carried.

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

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

4) PUBLIC HEARING AND ACTION ITEMS

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A. Public Hearing on a request from ENLAW, LLC, property owner, to adjust the municipal boundary line with Santa Clara for approximately six acres at the most southern and eastern boundary of Ivins City. The request would transfer six acres from the City of Santa Clara to Ivins City

Mayor Hart stated that they will resume the agenda with this agenda item. **Dale Coulam** referred to the six (6) acre parcel and the boundaries with Ivins and Santa Clara. He indicated that the developer is proposing to develop a large piece of property that straddles Ivins and Santa Clara. Santa Clara was reluctant to provide services to the six acres because they would have to cross lava; providing services to the property is easier on Ivins' side. Santa Clara has already gone through this process, approving the boundary adjustment. Ivins City had 60 days to proceed with Ivins Notice of Intent and this is the Public Hearing for the process, followed by the ordinance if the Council agrees with the boundary adjustment. **Mayor Hart** opened the Public Hearing. There being no comments, **Mayor Hart** closed the Public Hearing.

B. Discuss and consider approval of Ordinance No. 2019-12, an Ordinance of Ivins City, Utah, adjusting the municipal boundary line between Ivins City and Santa Clara City

There was no discussion.

MOTION: Council Member Densley moved to approve Ordinance No. 2019-12, an Ordinance of Ivins City, Utah, adjusting the municipal boundary line between Ivins City and Santa Clara
SECOND: Council Member Elliott
VOTE: The motion carried.

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

C. Public Hearing on the Planning Commission's recommendation to approve a proposed Amendment to the General Plan, Transportation Master Plan and Trails Master Plan. Ivins City, Applicant

Chuck Gillette stated that this master plan amendment was proposed by Kayenta and Lance Anderson where Evening Star and Kayenta Parkway shows a trail going through there. They are looking at future developments out there and they were concerned it would never connect because portions are already developed and Kayenta parkway is a better fit. TRC and Planning Commission recommended approval. The Transportation Master Plan shows where a rural cross section is allowed and not allowed. The purpose was to create a separate zone in Ivins so that you can use that cross-section and an option for a developer to look at that cross-section. Rural also looks at street light standards and reducing light in that area. It was drawn on the west side of 400 West but the suggests moving it to the east side so 400 West. It then crosses the highway down to Fitness Way. Comanche Cliffs makes sense if they wind up being bigger lots and low homes. We were not feeling as confident as the applicant on the line flipping over from 400 West. We don't see the need to reduce lighting on 400 West. **Mayor Hart** clarified that developments there already have required street lighting. He opened the Public Hearing. Gwenn Davies, 1022 Kwavasa, stated her support to eliminate the walking trail on Kaleva and in the

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photo that she submitted the wash would be a great obstacle to a walking trail. A yard of earth from pavement to wash. The other side has even less real estate for a walking path. The expense to construct a trail there is not warranted. Lynn McKecknie supported the existing situation without a path. She lives on Kaleva and Tuweap and she uses Evening Star as a trail. Cyclists prefer riding in the road and ignore a pathway. Lance Anderson stated that they are private streets up there and they thought this would be a more direct path. Our intention is not to change existing lighting just new growth. If we need curb, we are not against that. Hearing no further comments, Mayor Hart closed Public Hearing.

D. Discuss and consider approval of Ordinance No. 2019-19, an Ordinance of Ivins City, Utah, amending the General Plan, Transportation Master Plan and Trails Master Plan

Council Member Mehr stated he would like clarification on the 400 West boundary, as well as we just heard a concept plan for 58 units on 600 West. Is our rural section starting to shift to the West? **Chuck Gillette** indicated that we consider drainage to be the main key on whether we allow that rural cross-section or not. With Medium Density and the new Concept Plan coming in, it does look like it will need curb and gutter. Kee Stone was installed with curb and gutter even though it was in the rural zone. It is on a case by case basis what happens in the rural zone with some flexibility to do what is prudent for those developments that come in. There is High Density there owned by Terry Marten but we don't know if he will develop it that way or not. If curb and gutter goes along the east side of Kwavasa Drive, we would just continue it up there and if the storm drain system doesn't pick up some of these flows, we have the potential to have significant flow come down that street. We do think curb and gutter will be required on both sides of the street or doing an armored channel on the side that doesn't have curb and gutter. It will evolve as these subdivisions come in. **Council Member Mehr** inquired if we could avoid patchwork by just doing both sides of the street? **Chuck Gillette** stated once we do curb and gutter on one side of the street, he thinks it would just carry through. We have the ability based on our current standards to require that continuity down to a proper transition point. **Mayor Hart** indicated so the development presented this evening will be a traditional subdivision with curb and gutter. **Chuck Gillette** stated right now he is leaning towards it being curb and gutter. **Mayor Hart** indicated the question is what happens with 400 West? He stated that Council Member Mehr is wondering if that line needs to be moved. The line would remain at 200 North and up. It is optional and as they develop, they will be either traditional or rural in nature. **Chuck Gillette** indicated that the line should also represent where the lighting style changes. **Council Member Elliott** stated that it seems a little strange to have different styles on both sides of the road. **Mayor Hart** indicated that there are projects in the works over there as well, like the Arrowhead subdivision expanding over to 600 West. **Council Member McDonald** stated that higher density projects call for more traffic so more lighting is needed there. **Chuck Gillette** indicated that the idea of keeping one side darker than the other side is to respect the dark sky perspective even if it doesn't necessarily follow the cross-section. **Mayor Hart** stated there is a possibility to cross at 200 North and drop down, then the rest is developed and 2/3 of it is already built. **Chuck Gillette** indicated that the City needs to revisit the street lighting code because it currently states the developers have to budget for standard lighting until the City develops a rural lighting standard, which the City has not done yet. A cross-section refers to what type of road it is and what is required there like how wide the pavement is and whether we require a sidewalk, curb and gutter. A rural cross-section has no curb and gutter or sidewalk but may require a trail on higher volume roads and an underground storm drain, which is what is common in Kayenta. **Mayor Hart** stated that with most of this developed, he does not

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know if changing this makes any real difference. Moving the line is moving the line of urban and rural essentially and deciding what lighting or curb and gutter goes there. **Council Member Densley** inquired if 600 is going to have curb and gutter. **Chuck Gillette** indicated that it could and it looks like it will but the City has not approved the Preliminary Plan for that proposed development. The west side is still up in the air, but the east side will have curb and gutter. **Council Member Densley** stated that curb and gutter should be on the west side too for maintenance because there is a lot more maintenance with soil erosion. **Chuck Gillette** indicated that it depends on how much water comes down, but in general that's true. **Mayor Hart** stated that in some areas, there is already lighting on the east side of the street. **Council Member Densley** indicated the City should match those up. **Mayor Hart** stated that practically speaking, it doesn't make much difference on the east side of 600, but it could on the west side. **Chuck Gillette** indicated that was an option. He would have to do some rewording in the cross-section for 600 West on major collectors in a rural zone. **Council Member Mehr** inquired how long the trail has been on the map for the section that may be removed. **Chuck Gillette** stated he believes around 2006 and it was after existing homes were built. **Council Member Mehr** indicated that he liked the idea of trails and inquired if there was room for the right-of-way? **Chuck Gillette** stated "not really". **Council Member Mehr** indicated that the public comments made sense. The trail is on a low-populated road and a trail connecting to the north side of the reservoir might be nice so you don't have to go onto a busy street. **Mayor Hart** stated the volume of any form of transportation is very low and not a conflict, but the inability to put in a trail without putting in a bridge doesn't make sense. **Council Member Elliott** indicated that she was fine with the trail change. As far as the rural cross-section, she did not have strong feelings either way and was prepared to vote in favor of it. **Mayor Hart** stated if there is going to be curb and gutter required on both sides and now we have a project that will in fact have curb and gutter, so where curb and gutter goes, so does lighting. **Chuck Gillette** indicated that he could go either way. If the light boundary moves over, it could impact the dark sky and is an aesthetic issue. The current standard of street lighting is pretty minimalist anyway, so it could be okay that way. If we keep this in the rural zone we need to look at those lighting specifications in the rural zone. **Council Member Densley** stated that he wanted to see it line up all the way down and stay on the north side of 200 North and down the west side of 600 West and then on Highway 91, stay on the north side. Lance Anderson clarified that if curb and gutter is needed, they'll do it but on 400 West he was concerned about the lighting. **Mayor Hart** indicated that there is a subdivision now that is going through the process and is conventional in nature. Higher density should have light. Lance Anderson commented that there are bollards out there at the Arrowhead subdivision and that developer has three (3) street lights that they have asked not to install yet until the City works on the rural standards. **Council Member Elliott** indicated that it may be premature to change the line so significantly. The new developments knew what rural cross-section was there. **Chuck Gillette** suggested that when the City re-writes the rural standards, the City could make that change. **Council Member McDonald** stated the more dense the area, the more they need to be lit up. **Mayor Hart** indicated that 58 lots is significant traffic and from a safety standpoint, it would be required, rural cross-section or not because it is not rural in character. That intersection is not any different than any other in the City. There is potential for everything above this proposed project to be more rural in character and not requiring an intersection. He suggested that the re-write be based on density and the type of subdivision where higher density would have curb and gutter and lighting. **Mayor Hart** stated that the project coming before the City Council is a

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Preliminary Plan approval and they would have to budget for the improvements. **Chuck Gillette** commented that was correct and clarified that there is a definition that the developer has to budget for the City's lighting standard and hopefully the City will figure that out before the developer builds anything. **Dale Coulam** indicated that the way the ordinance is currently drafted, it's approved with attached amendments to the map. He inquired if the City Council would like to see a new map because of the split comments. The issue for lighting is that the City has not defined that yet in the lighting rural cross-section. Moving the line does not define the lighting issue. **Chuck Gillette** indicated that it would clarify the Arrowhead subdivision. **Council Member Densley** suggested that they move forward on the trail amendment and wait for the map.

MOTION: Council Member Densley moved to approve Ordinance No. 2019-19, an Ordinance of Ivins City, Utah, amending the General Plan, Transportation Master Plan and Trails Master Plan, approving ONLY the Trails Master Plan portion.
SECOND: Council Member Elliott
VOTE: The motion carried.

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

MOTION: Council Member McDonald moved to table the remaining portion of Ordinance No. 2019-19, an Ordinance of Ivins City, Utah, amending the General Plan, Transportation Master Plan and Trails Master Plan.
SECOND: Council Member Elliott
VOTE: The motion carried.

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

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

E. Public Hearing on a 2019 update to the Ivins City Moderate Income Housing Plan

Dale Coulam stated that the City is required to update this plan every two years. This year the City was required by State law to do something specific. The statute set forth 23 strategies and the City was required to adopt at least three (3) of those strategies. They City's Affordable Housing Committee has been meeting and discussing various issues to help refine some of those issues and has recommended to include three (3) strategies in Ivins Moderate Income Housing Plan. Those are set forth in the plan and there are others that may be worthy of discussion but were not selected. The Director of Finance, Lane Mecham, did a lot of work and correctly identified that the numbers are skewed a bit and perhaps the rental side has been affected by Rocky Vista University. This week in the news, an affordable housing group commented on the effect of BYU (Brigham Young University) and UVA (Utah Valley University) because UVU does not have student housing. With all those students at those universities and no sufficient

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housing, the students go out into the market in those communities and bump other families or individuals who are in need of that type of housing. Ivins City is seeing that here and it may be affecting the rentals in Ivins City. This is a Public Hearing because it is a General Plan amendment. **Mayor Hart** opened the Public Hearing. **Steve Cottam** inquired who comprises the task force. **Mayor Hart** indicated that it was created by the City Council and there are a number of City Council and Planning Commission members that sit on it and it is chaired by Ivins Building and Zoning Administrator Mike Rodriguez. They have met a number of times and this ordinance is not the end-all, but it takes care of the State requirement. There being no further comments, **Mayor Hart** closed the Public Hearing.

F. Discuss and consider approval of Ordinance No. 2019-20, an Ordinance of Ivins City, Utah, updating the Ivins City Moderate Income Housing Plan

There was no discussion.

MOTION: Council Member Elliott moved to approve Ordinance No. 2019-20, an Ordinance of Ivins City, Utah, updating the Ivins City Moderate Income Housing Plan.
SECOND: Council Member McDonald
VOTE: The motion carried.

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

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

5) DISCUSSION AND POTENTIAL ACTION ITEMS

MOTION: Council Member Mehr moved to suspend the rules and move up item 5)E to the next item on the agenda - Continued discussion regarding a comprehensive outdoor lighting ordinance as proposed by Ivins Night Sky Initiative
SECOND: Council Member Elliott
VOTE: The motion carried.

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

E. Continued discussion regarding a comprehensive outdoor lighting ordinance as proposed by Ivins Night Sky Initiative

Mayor Hart commented that the reason for this discussion is to go over what the specific requirements are for the Night Sky designation and they have asked Mike Scott to discuss this. **Mike Scott** referred to page four (4) of the Night Sky Initiative recommendations where there are a list of requirements to obtain the Night Sky designation: 1) fully shielded fixtures over 1000 lumens initial lamp output or equivalent wattages and partially shielded under 1,000 lumens; 2) maximum correlated color temperature (CCT) of 3,000 kelvin; 3) restrictions on the total amount of unshielded and shielded lumens per net acres; 4) a provision that clearly

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indicates where, when and under what circumstances new public outdoor lighting is warranted and will be permitted as well as adaptive controls and curfews on all future installations of public outdoor lighting; 5) the City commits to conform with the lighting ordinance for city-owned lighting with a published plan and timeline for completion in no more than 5 years but cities may be granted a 3 year extension if progress is taking place; 6) restrictions on the installation and operation of illuminated signs, including luminance levels for operation between sunset and sunrise shall not exceed 100 nits and sign illumination shall be extinguished completely one hour after sunset and remain off until 1 hour before sunrise; 7) restrictions on outdoor recreational lighting; and 8) all privately owned lighting must comply with the outdoor lighting ordinance within 10 years. Regarding these requirements, the City Council has already addressed color temperature and with what the City has done with the bollards and street lights, those meet IDA standards. Most of the City's lights are fully shielded. There are a few cobra lights that have a flat lens on the base of the fixture but those are owned by Rocky Mountain Power and not the City. Regarding illuminated signs, the City has a few electronic message boards in the City. Regarding recreational lighting, UNITY Park meets all of the requirements except auto shut off capability, which Council Member McDonald pointed out already have the auto shut off capability. The recreation lights behind City Hall are not fully shielded and do not comply but the City would have five (5) years to comply and there is currently a plan to re-purpose that park anyway. Regarding the requirement for all existing properties to comply with the outdoor lighting ordinance within 10 years, the Ivins Night Sky Initiative does not agree and it is not their recommendation to do that. Those are grandfathered in to the old application. Obtaining the designation is not just complying with the ordinance. Compliance is measured quarterly in nine (9) locations around Ivins City and the volunteer non-profit organizations would do that and keep up on the outreach. The City currently meets most but not all of the IDA. **Council Member Densley** inquired what the benefit was to be IDA approved. **Mike Scott** commented that the City would make changes to the ordinance to keep the night sky. Outdoor lighting today will double in the next 20 years and making these changes will preserve Ivins night sky. He stated that whether the City receives the designation or not, it would be worth looking at the ideas. **Council Member Densley** indicated that Ivins lighting standards are pretty considerate and inquired why they should be changed. **Mike Scott** clarified that in 2007, electronic message boards were not present and there are other things that have not been addressed like service station canopy lights, the Tuacahn amphitheater, towers, hillside ridgelines and similar that are not in Ivins ordinances now. It would be worth dusting off the 12 year old ordinance. **Council Member Densley** inquired if those things could be addressed in the permit process. **Mike Scott** clarified that if the City does not define it, it is difficult to deal with it in the future. He referred to the lighting in the parking lot at Rocky Vista University and stated that they had bright unshielded lights and the Ivins Night Sky Initiative is working on changing that. **Mayor Hart** thanked those in attendance and acknowledged that both sides of this issue are passionate about this. Safety of the environment is a significant part of the discussion and how the City can retain the ambiance of the high pressure sodium with LED lighting. He stated that there is some misunderstanding out in the public and Mike Scott would be glad to go over any questions or concerns anyone may have. He commented that moms and their children want to be able to walk in safety and the City has a lighting ordinance in place that has recently been modified but only by a little bit. He indicated that if the lighting ordinance was modified again, there would be a Public Hearing before the Planning Commission and the City Council. **Dale Coulam** stated that the current track this is on has not been a public process. He recommended that this be part of

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the zoning ordinance with Public Hearings before the Planning Commission and the City Council. **Council Member Elliott** indicated that the recommendations by the Ivins Night Sky Initiative would not change Ivins current ordinance that much. She thanked Mike Scott and Patty Dupre for the effort of trying to find what is right for Ivins community. She stated that she spoke with Chief Flowers regarding this as it relates to public safety. He was concerned but liked the flexibility of the Ivins Night Sky Initiatives proposal. The Ivins Night Sky Initiative has raised money on their own to retrofit some existing lights and they are not asking the City to spend any money. **Mayor Hart** indicated that when the City looked at IDA requirements, it seemed that the City met them all and the City still enjoys the night sky. **Mike Scott** stated that the existing ordinance talks about street lights and that whole section was crossed out so nothing would change there. Within the neighborhoods themselves, there are porch lights, path lights and patio lights. Security lighting must be on motion sensors and timers. The only thing that would be substantive is that partially shielded lighting must be under 1000 lumens and fully shielded. **Council Member Mehr** commented that he wanted to prevent further degradation in the future. There are a couple of things that Mike Scott agreed that the City should not take on either and inquired if the City is pursuing the designation or tweaking the ordinance that the City has had since 2007. He inquired if there is just a tweak that the City can do to include some common sense things. **Mike Scott** clarified that in the Ivins Night Sky Initiatives recommendation, they think the City would still qualify because of going overboard in other areas and can get designated. **Council Member Mehr** indicated that there are two (2) areas he felt the City should not pursue and that was the lumens for residential property and the requirement that all properties would have to comply. He did not agree that going overboard in one area would help the City obtain the designation. **Mike Scott** clarified that the City is exempt on the 10 year requirement and the IDA will be flexible on the others because of the other things the City is doing. **Mayor Hart** commented that the City has an ordinance that protects the City's lighting. He suggested that they take a step back and have a forum casually, and then run it through the Public Hearing process so that the public is allowed to speak. He stated that electronic boards are an issue and there are some things that the City does want to address. **Council Member Mehr** indicated that he loves the night sky but did not want to give up personal freedom and was not trusting that an organization with requirements were going to be flexible. He was completely fine with tweaking the ordinance but commented that the City should not pursue the designation as a City. From what he has read, the City can tweak its ordinance and a subdivision can apply for the designation themselves. He did not want to pursue the designation. **Mayor Hart** stated that they do want to move it to the public process and continued reviewing the ordinance the City has in place. **Council Member Densley** felt that the City Council has beat this to death but stated that there could be an opportunity to have this be part of the permit process and let the ordinance stand as it is. **Council Member Elliott** indicated that the ordinance should be sent to the Planning Commission for tweaking and then apply for the designation if the City can. **Council Member Mehr** stated that the City cannot overcome having to comply with the lighting ordinance within 10 years. **Mayor Hart** commented that there was no harm/no foul to pursue the designation. **Mike Scott** indicated that the City not subject to the 10 year requirement so that is not a problem. **Council Member McDonald** stated that he spoke with Council Member Johnson and she was not in favor of this document as it was written. His personal position was that other than minor tweaks, that is the only direction the City needs to go and he was not in favor of the IDA designation because there are requirements, not recommendations, that the City will not meet. **Mayor Hart** inquired of Dale Coulam if there

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was any reason to go back through this entire public process and commented that he still liked the idea of doing that because he thinks everybody needs to have a voice in this. **Dale Coulam** answered "yes" and commented that he thought there was benefit in that and yes he thought they should move that lighting ordinance into the zoning ordinance because right now there are two lighting ordinances. One follows the public process and one does not. **Mayor Hart** commented that there are three (3) City Council members who are saying they'd like to see it go that direction and Council Member Densley would rather that the Council just deal with the one (1) or two (2) specific issues. He stated that Dale needed direction but it struck him odd that they would have a motion on this. **Dale Coulam** clarified that it would be a procedural motion to define the scope of what is being referred to Planning Commission. **Council Member Elliott** encouraged the other Council Members to put that off until the Council decides what tweaks they are going to make because it seemed premature to her.

C. Discuss and consider approval of a Preliminary Plan Amendment for Taviawk Phase XI and XII located at approximately 800 North and 600 West. Kayenta Development Inc.-Owner; Lance Anderson-Applicant

Mike Rodriguez reported that this amendment includes an extension of Paiute Drive and shortened cul-de-sacs to help with draining the property. The TRC (Technical Review Committee) has reviewed this and it complies with Ivins ordinances. **Council Member Mehr** inquired if there would be a fire issue. **Mike Rodriguez** stated no and fire issues were included in those discussions.

MOTION: Council Member Mehr moved to approve the Preliminary Plan Amendment for Taviawk Phase XI and XII located at approximately 800 North and 600 West. Kayenta Development Inc.-Owner; Lance Anderson-Applicant
SECOND: Council Member McDonald
VOTE: The motion carried.

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

D. Discuss and consider approval of a Preliminary Plan for Mojave Mesa located at approximately Earl Road and Highway 91. Teancum Properties, LLC-Owner; AnA Enterprises, LLC-Applicant

Mike Rodriguez reported that this subdivision went through a Land Use and Zone Change. This plan proposes 62 lots on 18.468 acres with 10,000 sq. ft. minimum lots on the westernmost portion and 7,500 sq. ft. lots on the easternmost portion. The TRC (Technical Review Committee) reviewed this, the Planning Commission recommended approval and this is in compliance with Ivins ordinances.

MOTION: Council Member Elliott moved to approve the Preliminary Plan for Mojave Mesa located at approximately Earl Road and Highway 91. Teancum Properties, LLC-Owner; AnA Enterprises, LLC-Applicant
SECOND: Council Member Mehr
VOTE: The motion carried.

Council Member Mehr	AYE

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

F. Discuss and consider approval of an expenditure to purchase vehicle for the Building Department

Mike Rodriguez stated that this is in the budget.

MOTION: Council Member Densley moved to approve an expenditure to purchase vehicle for the Building Department
SECOND: Council Member McDonald
VOTE: The motion carried.

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

G. Discuss and consider proposals for listing the City's 15.52 acres for sell with a Real Estate Broker/Agent

Dale Coulam indicated that this property is located along Center Street, is 15.5 acres and owned by the City. The City has had discussions with individuals to sell this on our own but those discussions did not come together. The City amended the Transportation and Trails Master Plans so that no matter who acquires this, the road and trail must put in. He would like to list this for sale and obtained three (3) proposals. Of those proposals, he would like to list the property with Neil Walter. Neil has been present at Ivins City Council meetings and discussed deals on other properties. The other two proposals do not match professional ability, marketing or terms. Staff recommends that the City list this property with Neil Walter. **Council Member Mehr** inquired if they ran the numbers to see what it is going to cost the City. **Dale Coulam** clarified that if the City receives offers similar to what was discussed previously, the City would net 2.6 million. **Council Member Mehr** stated that the City needs to market this and inquired if the City looked at the numbers of the other proposals. **Dale Coulam** stated that the third proposal was much more expensive and the second proposal was similar but Neil Walter rises above with the level of professionalism that is provided.

MOTION: Council Member Elliott moved to approve staffs' recommendation to hire Neil Walter with NAI to list the City's 15.52 acres
SECOND: Council Member McDonald
VOTE: The motion carried.

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

DRAFT

H. Discuss and consider approval of Resolution No. 2019-22R, a Resolution of Ivins City, Utah approving Employee Core Benefits

Dale Coulam stated that at the last meeting they talked about changing from the provider Cigna to PEHP and every year a Resolution is passed confirming what the benefit package is. Benefits include Medical Insurance, Long Term Disability, Telehealth, optional Dental and Vision and Voluntary Additional Life Insurance. The only substantial increase in these benefits was the health insurance. **Lane Mecham** commented that Cigna had an increase of 20% and PEHP had an increase of 10%. **Council Member Mehr** inquired as to the employees' feedback regarding the change. **Dale Coulam** indicated that they are grateful because the City provides a great benefit package. **Council Member Mehr** inquired as to coverage for the Public Safety Department and the Fire Department. **Dale Coulam** stated that Ivins City insures law enforcement.

MOTION: Council Member Densley moved to approve Resolution No. 2019-22R, a Resolution of Ivins City, Utah approving Employee Core Benefits
SECOND: Council Member Elliott
VOTE: The motion carried.

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

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

I. Continued discussion regarding Subdivision Enhancement Overlay amendments

Dale Coulam stated that this is brought forward from the last discussion. The things that qualify for a density bonus are landscaped open space, subdivision design and features and variations of lot sizes. They considered adding another qualification, that being if a subdivision of any size included workforce or affordable housing. He inquired if the Council would like to include something along those lines. **Mayor Hart** indicated that is complicated and the Council would not get through that tonight. He inquired how do they deal with the lot that is provided because an investor could buy and resell the property later. He suggested deed restrictions with the lot price discounted out of it and then the property remains in an attainable housing inventory and 20 years from now, it would stay in that inventory. **Council Member Densley** commented that there needs to be an incentive for the developer and take into account the cost of development. **Mayor Hart** stated that they can set terms on who and how the density bonuses are applied and use a formula in the transaction. **Council Member Densley** suggested that individuals employed as Fire Fighters, Police Officers and Teachers should qualify to live in that type of housing. **Mayor Hart** commented that that would place individuals in neighborhood environments and he liked that as a means of integration.

MOTION: Council Member McDonald moved to continue
SECOND: Council Member Elliott
VOTE: The motion carried.

Council Member Mehr	AYE
Council Member McDonald	AYE

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

J. Continued discussion regarding entrance signs

Mayor Hart indicated that the sign depicts the swoosh City logo. He felt that it was a good prototype and Metal Worx uses acid compounds to the buffed metal and then it is colored using chemicals. The quote for the cost of this is for it to be installed on a concrete base with "Ivins City" backlit. It would be 12 or 16 feet long and 4 feet high so it will be broad and not very tall. The bigger the sign is, the thicker the metal is. **Boyd Livingston** commented that he worked with Young Electric Sign Company for 11 years and a lot of signs like Moab and Springdale that are night sky cities, are backlit with low light LED. It glows and would be beautiful. He suggested that the City Council let the sign company design it with their suggestions. He inquired where the sign would be placed. **Mayor Hart** stated on Highway 91. **Boyd Livingston** suggested Rainbow Sign and Banner or YESCO work on this and commented that the sign would need power to it and if it stands on its own, it would need to be pretty thick, approximately 2 inches thick. **Council Member Elliott** commented that it could go to the Arts Commission if they think it is public art and she would like their opinion. **Council Member McDonald** indicated that the Council has already done that. **Mayor Hart** inquired what the Council thought of him taking what he has into a couple of sign companies and let them do a mockup of that and ask them for their suggestions if they have better ideas. The City Council agreed.

6) CONSENT AGENDA

A. Approval of City Council Meeting Minutes for October 17, 2019

MOTION: Council Member McDonald moved to approve City Council Meeting Minutes for October 17, 2019
SECOND: Council Member Elliott
VOTE: The motion carried.

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

7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) REPORTS

A. Council

Council Member Mehr inquired about what he received in the mail regarding Santa Clara Political Action Committee about EMS Services. **Dale Coulam** stated that a GRAMA request was made for the City's financial information to see how Ivins operated before Ivins and Santa Clara combined. He was sure that the committee also requested the same information from Santa Clara. He has heard that Santa Clara may want to take a closer look at EMS and compare costs. **Mayor Hart** commented that the concern is if Santa Clara abandons EMS, what will Ivins response time be and if that would be a disservice to the community. **Council Member**

Mehr thanked the public for the re-election support. **Council Member McDonald** reported that the City is officially recycling again and that is very expensive but they are moving forward. The program in Germany finally come back to the table and if that comes to fruition, that will change a lot for the County. **Council Member Elliott** reported that the DOVE Center has their annual meeting on Tuesday at the Holiday Inn Convention Center. It is the centers opportunity to report to the community about statistics and what they have accomplished with community support. **Council Member Densley** reported that the Sand Hollow Aquatic Center is still being subsidized.

B. Mayor

Mayor Hart reported that a week ago Switchpoint had their annual breakfast get-together. It is a great organization and it is incredible what they have achieved in 5 years. They are now building an affordable housing complex down along the river. They do great work in rehabilitation and put homeless and in-need individuals with counselors who work with them and help them develop employment skills and issues they may have in their lives. It could be a smart affordable housing move on our part to support them and provide them with revenue.

C. City Manager/Attorney Dale Coulam

No report

D. Items to be placed on future agendas

9) CLOSED MEETING

10) <u>ADJOURNMENT</u>

MOTION: Council Member McDonald moved to adjourn

SECOND: Council Member Mehr

VOTE: The motion carried.

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

The meeting adjourned at 8:38 p.m.

Respectfully,

Kari Jimenez*
Ivins City Recorder

*Deputy City Recorder Sharon Allen was in attendance at this meeting. City Recorder Kari Jimenez prepared these Minutes.

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