IVINS
CITY COUNCIL
MINUTES
May 7, 2020

***NOTICE: This meeting was held electronically, with some staff located at City Hall as the anchor location. The audio feed of the meeting is available to the public and can be accessed by going to www.ivins.com, clicking on the "Government" tab, clicking on the word "HERE" under the words City Council, and under the "City Council" tab at the top of that page**

1) WELCOME AND CALL TO ORDER

MAYOR AND COUNCIL: The meeting was called to order at 5:30 p.m. and announced there was a quorum present.

All present included Mayor Hart, Council Member Mehr, Council Member McDonald, Council Member Johnson, Council Member Elliott, and Council Member Gordhammer.

STAFF: City Manager/Attorney Dale Coulam, Director of Finance Lane Mecham, Parks and Recreation Director Benny Sorensen, Director of Public Safety Bob Flowers, Public Works Director/City Engineer Chuck Gillette, and City Recorder Kari Jimenez.

EXCUSED: None.

A. Acknowledgement of Quorum

Mayor Hart acknowledged that a Quorum was present, attending via the electronic "Zoom" platform.

B. Invocation

Council Member Johnson gave the Invocation

C. Disclosures

Mayor Hart asked the Council Members to acknowledge them being present and inquired as to any disclosures or conflicts. All Council Members acknowledged their presence. There were no disclosures or conflicts of interest with items on this meeting's agenda.

2) REPORTS, PRESENTATIONS AND APPOINTMENTS

A. Report regarding status of current real estate market

Realtor Neil Walter was not available at the time this agenda item was called. The Mayor and Council addressed the next agenda item and would address this item when Neil was available.

B. Department Reports: Parks and Recreation and Public Safety

Benny Sorensen provided an electronic report, a copy of which is available on Ivins website at www.ivins.com He reported that they held "car bingo" in the parking lot behind City Hall and approximately 25 vehicles were in the parking lot with 50-75 people in the vehicles participating. There are businesses that are donating simple prizes and everyone who has played has enjoyed it. He reported that everything in the parks are open except for the splash pad although the City of St. George has opened their splash pads. He referred to the skatepark and commented that he rarely sees people gathered and that there are 8-10 people there at a time and no crowds. They are cleaning the restrooms three (3) to four (4) times per day and wiping down surfaces. The biggest problem they have had has been at Fire Lake Park because it is used the most. The City is ready to install sod at the detention basin in The Haven subdivision next week if that expenditure is approved tonight. **Mayor Hart** thanked him for getting the sign made at entrance of Fire Lake Park declaring if the parking lot is full, then the park is closed.

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Chief Flowers referred to Fire Lake Park and reported that the Public Safety department was out there last weekend and will be out there again this weekend. The Public Works department has also put up a number of no parking signs. He has received complaints from residents in the Kayenta area about individuals parking on that side of the park and the request to issue tickets to those parking there but stated that is private property so they're not able do that. He reported that the domestic violence numbers have been interesting. They have had more cases in the last three (3) weeks than they have had in the last three (3) months. There have been a lot of fights in families and a lot of protective orders issued. The SCI Victims Advocate is handling those, and she has been working from home, but they have covered what's needed. They had a major case where mailboxes were pried open and broken into. One of their officers was patrolling in Kayenta in the early morning hours and saw a suspicious vehicle. They obtained a search warrant for the individual and found mail, although the department has not had any reports of missing mail. The animal shelter is busy, but things are going well. **Council Member McDonald** referred to complaints about Fire Lake Park and that public safety is called and no one ever shows up. **Chief Flowers** stated that just simply is not true. They answer every call and respond immediately, and he can show them the information as to when they receive the call, when they arrived, and they have the numbers to back that up. They have issued several citations and if there's an issue, they should call the dispatch number and not the 911 number. **Council Member McDonald** inquired if he should refer those complaints to Chief Flowers. **Chief Flowers** indicated yes and that they can get the specifics and the response information. He could not think of one time they have not responded immediately. The Public Safety department is patrolling Fire Lake Park at least five (5) times per day. **Council Member Gordhammer** thanked Chief Flowers because she knew that there are people who are complimenting the Public Safety Department for responding as quickly as they do. **Chief Flowers** commented that they treat it like they're our neighborhood and just because you can hear things in your neighborhood, doesn't mean it's illegal. **Mayor Hart** stated that there are no parking signs almost all the way to the entrance of Kayenta. **Chief Flowers** indicated that they were out there this morning and worked hard on those signs and he was pleased to have those there and they are going to enforce that aggressively. **Mayor Hart** inquired if the public safety department can issue citations. **Chief Flowers** stated that they can, and they have the legal codes and they know exactly how to address it. **Council Member Elliott** requested that Chief Flowers let the Victim Advocate know that she is resource. **Chief Flowers** commented that the Victim Advocate is aware that Council Member Elliott is a resource to her and thanked her for that.

C. Planning Commission Report

Dale Coulam reported that the Planning Commission approved an Amended Final Plat for the Arrowhead subdivision and there was a lengthy discussion regarding density bonuses in Multi-Family projects, although they did not come to any conclusion on that. They also had a shorter discussion regarding the Table of Uses. The Planning Commission members did not have any changes, but he did, and he will be bringing back as a red line with a possible Public Hearing at the Planning Commission meeting the first meeting in June and then likely before the City Council the second meeting in June.

3) CITIZEN COMMENT & REQUEST FOR FUTURE AGENDA ITEMS

A. Citizen requests to be placed on a future agenda

None

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A. Report regarding status of current real estate market

Realtor Neil Walter joined the meeting and began presenting but was disconnected from the meeting shortly into his presentation. The Mayor and Council addressed the next agenda item and would address this item when Neil was able to connect to the meeting.

4) PUBLIC HEARING AND ACTION ITEMS All persons interested will be heard electronically via email to City Recorder Kari Jimenez at kjimenez@ivins.com OR to make a live public comment, go to this Zoom webinar link: https://us02web.zoom.us/j/87459521013 Webinar ID# 874-5952-1013

Lane Mecham gave instructions as how to make a public comment for the Public Hearing. He indicated that while individuals are connected to the Zoom webinar, if they hover over the zoom meeting at the bottom, they will see a raised hand and if they want to make a comment, they will go ahead and raise their hand and he will bring them into the meeting room and then place them back as an attendee they have made their comment. **Mayor Hart** read the agenda item. **Lane Mecham** stated that Neil Walter was connected and available to report. **Mayor Hart** requested that they hear from Neil before they move onto the public hearing.

2)A.Report regarding status of current real estate market

Realtor Neil Walter called in and apologized for not having a sufficient internet connection. He reported that they are closely watching the impacts of the employment situation caused by the pandemic because that is going to drive the real estate cycle. As they look at the market ahead, they look at some of the fundamentals that were set up as they started into this market cycle. Ultimately the Real Estate markets were in a strong position going into the COVID-19 pandemic and there are very different circumstances now, as opposing to going into the 2008 recession. There are three (3) basic things that are quite different where this will not be a real estate led recession. The first being that the market cycle inventory of homes for sale in 2008 was very very high and there was a large surplus of homes for sale. Today, there is a very small inventory of homes for sale and that supply is different going into this recession. The second thing is that the price appreciation in properties in 2008 was very aggressive of 20-25 and the price appreciation currently is more reasonable, at 8-12% which is still quite high. The third thing is that the interest rates in the 2006 and 2007 market were quite high but currently the interest rates are quite low. Those things have resulted in Real Estate market that is much more stable going into this recession cycle, with a much less likelihood of collapsing like what occurred in 2008. Currently showings are down significantly from a few months ago but the transaction activity has continued at almost the same pace. March numbers this year are ahead of last year and the numbers for April of this year came in at almost the same as last year so just as many homes are still being sold now as were being sold last year. The impact of the COVID-19 recession has been mitigated because of the Real estate conditions going into the pandemic and the very fast and unprecedented speed and response of the federal government. That has been a stabilizing effect for many businesses and individuals. In the long-term, it's important to be aware that the most resilient real estate market is residential re-sale because it is easy to move into an existing home versus building a home and wondering when it will be done. Development properties and commercial properties will have a lag but likely impacted more significantly than the core residential market. Ultimately it will be a very different market cycle than that that occurred in 2008 and the real estate will be impacted much less significantly. The government's response has helped stabilize the impacts of the pandemic and Washington County is the most stable County in the State of Utah. **Mayor Hart** referred to an upcoming agenda item regarding

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offers on City property. **Neil Walter** indicated that he would stay on the line for that agenda item.

A. Public Hearing to receive comment on the proposed and/or amended FYE (Fiscal Year Ending) 2020 Budgets to complete and FYE (Fiscal Year Ending) 2021 Budgets for the:

1. General Fund
2. Debt Service Fund
3. Municipal Building Authority Fund
4. Special Revenue Funds – a. Public Safety; b. Streets; c. Parks
5. Capital Projects Fund
6. Water Fund
7. Sewer Fund
8. Storm Drain Fund

Public Hearing Notice

Mayor Hart stated that with the previous instructions provided by Lane Mecham regarding making a public comment, he opened the Public Hearing. **Lane Mecham** indicated that there appeared to be no public comments. **Mayor Hart** closed the Public Hearing.

B. Discussion regarding the above Budgets

Mayor Hart thanked Lane Mecham for the format of the budget and commented that it was a very easy budget to go through and make comparisons. It is a conservative budget, recognizing a certain loss of revenue moving forward. **Lane Mecham** agreed that it was a conservative budget based on highly unknown circumstances. The donation to the small business fund that they previously discussed has been increased in the budget to $10,000. If the MBA (Municipal Building Authority) obtains a loan from the CIB (Community Impact Board), the MBA will carry the loan and those costs have been moved from Capital Funds to the MBA Fund. **Mayor Hart** inquired if he has been tuned into the webinars put on by the Utah League of Cities and Towns. **Lane Mecham** stated that he was. **Council Member Mehr** thanked Lane Mecham for the conservative approach and inquired as to what areas may be at risk with making cuts from the budget and not providing the level of services or quality of services to the residents that the City has been providing. **Lane Mecham** commented that the primary risk would be forecasting revenues too high, but he felt that the City has made significant cuts and the information that Neil Walter provided in his report regarding the real estate market was encouraging. The full impact of the pandemic will not be felt until July. Department Heads are deferring expenditures until the next fiscal year as it relates to equipment and the cuts do not affect the service level. There is a good plan in place to mitigate the risks. **Council Member Mehr** inquired if the bottom falls out, if they would then re-group and this would be back on an agenda and with the info he has, if he's prepared the budget to the best of his abilities. **Lane Mecham** indicated "yes". **Mayor Hart** referred to sales tax and commented that he understood that on-line sales, including transient room tax, are taxed and distributed by the State yet the City receives very little of that tax and inquired as to that. **Lane Mecham** stated that has been on a declining trend prior to COVID-19 so not only does the budget reflect that in the forecast, but it has been cut in addition, because of the coronavirus effect. **Council Member Gordhammer** referred to the chart on the General Fund revenues on page seven (7) from the overview presentation categories and the 2020 Estimate to complete and requested an explanation of those. **Lane Mecham** clarified that those are property tax revenues and the figure comes from the County to show where the City is to date. As far as licenses and permits, that's an ongoing basis. All of the properties that are built this year, are going to come online in next year's budget. **Council**

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Member Gordhammer inquired if charges for services are going to go up to reflect the additional properties. **Lane Mecham** clarified that the figures she's looking at are primarily for the Police Department and a portion is charged to Santa Clara. There were no other comments or questions.

C. Public Hearing on proposed Community Impact Fund Board (CIB) application for a loan of 3.5 million dollars to be applied towards the replacement City Hall

Mayor Hart explained that this would allow the City to apply for a loan from the CIB (Community Impact Board) to construct the new City Hall and the application would be through the MBA (Municipal Building Authority) and the City would become the lessee. The MBA would own the building and the City would lease it from the MBA. The application is done somewhat in the assumption that the sale of the property may not occur, and this application does not obligate the City to that full amount if circumstances change as a result of offers that are now in on the property. **Lane Mecham** indicated that was correct. **Mayor Hart** opened the Public Hearing and inquired if there was anyone from the public who wished to make comment through the Zoom platform. **Lane Mecham** confirmed that there was no one in the Zoom platform requesting to make a comment. There being no comment, **Mayor Hart** closed the Public Hearing.

D. Discussion regarding a proposed Community Impact Fund Board (CIB) application for a loan of 3.5 million dollars to be applied towards the replacement City Hall

Council Member McDonald commented that he understood why the City needs to do this but worried about using money from the sale of the property on something else. **Mayor Hart** requested that Lane Mecham explain this. **Lane Mecham** explained that the MBA fund services the UNITY Park debt fund and the City likely has enough impact fees to pay off that loan and then re-issue funds for the new City Hall. The City would be required to provide matching funds in the amount of $1 million dollars for the new City Hall, even if the City receives the $3.5 million loan. The funds would go towards constructing the new City Hall and help to pay off the old debt so that the debt is offset. He also mentioned a drainage project and Highway 91 project match that the City would need to fund. **Dale Coulam** reminded the Mayor and City Council that the timing of applying to the CIB (Community Impact Board) for a loan, is in June. A funding meeting is then held in July. Currently, there are two (2) offers on the City property that is for sale and would close in June, If the sale goes through, the City will know by the CIB funding meeting date the status of the sale and can adjust the amount of funding needed. **Council Member McDonald** felt that he was being misled regarding applying for the loan. The sale of the property was supposed to help build the new City Hall, but the City is borrowing more money. **Mayor Hart** commented that if the if sale of the property materializes, the City will have roughly $2.5 million dollars to apply to the new City Hall and regardless of how much money the City borrows, the City will need a match of $1 million dollars. **Dale Coulam** stated that the City has also been on the CIB list to obtain a loan for funds for our match on the Highway 91 project. If the sale of the City property materializes and closes, the City can evaluate things. The funds from the sale of the property should be allocated towards the new City Hall and if a portion of those funds are needed to pay off the UNITY Park bond, that puts the City as net effect of no change because it's simplifying the City's debt structure with the City still paying on just the one loan instead of two. **Mayor Hart** inquired if the Council agreed that using this approach and becoming the lessee was the appropriate way to proceed. **Council Member Elliott** needed clarification and inquired if the idea is that wherever those dollars go, there would be no more new debt than the difference between the price of the new City Hall and

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the sale of the property. **Lane Mecham** indicated that was correct and that the full amount would ultimately go to the new City Hall and remainder of the funds to reduce the amount of the loan. **Council Member Elliott** inquired if the most the City would borrow would be $2 million dollars. **Lane Mecham** stated yes. **Council Member Elliott** indicated that what was new for her was the detention basin and Highway 91 projects. **Lane Mecham** clarified that the City is looking at all of the projects that are coming up and looking at financing for those projects and what makes the most sense because whether you have one loan for the debt or you have loans for debt here and debt there, it's debt. He will do what the Council wants. **Dale Coulam** clarified that the total purchase price from the sale of the property ($2.5 million) is different from the net proceeds because of closing costs. The City has always talked about the net proceeds from the sale of the property going towards City Hall but if the City doesn't sell the property, the City has a way to pay for it. The reason the City is looking at using Park Impact fees is that rates to borrow are good and the payments can be charged to Park impact fees because Park specific projects have always been included in an Impact Fee analysis and study those impact fees have to be spent within six (6) years. The City is coming up on a deadline to use those funds and it makes sense to pay off the UNITY Park indebtedness at this time. **Mayor Hart** commented that the Council may recall that a few months ago Lane Mecham presented to the City Council that the City has funds from various impact fees that could be used for the new City Hall. That has fallen out of the discussion because of the COVID-19 pandemic and the sense that those funds should be held in reserve as a conservative measure. **Council Member Gordhammer** commented that she would benefit from seeing various scenarios that have been offered up in this discussion tonight. **Mayor Hart** inquired as to the Council seeing any disadvantage to the City being the lessee of the new City Hall through the MBA. **Council Member Elliott** stated that he didn't have a problem with the leasing situation but was concerned about not even using the funds for a new City Hall and instead using it for a number of projects. She would like to revisit the decision and see the various scenarios. **Council Member Johnson** inquired what the lease term would be and if the City could pay it off early. **Lane Mecham** indicated that it would be a 20-year term at 2.5% interest. **Mayor Hart** stated that the motion for this agenda item would be whether or not they would use the MBA as the borrower and the City as the lessee. **Council Member Mehr** indicated that he went to the CIB website and looked at Ivins prioritized projects and stated that the Highway 91, new City Hall and remodeling of the current City Hall and fire station are on that list and inquired if this an acceptable practice of the CIB to issue a loan to the MBA and then the City become the lessee and if other cities do things this way. **Lane Mecham** clarified that this is a very common approach. **Council Member Mehr** stated that as far as he's concerned, if the City doesn't sell the City property, the City doesn't 't build a new City Hall. The City shouldn't saddle residents with that debt and he would like to see clear spreadsheets with scenarios.

Council Member McDonald made a motion to approve the proposed Community Impact Board application for the loan of $3.5 million, to be applied towards the replacement City Hall.

Council Member Elliott seconded the motion.

Lane Mecham clarified that this would be for the City to be lessee for the new City Hall building that will be owned by the MBA.

Council Member Mehr requested a point of order. He referred to what the agenda says and inquired if this public hearing was properly noticed because the agenda item does not reference the MBA being the lessor and the City being the lessee for the new City Hall. **Dale Coulam** agreed with Council Member Mehr that the agenda item was whether the City moves

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forward with the application of the 3.5 million dollar loan from CIB. Typically, a Public Hearing is required, and a discussion held and there isn't a requirement for a motion. Lane Mecham has brought up that the City would like to use the MBA because that's a clean way to do it; the Council can discuss at a later meeting the advantages of doing it that way. **Lane Mecham** clarified that the City must use the MBA or a separate entity and this Public Hearing wasn't required before the City Council but he felt it would be helpful because residents are used to the Public Hearing process being before the City Council and this Public Hearing was provided as a courtesy. The required Public Hearing will be before the Municipal Building Authority.

Council Member McDonald modified his motion to state that the loan is not to exceed $3.5 million dollars

Council Member Mehr seconded that motion

Dale Coulam clarified that this is not on the agenda for a motion and was more for instruction. **Council Member McDonald** withdrew the motion.

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and consider offers to purchase City property consisting of approximately 15.5 acres located at 750 East and Center Street

Dale Coulam stated that there are two (2) cash offers and both require a response by tomorrow from the City. One offer is from Sullivan Homes, who is represented by Realtor Wes Davis, for $2.5 million. The due diligence period extends through June 10, 2020 with a closing date of June 25, 2020. The second offer is from Gardner Plumb LC and is a replacement offer that came in today. The City has dealt with them in the past and they submitted an offer a year ago on the same property but for a much higher density and that was rejected. The property has since been zoned with a combination of RE-12.5 and R-1-10 and whomever develops that would be required to comply with that zoning. A Concept Plan layout is not required as part of an offer to purchase the property, but Gardner Plumb LC provided a couple of concept drawings. Their offer is for $2.55 million with the due diligence period concluding by May 22, 2020 and closing by June 5, 2020. Both parties have been actively working on their due diligence. The concepts of both Gardner Plumb and Sullivan Homes is to have approximately 39 or 40 lots depending on how that works out with the zoning, but any concept plans they have provided are not binding. **Mayor Hart** clarified that either offer would have to comply with the zoning that is in place for that property. **Council Member Mehr** referred to there being offers in the past and inquired what subdivisions the two offerors have built in the Ivins community. **Mayor Hart** commented that Gardner Plumb acquired the land from his family where the Palisades at Snow Canyon subdivision is. They also built the Encanto development and others around the area. Sullivan Homes projects have been built outside of Ivins City but around Washington County and they are a quality builder. The prior offer from Sullivan Homes had been the full appraised values of $2.87 million so these offers are down from that and requested that Realtor Neil Walter join the discussion regarding these offers and if they are reasonable. **Neil Walter** commented that the offers are from two (2) very qualified offerors and stated that the reduction in the price is primarily the result of a change of circumstances and the zoning process to a lower density. Given the market conditions and zoning, both are quality offers. **Council Member McDonald** inquired if both parties submitted offers the last time. **Dale Coulam** indicated they did not and clarified that Gardner Plumb submitted an offer a year ago before Neil Walter was retained as Ivins' agent and it was an offer to develop high density. In the last round of offers, Sullivan Homes was a participant. **Mayor Hart** commented that due to

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the market and the zoning, the offers are lower this time. Both are very good offers and he felt it was prudent to act on the offers. **Council Member Gordhammer** referred to the conditions of deadlines and inquired if there were any conditions from the Gardner Plumb offer. **Dale Coulam** stated that their addendum sets conditions but they're more explanations. As the seller of the property, if the City is going to counteroffer, the City should be specific as to some requirements if they want single story homes, low roof lines, amenities and similar. The trail is already required and binding because it's on the Trails Master Plan and if the City were to make a counteroffer, that would delay this process. **Council Member Gordhammer** indicated that she thought that Sullivan Homes offer had expired. **Dale Coulam** stated that an earlier offer lapsed so they submitted another offer and Gardner Plumb submitted a replacement offer that superseded their original offer. **Council Member Mehr** referred to the offer from Gardner Plumb and referred to the closing fees and inquired if the offers are equal, at the end of the day if the closing fees were equal. **Neil Walter** referred to the way his Listing Agreement with Ivins was structured and indicated that the fee payable to NAI is reduced if one of the parties that the City has dealt with prior to retaining him, comes to the table as a purchaser because the City already engaged with those parties previously. **Mayor Hart** referred to the offer from Gardner Plumb and inquired what the City is looking to pay for commission fees and asked Neil to explain in dollars, the difference in the fees paid between the two offers. **Neil Walter** stated that the difference is $25,000. **Council Member Mehr** inquired if the density from Gardner Plumb is higher. **Neil Walter** indicated that the proposed density for both offers are almost identical. **Council Member Elliott** inquired if there was a difference in how much earnest money was being placed. **Neil Walter** stated that the offer from Gardner Plumb indicated $100,000 in earnest money and the offer from Sullivan Homes indicates earnest money of $10,000. **Council Member Mehr** indicated that he favored the Gardner Plumb offer. **Council Member Gordhammer** agreed.

MOTION: Council Member Mehr moved to accept the offer to purchase City property consisting of approximately 15.5 acres located at 750 East and Center Street, according to the Gardner Plumb replacement offer
SECOND: Council Member Gordhammer
VOTE: The motion carried.

Council Member Mehr	AYE
Council Member McDonald	AYE
Council Member Johnson	AYE
Council Member Elliott	AYE
Council Member Gordhammer	AYE

Dale Coulam inquired if the City Council wanted to let the Sullivan Homes offer lapse with no response or provide a formal rejection. **Mayor Hart** inquired as to Neil Walter's recommendation. **Neil Walter** commented that particularly given Sullivan's efforts, they should provide an acknowledgment and appreciation and some indication that the Council considered and accepted another offer. **Mayor Hart** requested that Neil Walter prepare an appropriate statement for him to sign on behalf of the City. **Dale Coulam** requested that Neil Walter send him the electronic signature documents the following day. **Neil Walter** indicated that he will do that.

*B. Discuss and consider design options for replacement City Hall including heating and cooling

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Mayor Hart commented that there are construction projects that have been withdrawn in the marketplace and put on hold recently. He requested that Gene Madsen of Hughes Construction explain. **Gene Madsen** stated that the last project he bid was down by 10% in construction costs less than a month ago. He reported that the Washington County School District is moving forward with a number of their projects and one of their projects will be bid in a few weeks so they will better understand what the prices will be. July, August and September will be a good opportunity to bid. **Mayor Hart** indicated that Hughes has put together a preliminary estimate that falls below the $4.5 million estimate. He would like to build a net-zero building and determine the value of the estimates for the efficiencies. He referred to a ground loop system and commented that some staff prefer their work area to be warmer or cooler and it is possible to climate control each individual office but there's a cost to that. **Gene Madsen** stated that the system is a two (2) system air source VRF (Volume Refrigerant Frequency) and an example of that type of building is the River Front Medical Center on Riverside Drive and they are welcome to go talk to the staff and see how they like it. The approximate cost per square foot is $29.00 for the HVAC but that doesn't include the plumbing. The other system is a water source VRF system that is accompanied with ground source heat, which means they drill wells into the ground, the water circulates, cools things off, then goes back into the ground. The approximate cost per square foot for that system is $35.00 but that is paid back because of the energy efficiencies. The difference between the two systems is $70,000. **Mayor Hart** indicated that there's a long-term payback in energy efficiency and the projections did not take into account the future cost of energy, which has been increasing systematically year by year. The reality of a 20-year payback may actually be 10 years. He requested that the Council keep that in mind when spending money on efficiencies. **Council Member Mehr** stated that he personally knows someone that has the water circulation system in their home and their heating and cooling costs are significantly less each month. He wasn't sure about the separate thermostats but that could be addressed later. **Mayor Hart** indicated that there are several individuals involved in the design and as the Mechanical Engineer starts putting together the heating and cooling loads, they will need that information. The Council has always been considerate of staff. **Mayor Hart** commented that City Engineer Tom Jorgensen has done a fantastic job with putting this together with the current team. He stated that he recently inquired of Dale Coulam, staff's preference on heating and cooling. **Dale Coulam** indicated that the question was proposed whether staff would prefer individual office thermostats. Currently they are opening windows, using space heaters and controlling their own vents in each office. In the new building we don't want space heaters, but he understood that they won't be able to control vents in their offices. The preference is to customize the employees workspace. **Gene Madsen** stated that with the new building, the windows do not open and are inoperable and the system is adjusted and tested so that it is efficient. **Council Member Gordhammer** was intrigued with the water source and inquired if the City considered solar and thought she recalled seeing that on the artist's rendering. **Mayor Hart** indicated that the solar aspect of the building fits in a different arena because it is photovoltaic energy and feeding power back into the grid. Currently the investment in solar has a payback of 5-6 years and they are exploring some options in solar that are interesting. Ivins City is a non-profit municipality so it is not able to secure the incentive benefits from the Federal or State government but the private companies who install the panels can secure those incentives. When it comes to the comfort aspect of the City employees, the Council has been very attentive to the needs of EMS and Fire personnel, but they are not Ivins' only employees and there may be a human resource benefit for comfort and the expense of

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that. **Council Member Mehr** referred to the water source and inquired if that is a problem for water conservation efforts. **Gene Madsen** clarified that it was not, because you are taking water that's in the ground, pulling it up and cycling it and then putting it back in the ground so it is recycling. **Council Member Elliott** referred to the comfort of staff and the net zero goal goes beyond comfort and productivity. It is not efficient to be using space heaters and fans. **Mayor Hart** referred to another feature that the Mechanical Engineer brought up, which is a simple air exchange system where air drawn into the building and exhausted out, generally at night. **Gene Madsen** clarified that it's called a flusher, but they do not have the calculations and data on that yet. **Mayor Hart** suggested that this agenda item ought to appear regularly on the agenda, with Tom Jorgensen and Gene Madsen attending, to provide updates to the Council. **Tom Jorgensen** indicated that if the City is going towards a net zero goal, putting fans and heaters in individual spaces is not advisable. A single office heated to a certain temperature is efficient. **Mayor Hart** inquired of the Council as to their preference of air versus water. The City Council's general consensus was water. **Council Member Mehr** commented that the cost will pay for itself over time. **Gene Madsen** stated that correct and that the water source HVAC is more sought after in Southern Utah and he is seeing it used more and more. He has dealt with a lot of these and it not something that is new to him. **Mayor Hart** referred to the individual climate-controlled work areas and inquired if the Council was in favor of that. He understood that there is a cost to it, but it is more efficient than someone plugging in a fan or space heater. **Council Member Gordhammer** inquired how many individual offices there would be and how many individuals would benefit from the system. **Mayor Hart** indicated that there are approximately 20 offices and some open office areas where a few people would be working together. **Council Member Mehr** suggested that they try to find a compromise because he was not in favor of everyone having their own temperature control. **Mayor Hart** stated that Dale Coulam and Lane Mecham know the staff and the Mechanical Engineers know the efficiencies of a building so they will leave that discussion to them. **Mayor Hart** stated that test panels are in the parking area by the pavilions in Ivins City Park if the Council would like to look at those. **Gene Madsen** referred to individual climate controls and indicated that the cost works out to be approximately 1% of the entire construction budget.

C. Discuss and consider expenditure and award of the construction contract for 200 East Gap Fill Street Improvements

Chuck Gillette reported that this is one of the gap fill projects. A resident has told the City that they are going to dedicate some property to accomplish this, so he thought it was important to proceed with this.

Council Member Mehr commented that the City has worked with the contractor that is recommended before. They are reputable and the lowest bid so the City should go with them.

MOTION: Council Member Mehr moved to approve an expenditure and award of the construction contract for 200 East Gap Fill Street Improvements to Ash Excavating, for the total of $170,641.05 with a $20,000 contingency

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 Gordhammer	AYE

D. Discussion regarding construction at Fire Lake Park and installation of planned entrance gate

Mayor Hart indicated that in discussions with the Washington County Water Conservancy District, Terry Marten in Kayenta, who is an owner of part of the property, as well as the Shivwits Band, a discussion regarding an agreement addressing the concern of dawn to dusk use, it was suggested that a tire shredder be installed at the exit. They have held off putting that in because of the heavy construction equipment that has been going in and out to upgrade the park. Those improvements are almost done and it's likely that this fall they will complete the walkway and connect it to the other walkway. In terms of access and location of the gate, there is a change that has taken place. In the beginning there was no parking and stalls have been added, recognizing that the upper stalls were not sufficient for the use. What has happened is that closing a gate doesn't really close access because someone can park 20 feet away and step over the tire shredder or walk to the trail and part of the land is private property so the City can't close it completely off. The City is ready to install the tire shredder but that is still going to leave people complaining because that is not going to stop people from going into the park. **Council Member Mehr** stated that it would be helpful for the public to explain that there's a differentiation between the reservoir and the park. **Mayor Hart** explained that Fire Lake Park consists of the area on the south end of the main reservoir, where they have placed a concrete pathway, grass and the surrounding lagoon. Ivins Reservoir is not part of Fire Lake Park and the City does not own any of that property. It is owned by Washington County Water Conservancy District and can be accessed from Kayenta on the east side. **Dale Coulam** indicated that it is limited to the boundaries of the park and the parking lot. **Council Member Mehr** stated that the City should do what it can to mitigate issues and he fully supported the gate but indicated that there are still going to be situations that are problematic and if citizens are concerned, they need to report that. **Mayor Hart** clarified that the City would be fulfilling a promise made to the Kayenta residents that the City would install a gate but the effectiveness of it may not be what the expectation is. **Council Member Gordhammer** stated that there is no public access to the reservoir from Kayenta and no parking signs. If anyone were to access the reservoir, it would be a resident out walking around but they are seeing people camping there. She understood the park was open from dawn to dusk but did see a sign that said 10:00 p.m. or a certain time. There is loud music that is disruptive, and individuals likely don't realize that there are over 40 homes nearby. There are a number of people who volunteer and are cleaning up trash and similar. **Mayor Hart** indicated that Chuck Gillette will need to figure out what it's going to cost to install the gate. **Chuck Gillette** clarified that the City does have some of the gate materials purchased. **Council Member Elliott** stated that they could consider exploring keyed access for a gate that is placed. **Mayor Hart** indicated that the concern there is that not only is there an existing commercial development that requires access, but Terry Marten is going to develop along Highway 91 with the intent to build commercial. The idea of gate down at the entrance off of Highway 91 has not gained any traction so far but they could explore that.

E. Continued discussion regarding issues, policies and/or procedures related to coronavirus (COVID-19)

Council Member Gordhammer stated that she appreciated everything that the Mayor and Chief Flowers have done and talked about doing, as well as the steps that they have planned and implemented as it relates to Fire Lake Park. **Mayor Hart** indicated that he has not seen any problems with the skatepark, pickleball or tennis courts. **Council Member Mehr** suggested that they keep doing what they're doing and help each other out. **Mayor Hart** stated that Ivins has a vulnerable population. He reported that Tuacahn will be opening on July 11, 2020 and have

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worked out a plan that has been accepted by the State Health Department and the Governor, where they will only be seating approximately 50% or less and a mask is required. The State of Utah has a mask program where you can order mask from www.coronavirus.utah.gov, fill out a form and request up to six (6) cloth masks per household. **Council Member Gordhammer** referred to Benny Sorensen reporting earlier on Ivins splash pad and when it would open. She inquired if the Council would like to address that. **Council Member Mehr** indicated that Townsquare in St. George is open, and their City Pool is opening. He thought that it is the low risk population that utilizes those areas so he would support opening the splash pad. **Mayor Hart** commented that the difference between the splash pad and the playgrounds is water is flushing off surfaces at the splash pad. **Council Member Elliott** agreed and stated that the impression may be that people might underestimate the likelihood of transmission of the virus and it would be helpful for residents for the City to say that people need to take personal responsibility, evaluate their risks and stay safe. She would like the City to post the cleaning schedule and to use caution to stay safe. **Mayor Hart** clarified that the City has that kind of signage currently. The Mayor and City Council agreed that the splash pad can be opened.

6) <u>CONSENT AGENDA</u>

A. Approval of expenditure for pavement striping for 2020 Spring Pavement Maintenance Project
B. Approval of expenditure to purchase sod for The Haven detention basin
C. Approval of City Council Meeting Minutes for April 16, 2020

Mayor Hart commented that he had a small correction of adding a letter to a word. **Dale Coulam** clarified that any grammatical changes could be sent to the City Recorder.

MOTION: Council Member Mehr moved to approve the Consent Agenda
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 Gordhammer	AYE

7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) <u>REPORTS</u>

A. <u>Council</u>

Council Member Elliott - no report
Council Member Johnson - no report but she thanked City staff and the Public Works Department for getting the dumpsters going again. That is working out well for residents.
Council Member McDonald reported that the Solid Waste District is still looking at contracts, but it is grim as far as the increases go. There are a lot of documents to go through.
Council Member Gordhammer - no report but stated that she has a request from a citizen who read about the UTOPIA high speed internet. Whenever the City has an update on that, that would be appreciated.
Council Member Mehr reported that the Snow Canyon High School Class of 2020 held a virtual high school graduation today. He offered his congratulations to them.
Mayor Hart commented that it would be great to get a list of the graduates in Ivins and send a letter to them from the Mayor and City Council.

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B. Mayor

Mayor Hart reported that the projects that are on the list with the Five County Association of Governments have not gone away and the bid environment may become very competitive and keep people working.

C. City Manager/Attorney Dale Coulam

Dale Coulam referred to the question of whether or not wood burning fireplaces and stoves are prohibited or not. Mike Rodriguez researched this and didn't see that addressed in the statutes. Wood burning is prohibited when the air quality is such that it isn't healthy, and that is common throughout the state. The State was contacted and confirmed that is no prohibition at the state level and they were not aware of any City in the state that had a prohibition, so if the City did that, Ivins would be the only City in the State that would have that regulation.

D. Items to be placed on future agendas

The Architect and Tom Jorgensen to be involved in future meetings to update the City Council on the new City Hall.

Mayor Hart requested a roll call of the City Council. All Council Members were still present.

9) CLOSED MEETING

10) ADJOURNMENT

MOTION: Council Member Mehr moved to adjourn

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 Gordhammer	AYE

The meeting adjourned at 9:29 p.m.

Respectfully,

Kari Jimenez
Ivins City Recorder

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