IVINS
CITY COUNCIL
MINUTES
July 2, 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, and Chief of Police Bob Flowers.
EXCUSED: None.
Audience: Scott Raine, Pamela Palmer and others who did not sign in.

A. Acknowledgement of Quorum

Mayor Hart acknowledged there was a quorum present. Council Members Johnson, Elliott, McDonald, Gordhammer and Mehr were present via the electronic "Zoom" platform. Mayor Hart was present in person at Ivins City Hall. **Mayor Hart** requested a roll call of the City Council Members. Each City Council Member acknowledged their presence.

B. Invocation

Council Member Johnson gave the Invocation

C. Disclosures

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

2) REPORTS, PRESENTATIONS AND APPOINTMENTS

A. Department Reports: Parks and Recreation and Public Safety

Benny Sorensen provided an electronic report, a copy of which is available on Ivins' website, attached to this agenda. He reported that Fire Lake Park was closed for one day this week to treat the water for plants and algae. The Parks Department is preparing a scavenger hunt and is currently proceeding with holding the Hog-n-Jog where there are 180 registered participants. The City of St. George has a run this upcoming weekend and Ivins Parks is going to watch and see how that goes. There were 6 burials and 18 burial plots sold in June. **Council Member Elliott** inquired if masks were required for the run in St. George this upcoming weekend. **Benny Sorensen** indicated that masks were not required on the course but are requiring them as they gather and get lined up and ready to go.
Chief Flowers provided an electronic report, a copy of which is available on Ivins website, attached to this agenda. He reported that the department completed their WRAP training on the WRAP safety restraint devices. He met with citizen who has offered to pay for those restraints. He will be meeting with Senator Ipson to talk about State mandates that may be coming. There are a lot of great ideas as it relates to transparency, use of force and people in

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conflict. The SCI Public Safety Department is ahead of those things and has not had the choke-hold method used in their department, so that is not an issue.

B. Planning Commission Report

Commission Anderson reported that the Planning Commission discussed the Class V Conditional Use Permit for the Black Desert project. Commissioner Anderson had two of his own plats continued because they did not have a quorum without him. The Planning Commission discussed amendments to density allowances for Multi-Family and will hold a Public Hearing at the next Planning Commission meeting on those amendments.

3) CITIZEN COMMENT & REQUEST FOR FUTURE AGENDA ITEMS

A. Citizen requests to be placed on a future agenda

There was one Citizen Comment submitted by Roger Hamblin. **Roger Hamblin** indicated that his son built a home across the street from him and they wanted a farmhouse look that is white with a metal roof. He commented that the home next to him is orange with green trim, yet he's being denied building a new home with a farmhouse look and metal roof. **Dale Coulam** indicated that some metal roofs are allowed, depending on reflectivity, although light colored/reflective metal roofs are prohibited. **Roger Hamblin** inquired why the color white was excluded. **Mayor Hart** stated that the background of the City is that of earth tones, to keep the City blended with the backdrop and white is a disruption of that. The City brought in experts and a color spectrum was created. **Roger Hamblin** commented that he would like to review the ordinance and stated that he could build the home to compliance and then repaint it later. **Dale Coulam** indicated that one cannot submit a plan for a building permit that complies, and then violate it. **Roger Hamblin** inquired as to building a white house. **Mayor Hart** stated that the City has established a wide range of colors that are allowed and that sets Ivins apart from other cities and is part of what makes Ivins successful. It would be the responsibility of the building official to not issue a Certificate of Occupancy until the home is brought into compliance. **Roger Hamblin** inquired what would happen if the home was built to compliance and then repainted white. **Mayor Hart** stated that the Council could address that or relax it in the future and they will decide if they want to discuss this on a future agenda. Black, gray and white has been the new fashion but the City has denied those, although the color spectrum that is allowed, goes fairly light. Regarding metal roofs, the objective is to get away from glare and a sore thumb appearance against Ivins backdrop. **Chase Hamblin** indicated that solar panels create more glare than metal roofs. **Mayor Hart** clarified that solar panels are regulated by the State.

Pamela Palmer referred to the retention basin for Haven Estates and her windows being sprayed by the sprinklers. She indicated that the size of that is approximately 50625 square feet and takes 125,000 gallons of water a month, which is a million and a half gallons annually and approximately $6,000 per year. She indicated that could supply nine (9) homes instead and better serve the community. **Mayor Hart** stated it is set up for a soccer field and that is a seasonal thing and one of the conditions that exists, is that there is a lack of turf, so the City provides that for people to use. The parks are precious to Ivins residents and if the City were to turn that into desert landscape, that would be a vast area. The Parks and Recreation Director, Benny Sorensen, would be the one she should talk to. **Pamela Palmer** indicated that the City should look at the water policy to make it less green space. **Dale Coulam** clarified that Benny Sorensen reported to the City Council previously that the basin was designed to be a large regional detention basin that would also have grass to be a supplement to UNITY park. The City

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Council approved that and a lot of money was spent for grass in that basin. If the grass were to be removed, that money would have been wasted and that area would be hot and dusty. **Mayor Hart** commented that the City has two (2) issues before them for future agenda items - one for colors and materials for remodels that are not addressed in the current ordinance and parks/green space. **Council Member McDonald** indicated that the parks are watered by secondary water. **Benny Sorensen** clarified that the detention basin is not currently but the City can use secondary water when that connection is done. **Mayor Hart** stated that the City reviews the policy every year and could tag the discussion regarding parks at that point. Providing park space is part of the appeal of our city and the City would receive immense resistance if those were to be removed or minimized. Regarding the issue of building colors and materials, that will begin at the Planning Commission.

4) PUBLIC HEARING AND ACTION ITEMS All persons interested will be heard electronically via email to City Recorder Kari Jimenez at kjimenez@ivins.com, in person with limited seating to observe social distancing, OR to make a live public comment electronically, go to this Zoom webinar
link: https://us02web.zoom.us/j/89991347138 Webinar ID# 899 9134 7138

A. Public Hearing on proposed amendments to the Table of Uses, Nonresidential Zoning Districts (Table 33-2)

Mayor Hart requested that Lane Mecham explain how one can join the meeting electronically and make a comment for the Public Hearing. **Lane Mecham** provided 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 Zooming meeting at the bottom, they will see a raised hand and if they want to make a comment, they just need to click on that to raise their hand to be allowed to make public comment. **Lane Mecham** indicated that there were two (2) attendees. **Mayor Hart** indicated that the City also received an email from resident Lisa Rutherford, who has provided a number of things to think about and Council Member Elliot has come up with some things as well and this is a reaction to Canyon Crossing. **Mayor Hart** opened the Public Hearing. There being no comments, **Mayor Hart** closed the Public Hearing.

B. Discuss and consider approval of Ordinance No. 2020-06, an Ordinance of Ivins City, Utah, amending the Table of Uses, Nonresidential Zoning District (Table 33-2)

Council Member Elliott stated that there were four (4) other comments that were attached to this agenda regarding service stations. **Council Member Gordhammer** referred to light manufacturing addressed and excluded in one of the Table of Uses, but not in the other. **Mayor Hart** clarified that there was an element of light manufacturing for bronze work that was brought up due to there already being artists in Kayenta who work with bronze. **Council Member Elliott** indicated that the Council is looking at this overall. **Mayor Hart** stated that if the Council looks at the Table of Uses, each page has boxes and he inquired if the Council wanted to go through that line-by-line and if so, that will take a long time to do. He commented that he would not change much personally and inquired if the Council needs to get more specific on changes. **Council Member Gordhammer** stated that resident Lisa Rutherford brought up an agricultural building in Resort Commercial and whether that was appropriate. **Mayor Hart** inquired if Council Member Gordhammer thought there were things out of place. **Council Member Gordhammer** clarified that she could see certain types being out of place and since this is a class II use, maybe the Council needs to have a couple of people go through this and

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make recommendations to the group. **Mayor Hart** commented that the hope was that the Council had already all done that. If they have not gone through it, he asked Council Member Gordhammer to continue this. **Council Member Gordhammer** commented that if this is the Council's opportunity to address the Table of Uses, she would like to become prepared to look at all the other areas because she has looked at Resort Commercial. **Mayor Hart** suggested that the Council come back with their versions of these and question marks and send their suggestions.

MOTION: Council Member Gordhammer moved to continue this discussion on modifications to the Table of Uses, to the next meeting
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

Mayor Hart requested a roll call vote. All Council Members were in attendance via the Zoom meeting platform and voted in favor.

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Continued discussion and consideration of an updated Interlocal Agreement with Suntran/City of St. George for the provision of public transit service

Mayor Hart stated that the City Council did not have the data that they requested previously from the City of St. George and requested that this agenda item be continued.

MOTION: Council Member Elliott moved to continue this agenda item
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

Mayor Hart requested a roll call vote. All Council Members were in attendance via the Zoom meeting platform and voted in favor.

B. Discuss and consider criteria for CARES funding distribution

Mayor Hart thanked Dale Coulam for sending this sample out and commented that there are strict requirements on what the funding can be used for but stated that if Tuacahn needed hand sanitizing stations, that would qualify. **Dale Coulam** stated that he reviewed the materials from the County Attorney and cautioned about businesses inadvertently double dipping. It would not take very many businesses to exhaust Ivins $230,000 distribution. The first distribution is for City expenses that were incurred and then that was opened up for existing businesses. The next distribution the City should be able to understand the needs and expand the scope of what is needed. He has a meeting with the City Manager of Washington City next week but he wanted

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the City Council to see the example. The goal would be to propose the criteria for the next City Council meeting so they can finalize the criteria and application. **Dale Coulam** indicated that he was looking for input and recommendations from the Council. **Mayor Hart** stated that the City does not have a lot of businesses, and that may base how much funding is authorized. The City needs to be clear on what an applicant needs to demonstrate on how funds are used and maybe put a limit on it and have it tied to defining the size of the business and losses. As an example, Tuacahn would be different than the icebox. **Council Member McDonald** commented that the City needs to think about who qualifies. **Dale Coulam** stated that the City has a lot of businesses with home offices and contractors who work here. Ence Electric is an example and Lane Mecham has pulled information on Ivins City businesses. **Lane Mecham** stated that according to Workforce Services, the list is a lot more than he realized. The City can established a base line by taking April through June profit and loss statements, and seeing what that difference is and that would be a rough approximate for what the loss is. We could also use as a determining fact a pro rata of the losses. As an example, if Tuacahn was $2 million and the Icebox was $2000, it would be based off those percentages. **Mayor Hart** indicated that was exactly what he was suggesting and beyond that, any applicant needs to demonstrate how it was COVID related and was not payroll protection, which was a separate program. **Dale Coulam** stated that Lane Mecham looked into this and the Treasury is less restrictive on grants to businesses. For example, the City cannot use the funds to replace revenues. **Council Member Elliott** suggested adding to the formula, an appeal for consistency with all businesses. She referred to providing funds to Tuacahn and providing funds to the Ice Box and indicated that providing funds to Tuacahn won't make a significant difference but providing funds to the Ice Box would help them operate their business. It may take something more complex to determine how to allocate the funds. **Mayor Hart** stated if the City looks at home based businesses, the City should try and rescue those on the edge. The City needs to have a very clear understanding that the City needs to see what the money is used for, approved uses, and losses are irrelevant. The City needs expenditures for approved items rather than a business just saying they want $10,000. **Lane Mecham** indicated that the City has the ability to be restrictive. **Mayor Hart** suggested giving a list of things that are allowed as part of the application, and then the applicant is required to show the need. **Dale Coulam** clarified that it has to be tied to COVID-19 so in that sense, it is restrictive. **Lane Mecham** stated that governments have discretion as to what is deemed necessary and should be able to tailor the requirements. **Mayor Hart** reiterated that a clear list should be part of the criteria and guidance for what it can be used for. **Dale Coulam** indicated that the City can put together a criteria list and then have the applicant state what they use it for, and it has to match up. **Council Member Elliott** did not want to see this delayed when businesses are suffering. **Mayor Hart** indicated that the distribution of funds needed to benefit Ivins and Ivins residents. **Dale Coulam** stated that he will follow up.

MOTION: Council Member McDonald moved to continue this to the next meeting
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

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Mayor Hart requested a roll call vote. All Council Members were in attendance via the Zoom meeting platform and voted in favor.

C. Continued discussion regarding updates on Ivins new City Hall

Tyler Froelich with VCBO Architecture and Gene Madsen and Greg Robinson with Hughes contracting, provided a PowerPoint presentation, a copy of which is available on Ivins website and attached to this agenda. The presentation showed renderings of the new City Hall, including interior and exterior finishes. **Council Member Gordhammer** referred to the Council Member seating in the Council Chambers and commented that it seemed that the seats were in a row rather than curved like they talked about. **Tyler Froelich** clarified that the seating is curved. **Mayor Hart** indicated that the Architects and the team have kept this on track with the budget and expectations and are working on a design for the AV (audio/visual) system to record and have enhanced features and build in an alternate. **Greg Robinson** stated that he has reached out to contractors and suppliers in the area to get some interest and as it stands right now, the cost for the new City Hall is $4.1 million dollars. The cost to remodel the existing City Hall for the Police Department is $400,000 so the total of the two is $4.5 million dollars. Those are the budget estimates and once they receive the documents, they will get the hard numbers and move forward with discussing the actual numbers. **Mayor Hart** indicated that there are detailed estimates that can be sent to the City Council and Benny Sorensen was involved with the landscape design. The estimates do not include solar but the Architects have talked to Rocky Mountain Power. Ivins City has been a demonstration city and is looking at a Blue Sky grant for solar. They were the solar provider on previous projects for the City. The City has also asked them for an accounting of savings on Ivins utility bill. Solar Panels have been visible in the past but they have evolved to where they can be placed nearly flat with no efficiency loss. It would look better to have the solar panels down, making them invisible. The estimates also do not include furnishings. He suggested that the departments could determine what the needs are to help fund the furnishings and go through and evaluate what furnishings move or stay. **Gene Madsen** stated that once they get into the bidding phase of this, they will provide all written bids to the City so that the City can see how they select the subcontractors. **Council Member Gordhammer** requested that VCBO email the rendering to the City Council. **Tyler Froelich** indicated that he will send all of the slides that were presented tonight to the City.

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

Council Member Gordhammer referred to a simple proposed Resolution that supports the recommendations of the Utah Leads Together Plans for the public health initiative and would speak as a united voice as elected officials. **Mayor Hart** indicated that this can be sent out to the City Council for them to review.

6) CONSENT AGENDA

A. Approval of City Council Meeting Minutes for June 18, 2020

MOTION: Council Member McDonald moved to approve the Consent Agenda
SECOND: Council Member Johnson
VOTE: The motion carried.

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

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Council Member Gordhammer	AYE

Mayor Hart requested a roll call vote. All Council Members were in attendance via the Zoom meeting platform and voted in favor.

7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) REPORTS

A. Council

Council Member McDonald reported that he's working hard at the Washington County Solid Waste District trying to keep things moving forward. They will be advertising for a new Landfill Manager.

Council Member Johnson reported that Heritage Days is coming up in September and the committee decided to compile the event into one evening on Friday, September 11, 2020 and the theme is United We Stand and they are hoping to hold a groundbreaking for the new City Hall that afternoon.

Council Member Gordhammer - no report. She thanked Council Member Johnson for all of her work on Heritage Days.

Council Member Elliott - no report. She echoed what Council Member Gordhammer said regarding thanks to Council Member Johnson offered her. She also thanked the Heritage Days Committee and offered to help.

Council Member Mehr - There was no report due to technical difficulties.

B. Mayor

Mayor Hart reported that the Council will discuss a cost rate increase from the Water Conservancy District and the City of St. George City at the next City Council meeting. He reported that Rocky Vista University has a huge number of applications and a huge class, but no one on campus.

C. City Manager/Attorney Dale Coulam

No report

D. Items to be placed on future agendas

9) CLOSED MEETING

10) ADJOURNMENT

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

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

Mayor Hart requested a roll call vote. All Council Members were in attendance via the Zoom meeting platform and voted in favor.

The meeting adjourned at 7:54 p.m.

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Respectfully,

*Kari Jimenez, MMC
City Recorder

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

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