IVINS
CITY COUNCIL
MINUTES
September 17, 2020

***NOTICE: This meeting was held electronically and in person, with limited seating to observe social distancing. City Hall was the anchor location for the electronic meeting. You may listen to the audio feed by going to www.ivins.com, clicking on the "Government" tab, clicking on the word "HERE" under the words City Council.**

1) WELCOME AND CALL TO ORDER

MAYOR AND COUNCIL: The meeting was called to order at 5:32 p.m. and announced there was a quorum present.
All present included Council Member Mehr, Council Member Johnson, and Council Member Gordhammer.
STAFF: City Manager/Attorney Dale Coulam, Building and Zoning Administrator Mike Rodriguez, Public Works Director/City Engineer Chuck Gillette, Director of Finance Lane Mecham and City Recorder Kari Jimenez
EXCUSED: Council Member McDonald

A. Acknowledgement of Quorum

Mayor Hart acknowledged there was a quorum present. Council Members Gordhammer and Mehr were present via the electronic "Zoom" platform. Mayor Hart and Council Member Johnson were present in the Council Chambers. Council Member McDonald was excused. **Mayor Hart** requested a roll call of the City Council Members. Each City Council Member who was in attendance, 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: Building Department; Public Works/Engineering; Finance

Chuck Gillette reported that there is traffic control 400 West to 600 West on Highway 91. The shade structure is up at the Public Works yard and he will come forward with a request to approve putting down some asphalt. There was a design meeting with the Consultant and UDOT regarding cost estimates to widen Highway 91 to Shivwits but the estimate is $8 million dollars so the City does not have enough money currently. Regarding the trail portion, he is going to see what other sources of money that may be available and the Parks and Recreation Director is researching that as well. **Mayor Hart** commented that there may be some money from tourism available as well. **Council Member Gordhammer** suggested that Chuck look at the Utah Outdoor Recreation Grant because they have grants specifically for trails and tourism and are always looking for applicants. **Council Member Gordhammer** indicated that she will send Chuck Gillette the information. She referred to Transportation Master Plan regarding the rural cross section and inquired if that will come before the City Council at some point. **Chuck Gillette** stated that it would but that if she had something she wanted to bring up, to send the information to him.

DRAFT

Mike Rodriguez reported that it has been a busy summer, with 10 single family building permits issued so far this month. They are on track to match or possibly exceed last years' permits. **Mayor Hart** reported that he spoke with Mayor John Brammall of Hurricane City and he reported that they will have issued over 2000 permits with approximately 6000 residents in a years' time.

Lane Mecham reported finances have been proceeding normally. Information has been submitted to GFOA the (Government Finance Officers Association) for the Budget Award. Sales taxes is coming in strong and is pacing ahead of the budget so that is good news. Expenditures are proceeding normally for this time of year and there is nothing out of the ordinary occurring. He is preparing for the year end CAFR (Comprehensive Annual Financial Report) and the Auditors will be here next month for the audit.

B. Arts Commission Annual Report

Judith Kapuscinski clarified that the report that was provided is from April, 2019 through March 31, 2020. Everything has been delayed due to COVID. She reported that they have made progress on each of their responsibilities as an Arts Commission. **Council Member Mehr** thanked the Commission for their good work. **Mayor Hart** reported that he received a letter from Arts Commission Member Kevin Warnick, who has been awarded a position at a theatre in Orem so he has resigned from Ivins Arts Commission. **Mayor Hart** publicly thanked Kevin Warnick for his work over the years advancing the arts in Ivins. There will be recommendations that will come forward from the Arts Commission to replace that position. **Council Member Mehr** publicly thanked Kevin Warnick for the tremendous impact he has made as a key leader of Tuacahn and for his service on the Ivins Planning Commission years ago.

C. Planning Commission Report

Lance Anderson reported that the Planning Commission held a Public Hearing on a proposed concurrent Land Use amendment and Zoning District amendments for property on Highway 91 and Crescent Moon Village. That will proceed to the City Council for a Public Hearing in October. The Planning Commission approved two Final Plats and continued to discuss proposed grading amendments.

3) CITIZEN COMMENT & REQUEST FOR FUTURE AGENDA ITEMS

A. Citizen requests to be placed on a future agenda

Joel Taylor submitted a request for a crossing light similar to the one that is across from Rocky Vista University. He would like one installed at the crosswalk on Center Street and Puerto Drive to assist with crossing that street after school hours. **Joel Taylor** indicated that he spoke with Principal Sam Gibbs at Vista School and the Principal is prepared to pay for the installation of that crossing light. **Mayor Hart** inquired if this would begin administratively with Chuck Gillette. **Dale Coulam** stated that it would and Chuck could also talk about feasibility. **Chuck Gillette** indicated that he got some costs for the material but he didn't know if Principal Sam Gibbs knows what the material or labor costs are. The material costs that does not include some of the electrical connections, is over $10,000. The quote the City received for materials was $10,144.00. **Mayor Hart** inquired if the installation would be done by the City. **Chuck Gillette** indicated that the City would need to hire electricians to do the connections because there is not an electrician on staff. **Mayor Hart** commented that his concern would be that the light would be stopping traffic constantly if there was a flow of people coming from a concert or similar. They need to look at the technical things like that and have a provision that the light is not abused. **Dale Coulam** stated that the City needs to know the dollar amount Principal Gibbs

DRAFT

was thinking about and then put it on a future City Council agenda to determine what Ivins City's involvement would be and then there would be an agreement entered into. It would be helpful for Mr. Taylor to disclose the number that Chuck Gillette mentioned and see if Principal Gibb is willing to do that. **Mayor Hart** commented that this commences with Chuck Gillette speaking with Principal Gibbs. **Council Member Mehr** appreciated Joel bringing this forward and suggested that this be discussed further. **Council Members Gordhammer and Johnson** agreed.

4) PUBLIC HEARING AND ACTION ITEMS-None

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. *Discuss and consider approval of a one-time six month Final Plat extension for Altura Phase 2 located at approximately 200 West and 100 North. DSG Holdings, LLC-Owner/Applicant

Dale Coulam indicated that this is a formality and the applicant has followed the procedural steps to request a one-time six month extension. The plat has already been approved but not recorded.

MOTION: Council Member Johnson moved to approve a one-time six month Final Plat extension for Altura Phase 2 located at approximately 200 West and 100 North. DSG Holdings, LLC-Owner/Applicant
SECOND: Council Member Mehr
VOTE: The motion carried.

Council Member Mehr	AYE
Council Member Johnson	AYE
Council Member Gordhammer	AYE
Council Member McDonald	ABSENT

Mayor Hart requested a roll call vote. The Council Members that were in attendance, voted in favor.

B. Discuss and consider the Arts Commission's recommendations regarding public art

Judith Kapuscinski presented two recommendations in writing to the Mayor and City Council, a copy of which is on Ivins website www.ivins.com and attached to this agenda. The first recommendation is that the sculpture that is currently in the roundabout on Center Street and Snow Canyon Drive, should be moved to the new City Hall because it is too small for the current location. It is a multi-dimensional peace that would be better appreciated where it can be seen clearly. The second recommendation is that the City solicit art-on-loan from Ivins' artists for placement in two roundabouts. In general, the artist loans the art to the City and it is displayed and on loan for approximately one (1) year and is then available for purchase. The City of St. George has this program and they put out a call to artists, a $1000 stipend is provided to the artist and then it's on loan for 1 year. The City of St. George puts the call out nationally but the Ivins Arts Commission is recommending the call go out to local artists. **Mayor Hart** commented that he loved both ideas. **Council Member Gordhammer** was excited about both recommendations. **Council Member Johnson** gave her full support and thought the ideas were awesome. **Council Member Mehr** had similar comments of support and liked the ideas.

MOTION: Council Member Gordhammer moved to approve the recommendations that the City Council received tonight from the Arts Commission relative to moving forward with relocating the sculpture from the Red Mountain Roundabout public art and further

DRAFT

investigation of the arts-on-loan program
SECOND: Council Member Johnson
VOTE: The motion carried.

Council Member Mehr	AYE
Council Member Johnson	AYE
Council Member Gordhammer	AYE
Council Member McDonald	ABSENT

Mayor Hart requested a roll call vote. The Council Members that were in attendance, voted in favor.

C. Discuss and consider approval of Anasazi Vista Development Agreement

Dale Coulam indicated that the Final Plat was approved subject to this Development Agreement. Both sides have looked at the agreement and all would recommend approval. **Council Member Gordhammer** referred to the developer planning to clearing and grade all of the development in the beginning and the City agreeing to that. The development plan occurs over five (5) years and commented that seemed like a lot of grading in the beginning, for a project that is anticipated to take five (5) years. **Dale Coulam** commented that the developer plans to move very quickly on their phases and for the number of lots in this project, five (5) years is pretty quick. **Council Member Gordhammer** stated that is still a long time to see the property cleared. Chuck Gillette clarified that the developer already has their approvals but the City can enforce revegetation and weed control. **Council Member Gordhammer** inquired if that is covered in the agreement. **Dale Coulam** stated that it was.

MOTION: Council Member Johnson moved to approve the Anasazi Vista Development Agreement
SECOND: Council Member Mehr
VOTE: The motion carried.

Council Member Mehr	AYE
Council Member Johnson	AYE
Council Member Gordhammer	AYE
Council Member McDonald	ABSENT

Mayor Hart requested a roll call vote. The Council Members that were in attendance, voted in favor.

D. Continued discussion to approve Ordinance No. 2020-12, an Ordinance of Ivins City, Utah, amending the Transportation Master Plan as an element of the Ivins City General Plan

The **Mayor and City Council** discussed the on-site Work Meeting that occurred yesterday regarding this agenda item. Developer Patrick Manning was concerned with destroying the lava if the original alignment were to be required. Abutting neighbors Tim and Shelley Bryan were concerned with pushing the alignment as far south as possible from their property line. The **Mayor and City Council** discussed different aspects of the re-alignment and determined that the pavement should be on the furthest south-end of the proposed re-alignment and at width of 36 feet. The trail should be positioned on the south side of the right-of-way should be moved as far to the south as is reasonably possible and in the final design how much of the amended cross-section would exist and how much of a more conventional cross-section would exist. **Dale Coulam** indicated that the Ordinance references an exhibit with a map and

DRAFT

certain things like the 36 feet of asphalt, where it goes and what needs to be in the map and suggested that the motion include a description of those things and then Chuck Gillette and/or Patrick Manning will need to work together and come up with a new exhibit to be attached to the Ordinance. The motion would be similar to adopting something "as amended" like the Council does on some agenda items. **Mayor Hart** commented on suggested language for the motion would include the road width, trail, the right-of-way be held as far south as is practical and preserve the lava formations and that this cross-section does not center on the right-of-way but is held at the extreme south end of this right-of-way. The modified cross-section can be utilized either for the entire length or in combination with the standard cross-section as determined by final design. **Council Member Mehr** inquired if the City needs to worry about the road width or call it a major collector and indicated that it should be built as a major collector. **Chuck Gillette** stated that the City would just need to state the road width. **Mayor Hart** indicated to Chuck Gillette that as part of the discussion with the developer, they need to recognize the developers responsibility to cut-in the entire right-of-way and that may come into play as to how much of the amended right-of-way to be included.

MOTION: Council Member Johnson moved to approve Ordinance No. 2020-12, an Ordinance of Ivins City, Utah, amending the Transportation Master Plan as an element of the Ivins City General Plan, as amended, to include the following: using the Mayors proposal for the pavement to be on the furthest south-end at a 36 foot width, with the trail positioning on the south side of that and having the right-of-way moved as far to the south as is reasonably possible, and in the final design how much of the amended cross-section would exist and how much of a more conventional cross-section would exist
SECOND: Council Member Mehr
VOTE: The motion carried.

Council Member Mehr	AYE
Council Member Johnson	AYE
Council Member Gordhammer	AYE
Council Member McDonald	ABSENT

Council Member Mehr requested discussion to clarify the motion. He suggested to add onto the motion "modified cross-section for the entire length or standard cross-section as determined by final design and mutual agreement between City and developer.
Council Member Johnson indicated that could be added to her Motion. **Mayor Hart** stated that the Amended Motion includes that language.
Mayor Hart requested a roll call vote. The Council Members that were in attendance, voted in favor.
Dale Coulam stated that the next two items are connected and he recommend continuing those to a future meeting

MOTION: Council Member Mehr moved to continue agenda items 5)E and F to a future City Council meeting
SECOND: Council Member Johnson
VOTE: The motion carried.

Council Member Mehr	AYE
Council Member Johnson	AYE
Council Member Gordhammer	AYE

DRAFT

Council Member McDonald	ABSENT

Mayor Hart requested a roll call vote. The Council Members that were in attendance, voted in favor.

E. Discuss and consider approval of Ordinance No. 2020-09, an Ordinance of Ivins City, Utah, amending Title 10, Chapter 1 of the Ivins City Code entitled "Water System"

F. Discuss and consider approval of Resolution No. 2020-14R, a Resolution of Ivins City, Utah, amending the Consolidated Fee Schedule

G. Continued discussion regarding updates on Ivins new City Hall

Mayor Hart reported that a pre-construction meeting was held yesterday. **Dale Coulam** stated that in that meeting it was made very clear what was expected of the subcontractors and they will be meeting once a week and moving forward with the construction very soon.

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

There was no discussion.

6) CONSENT AGENDA

A. Approval of City Council Meeting Minutes for September 3, 2020

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

Council Member Mehr	AYE
Council Member Johnson	AYE
Council Member Gordhammer	AYE
Council Member McDonald	ABSENT

Mayor Hart requested a roll call vote. The Council Members that were in attendance, voted in favor.

7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) REPORTS

A. Council

There were no reports. **Council Member Johnson** inquired as to when the groundbreaking for the new City Hall would be. **Mayor Hart** indicated that it would be on Friday, September 25, 2020 on-site at 11:00 a.m.

B. Mayor

No report

C. City Manager/Attorney Dale Coulam

No report

D. Items to be placed on future agendas

Continued agenda items 5)E&F

9) CLOSED MEETING

10) ADJOURNMENT

DRAFT

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

Council Member Mehr	AYE
Council Member Johnson	AYE
Council Member Gordhammer	AYE
Council Member McDonald	ABSENT

The meeting adjourned at 7:03 p.m.

Respectfully,

Kari Jimenez,
Ivins City Recorder

DRAFT