IVINS
CITY COUNCIL
MINUTES
October 1, 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 5:30 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 Gordhammer, and Building and Zoning Administrator Mike Rodriguez.
STAFF: City Manager/Attorney Dale Coulam, Director of Finance Lane Mecham, Parks and Recreation Director Benny Sorensen, and Public Safety Director Bob Flowers.
EXCUSED: None.

A. Acknowledgement of Quorum

Mayor Hart acknowledged there was a quorum present. Mayor Hart and Council Members Mehr, McDonald, Johnson and Gordhammer were present in the Council Chambers.

B. Invocation

Council Member Mehr gave the Invocation and led the Flag Salute

C. Disclosures

Council Member McDonald disclosed that he knew many of the applicants for the mid-term vacancy. There were no other disclosures or conflicts of interest with items on this meeting's agenda.

2) REPORTS, PRESENTATIONS AND APPOINTMENTS

A. Presentation and update by Mitch Cloward with Dixie Regional Medical Center

Mitch Cloward with Intermountain Healthcare is the Board Secretary and reported that they are focused at the Hospital on providing safe, high quality and friendly healthcare. The hospital has been recognized by U.S. News and World Report as one of the Top 5 Hospitals in Utah and as of January 1, 2021, the hospital will be known as Intermountain St. George Regional Hospital. The hospital continues to recruit nationally, which is very important. The mission of Intermountain Healthcare is to help people live the healthiest lives possible. **Brian Chadez** with Intermountain Healthcare is the Chair of the Board and reported that they have made some great commitments at Dixie Regional Medical Center in the form of a huge addition that basically doubled the size of the hospital and also locating the Precision Genomics building at this campus. **Mitch Cloward** indicated that they continue to provide leading edge healthcare services. You can get your blood drawn at the hospital and it can be tested through their human genome project that is centered around identifying heart disease and cancer and he encouraged people to participate. Intermountain Healthcare has the Connect Care app and has key collaborations with Dixie State University. They continue to grow, expanding services through primary care clinics and will be breaking ground in January, 2021 for the Washington Fields Clinic. They are also expanding services in Hurricane. Regarding patients hospitalized with Coronavirus, they have

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had as many as 25 patients and as few as 7. Currently the number of patients is somewhere in between those numbers. **Mayor Hart** commented that the hospital has a capacity of 32 COVID-19 patients. **Mitch Cloward** indicated that was correct but stated that was not the concern. The concern is having enough ICU Physicians and Nurses who are trained and know how to care of COVID-19 patients.

B. Department Reports: Parks and Recreation and Public Safety

Benny Sorensen provided a written report, a copy of which is available on Ivins website attached to this agenda. He reported that they are wrapping up football next week and the cross-country program has been very popular. Basketball registration started today and they will be holding another movie in the park for Halloween. Car bingo was popular so they are going to hold Bingo in the Park. They are also planning for the Run Run Reindeer, which will be held on the morning of Christmas Eve.

Bob Flowers provided a written report, a copy of which is available on Ivins website attached to this agenda. He reported that they are working on extending the Grant for the Victims Advocate. There were 140 cases that the Victims Advocate handled the first quarter and 20 of those were significant cases. Normally they only see 18 total cases. The individual who made the donation of $20,000 for the K9, has donated another $19,000 and wishes to remain anonymous but he has thanked that individual on behalf of the City. He is working on putting together an article about parked trailers on the City streets and what can and cannot happen before enforcement begins. **Mayor Hart** commented that it felt like Fire Lake Park is functioning really well and there are no issues with noise. He indicated that he received a nice letter from resident Bob Greely indicating that there are not as many concerns now. **Bob Flowers** stated that the placement of the gate has really helped. He reported that the park is still filling up on weekends. **Mayor Hart** referred to statistics that nationally, domestic violence cases have gone up through COVID and inquired if that has occurred here. **Bob Flowers** that it has. There is a lot of tension between families and they are out of patience with each other. The calls have doubled but they are not as high as the national average.

C. Planning Commission Report

Commissioner Anderson reported that it was a quick meeting. The Planning Commission approved an Amended Final Plat and discussed grading amendments. A Public Hearing on the grading amendments will be held at the next Planning Commission meeting.

Mayor Hart indicated that he was inclined to have the rules suspended and move item 5)A forward on the agenda to this point, which would give the successful applicant an opportunity to be sworn in and participate in tonight's meeting or that individual could wait to be sown in until family or friends could attend.

MOTION: Council Member Mehr moved to suspend the rules and move agenda item 5)A to this point in the agenda

SECOND: Council Member McDonald

VOTE: The motion carried.

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

5) DISCUSSION AND POTENTIAL ACTION ITEMS

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A. Interview candidates to fill a mid-term vacancy on the City Council and discuss and consider Resolution No. 2020-17R, a Resolution of Ivins City, Utah, appointing a City Council Member to fill Mid-Term Vacancy

Mayor Hart indicated that the deliberation, questioning and interviews will all occur in this public meeting. There are only a few reasons that the Council could adjourn to a closed meeting and those reasons are defined by State law. One of the reasons would be to discuss character, professional competence or physical or mental health of an individual. This is the Council's decision to make and stated that he would ask each candidate in turn, to come to the podium. There were seven (7) applicants for the mid-term vacancy. With each application, applicants provided a resume and a one (1) page written statement explaining why they were interested in serving on the City Council. The applications, resumes and written statement are available on Ivins website www.ivins.com, attached to this agenda. Each applicant provided their background and explained what they would bring by serving on the City Council. The Mayor and City Council asked each applicant questions. Specifically, **Mayor Hart** commented that the General Plan is guide for what the City does. It has been amended several times and provides a vision for what the City hopes and intends to become inquired of each applicant if they were versed in the General Plan and if they understand what that vision is and if there were particular points of the General Plan that are of special interest to the applicants and if there are things that the Council could do better at as a Council or need to be addressed better than they have.
Council Member Johnson commented that one of former Council Member Elliott's passions was affordable housing in Ivins community. She was part of the Affordable Housing Task Force that the City set up. She inquired of the applicants what their thoughts were on affordable housing in Ivins.
Council Member McDonald inquire of the applicants how they would plan to make time to serve on City Council.
Council Member Mehr inquired of the applicants if any of them would not be seeking to run for election in 15 months. None of the applicants intended to only serve for the remaining term.
Council Member Gordhammer referred to outreach by the Council to the community, attending Planning Commission and City Council meetings and inquired of the applicants if there was anything about the process that jumped out to them.
Mayor Hart indicated that David Robinson was a candidate in the last election. **David Robinson** referred to the question regarding affordable housing and stated that was a difficult question to answer. He believed that younger families need to be able to live in Ivins and afford to live in Ivins but did not believe that building super high density is the answer. There are other answers that the City can come up with to be able to solve that without getting too high of density living situations. He would like to see some single family dwellings that are affordable housing and to do that, the City will need to be involved in some financial way to make that happen but he did not know exactly how that would look. Regarding how he would make time to serve, he has a crew that works at his shop and he would adjust his time for what's required and what's necessary. As it relates to the General Plan, he has studied and read it and felt concern with the loss of some of Ivins commercial development. The City wants good quality commercial development that gives the City a long-term tax base. The City needs to set aside some decent property for that to happen and make sure it's structured in a way that isn't environmentally damaging to the area. The way residents keep their property taxes low, is by having commercial that can produce a tax base. The new highway is a horrible talking point and he didn't particularly care for the path that that road is taking through Ivins but nevertheless, it is

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going to be built and some of the properties on that are not developed on the entrance/south side could be a good location in the future to develop some commercial areas.

The next applicant interviewed was Sharon Barton. **Sharon Barton** indicated that her main purpose to serve is, as a resident, she thought there is an important part where you are the spirit and heart of the community. Affordable/attainable housing is a huge concern and the City needs it here but she also thought that when they start looking at the resort style communities that are being brought in, that escalates the cost of the property here and it makes it very hard to determine where that affordable housing can be and how does the City make affordable housing happen. Heights of buildings are a huge concern also because affordable housing is not just young families. It is also seniors and housing that is accessible with no stairs. She did not have the solution but a lot depends on how they control costs. She referred to the Black Desert Resort project and commented that she reached out and invited the Mayor and Council Members to take a tour and walk the area and commented about the importance of citizen involvement and communication and for the Council to listen to the residents. **Council Member Mehr** inquired what she recommended for the Council to listen to residents and for them to be heard more. **Sharon Barton** stated that it would be great if each Council member would send out an email or draw out names of residents and ask for their participation. She has heard from residents that there isn't enough done to get the community involved. It is intimidating for residents to speak at a public hearing but didn't know if researching for all residents would be a reality. The public hearing process is not very inviting and if there was an opportunity for them to get to know the Council better, either quarterly or for them to reach out, that would be great. Regarding the General Plan, she was familiar with it and the 15 goals. She would like there to be a focus on development and what is wanted or not wanted in commercial areas. She would like to preserve the night sky and maintain views with single level or tiered homes so that others do not lose their view because of a new development going in. **Mayor Hart** stated that is hard to do. Sharon Barton agreed but indicated that it has been done. She quoted the following from the General Plan: "The high quality of life currently enjoyed in Ivins City, coupled with the potential magnitude and pace of growth, demands the attention of all its residents."

Paul Bryson was interviewed next. He believed that zoning was a very important way to deal with affordable housing where pieces of property are set aside and the City works with builders on affordable housing. He was familiar with the Master Plan and has looked at the maps and seen how the City has appropriated certain portions of the City for certain types of development and looking where businesses are, which is a very big concern and he has people telling him about that. There are no restaurants here. People don't necessarily want hardware stores but they would like restaurants and more medical clinics over in this part of town. Those are the things he would like to focus on. He has always worked at least two jobs so serving would not be an issue. **Council Member McDonald** referred to all of Mr. Bryson's experience in law enforcement and inquired what his thoughts were about Ivins law enforcement and how can it be improved. **Paul Bryson** indicated that there are 49 Los Angeles police officers who are retired that live here. There are over 29 Los Angeles County Sheriffs and over 100 police officers from other jurisdictions that live here in Ivins and Santa Clara and he appreciates them.

The next applicant to be interviewed was **Regina Roper**. She stated that she appreciated the City for what it stands for and the beauty here and the integrity of the people who run it. She commented that the most difficult challenge that the City has is that the community is quick to criticize when something occurs and passes but they need to be more proactive. She got involved when the Black Desert Resort, which was known as the Snow Canyon Resort at the

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time because that resort is literally her back yard, and she began learning about the processes, procedures and researching and once she did that, she had to share that information and let people know what was going on. The General Plan is a reflection of the communities goals and values. Her value is not having a lot housing out behind her hill and she heard from other people who had similar concerns. She became involved with the UNITED for Ivins Community Group with an email list, Facebook and Nextdoor to inform the community what was occurring. **Council Member Johnson** referred to the NEXT Door neighbor website and commented that she has seen a lot of negativity of the City Council for what has happened in the past. **Regina Roper** indicated that she has only been in Ivins for five (5) years but does encourage members of that platform to not speak out of turn, to get involved and to be proactive. She did not have respect for people who harp and complain and then don't do anything and commented that developers actually have a better idea of how to build things. She referred to the General Plan and commented that the City needs commercial and tourism to bring in income but felt that the community needs to be more verbal about issues at the time and not after the fact. She saw that the plan shifted previously to a resort destination and understood why that was done. She would stand behind that and if the City can get that kind of development, it could only enhance the City. Regarding Council Member Gordhammer's question regarding the process she felt that the Mayor's newsletters were very informative and it is the residents responsibility to get involved. She did not think the process needed to be changed.

Lance Anderson was interviewed next. He indicated that he moved to Ivins when he was in the 9th grade. He has built several projects in Ivins. Because he currently serves on the Planning Commission, he has been involved in changing the General Plan. Addressing affordable housing is difficult because you have to give and take and they have recently discussed renting casitas to assist with that but some have said that doing that changes the constitution of what single family living is. He commented that he doesn't want everything to look like Kayenta but he does not like tall buildings. He indicated that there's a lot of good to Nextdoor but found it to be a negative vibe. **Council Member Johnson** inquired of him and applicant Jeff Loris who is also currently serving on the Planning Commission and inquired if they were not chosen to fill the vacancy on the City Council, would they continue to serve on the Planning Commission. **Lance Anderson** indicated that his term is up on the Planning Commission in 6 months. He commented that it is important to know that the Planning Commission and City Council information is out there every week and people need to read it and attend the meetings because nobody comes until it's too late. Regarding any possible conflicts of interest with his projects in the City, he recuses himself from the discussion and sits in the audience and he has been doing that for seven (7) years. He referred to the General Plan and recommended that the it be looked at when decisions are being made because sometimes it feels like the City is not following the General Plan. He understood that it was not a legal and binding document but is a guiding document and should be adhered to more.

The next applicant interviewed was Derek Larsen. **Derek Larsen** stated that he ran for City Council in the recent election and was the next highest vote getter. He is a business owner and commented that as a Council Member, he would set his emotions aside and make a business decision and understood that people he knows and he's friends with may not be happy with that. He felt that the General Plan needs to include some commercial development that is smart. Not everybody feels the same or thinks the same but it is important to listen objectively. He did not have an agenda for serving on the City Council and commented that a lot of times residents speak too late in the process and that's not the City Council's fault. He would

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look for ways of pulling opposing views from the community and felt that you have time for what you make time for and as a business owner, he has that ability.

Jeff Loris was interviewed next. He stated that in the last couple of years of serving on the Planning Commission, he felt that there needed to be a change in terms of the duties of the Planning Commission Chair and invited others on the Planning Commission to serve, which has allowed him to step out of that role and lead in a different way. It was impressive to him to see the changes that have happened in Ivins over the years. Regarding having the time to serve, his wife stays at home with their seven (7) kids. He has been on the Planning Commission for eight (8) years and in that time the kids have grown up and that has been less of a hardship. He referred to the General Plan and felt that water is an issue, as well as affordable housing. He stated that if the Lake Powell pipeline gets through the bureaucracy, it will help out in the future for water but there is a need to conserve the water that we currently have.

Mayor Hart inquired of the Council if there was any reason to move to a closed meeting. The City Council stated that there was no reason to move to a closed meeting. **Mayor Hart** commented that all of the applicants would be a tremendous addition to the City Council. This mid-term vacancy ends next year so whomever is selected will need to get ready to be a contributor on the Council and would need to devote themselves to get up to speed. Procedurally, any City Council member can make a motion to appoint at any time, which would require a second and then a vote. **Council Member McDonald** commented that he knows many of the applicants personally and indicated that they all have great qualifications and love of this community but he still has not made a decision. He thanked the applicants for providing their information. **Council Member Gordhammer** thanked the applicants for applying and suggested that the Council come up with some criteria that they all feel that they want to be the basis of the decision. One criteria that was important to her was being able to be up to speed quickly, the zoning areas are challenging in terms of the zoning code and attendance at City Council and Planning Commission meetings so that the applicant is actively up to speed on City issues. **Council Member Johnson** echoed Council Member McDonald's comment. It has been hard as the applicants have come in, reading through and seeing everything and knowing who they are. She knows every one of the applicants except for Paul Bryson but she was very impressed as he spoke and thought he would make a fantastic Council Member as well as the others. **Mayor Hart** commented that as he's served, he has come to realize that being on the City Council is more of a job than you would think. There is a lot of information that comes to them that needs to be read, Public Hearings bring other opinions that need to be taken into consideration and ultimately the Council has to make a decision. Experience is helpful and several applicants have been attending the meetings. He referred to one of the applicants discussing views and commented that is difficult because the City is sloped. A lot of what the City does is engineering and is more than roads and pipes. The applicant who is selected has to be prepared to be a part of the discussion because former Council Member Miriah Elliott came to the meetings having thoroughly digested what was to be discussed. The Council Members do not represent their own interests. They represent the residents and future residents of Ivins and they do so with fairness. Judgment and preparation is required and that translates into time. **Council Member Mehr** commented on each of the applicants and indicated that he received 50 or 60 emails of support for Regina Roper and he applauded her efforts of communication and her efforts with the Black Desert Resort. He indicated that Sharon Barton's experience and common sense vibe of there is no problem that they can't solve was appreciated and he thanked her for reaching out to the City Council and inviting them to walk the land where

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the Black Desert Resort is planned to be built. He met Paul Bryson for the first time tonight. Jeff Loris and Lance Anderson have been serving the community on the Planning Commission for 8 or more years and Lance Anderson likely has the most qualifications and experience. He referred to David Robinson and Derek Larsen and stated that they have to give credence to the fact that they ran for election two (2) years ago and Derek Larsen had nearly 700 votes. That's something they can't ignore. David Robinson had 511 votes and Lance Anderson ran for election in 2015. Unfortunately, six (6) individuals will walk out of this meeting tonight disappointed and he wants to select the best fit, whether that applicant has been attending meetings are not. The selected applicant has to make time. Attendance at the meetings should be a consideration but it was not a deal breaker from his perspective. His feeling was that the Council should be looking at someone who has been on the Planning Commission or ran for City Council in an election for this seat. **Council Member Gordhammer** commented that they should consider someone who has been attending meetings because if someone ran for election but has not stayed engaged, it is really important that the person who is selected be committed and interested. People who have been coming and participating, that is a higher bar than just running for office. Council Member Johnson referred to the Council wanting to select someone who will remain on the City Council past the 15 month term, but that will be determined by the voters. She suggested that the City Council members select the best fit for now and then let the voters decide at the next election.

MOTION: Council Member Johnson moved appoint for City Council to serve for the next 15 months, Paul Bryson
The motion failed for lack of a second
Council Member McDonald commented that based on where the election was this last time, he made the following motion:
MOTION: Council Member McDonald moved appoint Derek Larsen to fill the vacancy at this time
SECOND: Council Member Mehr
VOTE: The motion carried.

Council Member Mehr	AYE
Council Member McDonald	AYE
Council Member Johnson	AYE
Council Member Gordhammer	NAY

Roll call vote. Three (3) Council Members voted in favor and one (1) Council Member voted in opposition. The motion carried.
Mayor Hart stated that Derek Larsen had the choice to begin serving this evening or wait to be appointed. Derek Larsen chose to begin to serve immediately.
City Recorder Kari Jimenez requested a point of order and indicated that the appointment needed to be a motion that included approval of the Resolution.

MOTION: Council Member Johnson moved to approve Resolution No. 2020-17R, a Resolution of Ivins City, Utah, appointing a City Council Member, which would be Derek Larsen, to fill the Mid-Term Vacancy
SECOND: Council Member McDonald
VOTE: The motion carried.

Council Member Mehr	AYE
Council Member McDonald	AYE
Council Member Johnson	AYE
Council Member Gordhammer	NAY

Roll call vote. Three (3) Council Members voted in favor and one (1) Council Member voted in opposition. The motion carried.

Derek Larsen was sworn into office by the City Recorder at 7:38 p.m.

3) CITIZEN COMMENT & REQUEST FOR FUTURE AGENDA ITEMS

A. Citizen requests to be placed on a future agenda

None

4) PUBLIC HEARING AND ACTION ITEMS

A. Public Hearing on the Planning Commission's recommendation to approve a Concurrent Land Use and Zoning amendment from a mix of CLM (Commercial Light Manufacturing) and HDR (High-Density Residential) to a mix of approximately 3.8 acres of HDR (High-Density Residential) with the remainder being CLM (Commercial Light Manufacturing) and a Zoning amendment from RA-5 (Agricultural District, minimum lot size 5 acres) to a mix of approximately 3.8 acres of R-1-5 (Residential Single Family, minimum lot size 5000 sq ft) with the remainder being CLM on a parcel approximately 14.718 total acres in size, on property located at approximately Highway 91 and Crescent Moon Village. RT Marten, LLC-Owner; Kayenta Development/Lance Anderson-Applicant

Dale Coulam indicated that this changes the land use mix and moves the bubbles around a little bit and then designates the zoning. **Mayor Hart** stated that there were some who had voiced some concerns through email regarding what the Commercial Light Manufacturing Zone is. **Lance Anderson** clarified that the types of things that are in the Commercial Light Manufacturing are the Crescent Moon Inn, the car barn and an apartment complex. In the High Density Residential area, those are townhomes and they are choosing the lowest density option of the high density for that area. This process just brings everything into compliance for the area that is commercial with an overlay of residential and creates live-work spaces. **Mayor Hart** clarified that the area is not highly visible from Highway 91 because it slopes up and then drops back down. **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. **Mayor Hart** opened the Public Hearing. **Council Member Gordhammer** inquired if the Commercial Light Manufacturing will be storage units. **Lance Anderson** clarified that a portion will be storage units and a portion will be similar to the other buildings that are already there like Crescent Moon Inn. **Council Member Gordhammer** inquired if the construction access will be on the new access road. **Lance Anderson** stated yes. **Council Member Gordhammer** inquired if all of the structures will fall under the requirements of the ACC (Architecture Control Committee). **Lance Anderson** indicated that the commercial areas do not but that the structures

will look similar to what is already there. **Council Member Gordhammer** inquired if the residents on Sand Hill, Sage and Willow could expect to see more of the same of what is currently there. **Lance Anderson** indicated yes. **Mayor Hart** inquired of Lane Mecham as to anyone in attendance through the Zoom platform who would like to make a public comment. **Lane Mecham** confirmed that there were no attendees through the Zoom platform. There being no public comments, **Mayor Hart** closed the Public Hearing.

B. Discuss and consider approval of Ordinance No. 2020-07, an Ordinance of Ivins City, Utah, amending the Land Use and Zoning on a parcel of land located at approximately Highway 91 and Crescent Moon Village

Council Member Mehr commented that the staff report indicated that this is compliance and that the Planning Commission has recommended approval of this.

MOTION: Council Member McDonald moved to approve Ordinance No. 2020-07, an Ordinance of Ivins City, Utah, amending the Land Use and Zoning on a parcel of land located at approximately Highway 91 and Crescent Moon Village
SECOND: Council Member Johnson
VOTE: The motion carried.

Council Member Mehr	AYE
Council Member McDonald	AYE
Council Member Johnson	AYE
Council Member Gordhammer	AYE
Council Member Larsen	AYE

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

C. Public Hearing on the proposed disposition of a parcel of real property consisting of approximately 0.048 acres located along 200 North in Ivins, Parcel Number I-TSS-2-21 to Cliff and Leann Gustin for the construction of a residential home

Dale Coulam indicated that this parcel is in the Tenaya Sands subdivision and was developed with an SEO (Subdivision Enhancement Overlay). A couple of years ago the Gustins came before the City Council and requested a Revocable License Agreement that allowed the Gustins to remove the existing wall and use that additional space. The agreement was entered into and that allowed for the use of that land, which is 2085 sq ft but what the Gustins found out was that when they placed their designed home on that lot, there is one wing of the home that goes across the setback and the Revocable License Agreement is a right to use the space but does not change the boundary line or setbacks so in order to place their home on that parcel, the Gustins need to purchase that 2085 sq ft from the City. That would move the boundary back to where the walls line up and the setbacks would also move and their house would then fit on that lot. The price per square foot was calculated based on the purchase price of the lot in 2017 so the figure does not include appreciation from that point but that would take some effort to determine and the thought was that this was a fair resolution. The purchase price for the 2085 square feet is $25,868 and a Purchase Agreement was drawn up, reviewed and discussed but because it involves a piece of property owned by the City, any amount is considered significant and a Public Hearing is required. **Mayor Hart** inquired of Mike Rodriguez as to his thoughts on this. **Mike Rodriguez** commented that this is a reasonable conclusion. **Mayor Hart** opened the Public Hearing and inquired of Lane Mecham if there was anyone in attendance through the Zoom platform who would like to make a public comment. **Lane Mecham** confirmed that there

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were no attendees through the Zoom platform. There being no public comments, **Mayor Hart** closed the Public Hearing.

D. Discuss and consider approval of a Purchase Agreement for 2,085 square feet of City property on the South side of 200 North abutting Parcel I-TSS-2-21 in Tenaya Sands Subdivision

Council Member Mehr want to confirm that this was fair and inquired of the Gustins. **Cliff Gustin** indicated that he thought it was a good solution for the problem. **Council Member Mehr** inquired if he felt like he had been treated fairly. **Cliff Gustin** stated yes. **Mayor Hart** commented that the Parks and Recreation department will not have to maintain that portion so his only question was a precedent question. He inquired if the City does this, if they would be opening the door to others to purchase City property. **Dale Coulam** clarified that there are other Revocable License Agreements and this establishes a good precedent in that it sets the method of how the City determines the price and that it is per square foot. If the property was purchased a long time ago, then the City would need to account for the appreciated value. **Mayor Hart** inquired if doing this would mean that someone could demand of the City Council to acquire a parcel. **Dale Coulam** clarified that someone could make a request but could not demand it and then the City Council could consider the request. If there are reasons to deny the request, the City Council could do so. This sets a precedence for the method to set the purchase price. **Mayor Hart** suggested that when a motion is made, that the reasons why this is being allowed, be stated. He commented that this was originally part of the open space requirement so the City would be relinquishing some space. **Dale Coulam** indicated that in comparison of the whole open space that was used, this is a small part and the subdivision was approved a long time ago.

MOTION: Council Member Mehr moved to approve a Purchase Agreement for 2,085 square feet of City property on the South side of 200 North abutting Parcel I-TSS-2-21 in Tenaya Sands Subdivision and the reasons being that this property is not of importance to the City and will help reduce a maintenance burden
SECOND: Council Member Gordhammer
VOTE: The motion carried.

Council Member Mehr	AYE
Council Member McDonald	AYE
Council Member Larsen	AYE
Council Member Johnson	AYE
Council Member Gordhammer	AYE

5) DISCUSSION AND POTENTIAL ACTION ITEMS

B. Presentation, discussion and consideration of Snow Canyon State Park's request to move the Snow Canyon south entrance station to the south

Kristen Comella, Park Manager of Snow Canyon State Park indicated that they are proposing to move the location of the south entrance station approximately 800 feet south, which would put it onto Ivins City roadway that is maintained and operated by Ivins City. It would sit just south of the Johnson Canyon parking lot. The Snow Canyon State Parks Administration has requested that the Park expand visitor capacity. Approximately ten (10) years ago, the Administration was tasked by the Utah State Legislature to become self-sufficient and essentially wean themselves off of the General Fund. The Division is within ten percent (10%) of reaching that goal so they

are trying to increase revenue that is coming in from the 44 Utah State Parks that they manage. **Mayor Hart** stated that he has not had anyone complain but has had a concern voiced that people currently park outside of the toll booth in that parking lot and even on the sides of the road, presumably to avoid having to pay an entrance fee. **Kristen Comella** clarified that that parking lot fills and folks still want to come to the park and are finding any possible place that they can park and park on the road sides just because there's no place to park. **Mayor Hart** inquired if the Council were to grant this, would that section or road then be regarded as the Park's maintenance responsibility. **Kristen Comella** indicated yes and then likely an abandonment of that portion of road. **Mayor Hart** inquired if she has spoken with Tracy Welch at Red Mountain Spa. **Kristen Comella** stated that she has not reached out to Tracey. **Mayor Hart** indicated that should occur because of where the booth will be located, there is a portion of property owned by Red Mountain Spa that will be inside of the where the booth will be located and there may be an issue with a toll to access that. **Council Member McDonald** inquired if Scout Cave was part of the State Park. **Kristen Comella** stated that it was. **Council Member Mehr** commented that for those with an annual pass, it would be nice to scoot around the cars that are waiting to pay. He would like to see the ability to get around the waiting vehicles. **Kristen Comella** stated that space is tight in there and she was not certain that they would be able to put in a second lane. Most of the work would need to be done to the west and there are habitat issues that are challenging. **Council Member McDonald** suggested that an arrangement may be able to be reached with Red Mountain Spa. **Council Member Larsen** would like to get Red Mountain Spas input. **Council Member Gordhammer** indicated that she was fully supportive of this thought that it will actually improve the situation for pedestrians and bicyclists because it will slow down traffic. **Kristen Comella** clarified that the existing location has speedbumps and they will also have that configuration with the toll booth being moved. **Mayor Hart** commented that Kristen needs a formal sense that the City Council is supportive of this. **Kristen Comella** stated that was correct and also requested guidance. **Council Member McDonald** can support it if Red Mountain is on board.

MOTION: Council Member McDonald moved consider the Snow Canyon State Park's request to move the Snow Canyon south entrance station to the south, on condition of Red Mountain Spa approval
SECOND: Council Member Larsen
VOTE: The motion carried.

Council Member Mehr	AYE
Council Member McDonald	AYE
Council Member Larsen	AYE
Council Member Johnson	AYE
Council Member Gordhammer	AYE

Council Member Mehr requested discussion and commented that he did not want to give the decision up to Red Mountain Spa and requested that the motion be clarified. **Mayor Hart** clarified that discussion will occur with Red Mountain Spa that they also consent to allowing that piece of their property being fronted by a road that will be the State Parks. **Council Member Mehr** commented that if there is an issue, they can come back before the City Council.
Council Member McDonald accepted that as part of his motion.

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C. Discuss and consider approval of Resolution No. 2020-15R, a Resolution of Ivins City, Utah, appointing an individual to the Sensitive Lands Committee

Mayor Hart indicated that Chris Blake has been participating on this committee for years but was never actually appointed.

MOTION: Council Member Mehr moved to approve Resolution No. 2020-15R, a Resolution of Ivins City, Utah, appointing Chris Blake to the Sensitive Lands Committee
SECOND: Council Member Gordhammer
VOTE: The motion carried.

Council Member Mehr	AYE
Council Member McDonald	AYE
Council Member Larsen	AYE
Council Member Johnson	AYE
Council Member Gordhammer	AYE

Roll call vote. All Council Members voted in favor.

D. Discuss and consider approval of Resolution No. 2020-16R, a Resolution of Ivins City, Utah, re-appointing an individual to the Sensitive Lands Committee

There was no discussion.

MOTION: Council Member Gordhammer moved to approve Resolution No. 2020-16R, a Resolution of Ivins City, Utah, re-appointing David Black to the Sensitive Lands Committee
SECOND: Council Member Johnson
VOTE: The motion carried.

Council Member Mehr	AYE
Council Member McDonald	AYE
Council Member Larsen	AYE
Council Member Johnson	AYE
Council Member Gordhammer	AYE

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

E. Discuss and consider approval of the parking agreement with the LDS Church

Dale Coulam stated that the City has had an agreement for many years with the Church regarding shared parking. The new parking that is proposed for the new City Hall will alter the current parking agreement but will provide additional parking for both the church and the new City Hall.

MOTION: Council Member McDonald moved to approve the parking agreement with the LDS Church
SECOND: Council Member Mehr
VOTE: The motion carried.

Council Member Mehr	AYE
Council Member McDonald	AYE
Council Member Larsen	AYE

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Council Member Johnson	AYE
Council Member Gordhammer	AYE

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

F. Continued discussion regarding Ivins replacement City Hall

No discussion

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

Mayor Hart commented that the County seems to be doing well and the hospital is not overwhelmed. The kids are in school and doing well. They are primarily contracting the virus outside of school.

6) CONSENT AGENDA

A. Approval of City Council Work Meeting Minutes for September 16, 2020

B. Approval of City Council Meeting Minutes for September 17, 2020

Mayor Hart thanked the City Recorder for the accuracy of the Minutes and the time spent preparing them.

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 Larsen	AYE
Council Member Johnson	AYE
Council Member Gordhammer	AYE

7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) REPORTS

A. Council

Council Member Gordhammer - no report
Council Member Johnson - no report
Council Member Larsen - no report
Council Member McDonald congratulated Derek Larsen on being appointed to the fill the mid-term vacancy. The decision was very difficult with the applicants but he was the next one in line on what the people had spoken for at the prior election and he appreciated his willingness to serve. He reported that they hired a District Manager at the Solid Waste District and he has been there for two (2) weeks. He has a desire to be the best he can be, as quick as he can and he is thorough. He has already requested previous years Minutes for all of the meetings so he can get up to speed as soon as possible. His name is Ben Billingsley and he was the Finance Director of the town of Apple Valley.
Council Member Mehr congratulated Derek Larsen as well for his appointment to fill the mid-term vacancy. He referred to following up on the request for a school crossing light at Vista School and Puerto Drive. He didn't recall the Council requesting a petition and thought that Chuck was following up with the school principal. He was surprised to see a petition garnering support. **Mayor Hart** clarified that he had suggested the petition, to provide evidence of the general sense of need and emails of concern over that. **Council Member Mehr** clarified that the City would not be taking away the crossing guards. **Dale Coulam** commented that the request

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was for this to come before the Council tonight but it was not timely and Chuck Gillette needed more time to check with Vista School. **Council Member Mehr** indicated that the next City Council meeting is on October 15th, which is fall break and he may not be here. He inquired if the Council wanted to consider moving it to October 22nd. The City Council decided to leave the meeting on October 15th.

B. Mayor

Mayor Hart reported that he was invited to the ribbon cutting for new creative center at Tuacahn.

Mayor Hart publicly recognized Tom Jorgensen and Melinda Gibson for helping out with the new City Hall groundbreaking.

Council Member Mehr left the Council Chambers at 8:44 p.m. but was still in attendance via the Zoom platform.

C. City Manager/Attorney Dale Coulam

Dale Coulam reported that due to COVID, the City will not have a Christmas Party this year and the CDC is recommending for Thanksgiving and Christmas dinners that the dinners be small and be with those who live in your household. He has encouraged the Department Heads to do something with their employees and the City will do something to recognize its employees as well and hopes that things will have changed for next year.

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 Larsen	AYE
Council Member Johnson	AYE
Council Member Gordhammer	AYE

The meeting adjourned at 8:46 p.m.

Respectfully,

Kari Jimenez
City Recorder

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