IVINS
CITY COUNCIL
MINUTES
October 15, 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 McDonald, Council Member Johnson, Council Member Gordhammer, Council Member Larsen, and City Recorder Kari Jimenez.
STAFF: City Manager/Attorney Dale Coulam, Director of Finance Lane Mecham, and Building and Zoning Administrator Mike Rodriguez.
EXCUSED: Council Member Mehr
Audience: Sam Gibbs, Joe Smith, Jason Joy, Princess Gutierrez and others who did not sign in.

A. Acknowledgement of Quorum

Mayor Hart acknowledged there was a quorum present. Council Member Gordhammer was present via the electronic "Zoom" platform. Mayor Hart, Council Member McDonald, Council Member Johnson and Council Member Larsen were present in the Council Chambers. Council Member Mehr 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. Flag Salute

Mayor Hart led the Flag Salute

C. Invocation

Council Member Gordhammer gave the Invocation

D. 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

Mike Rodriguez reported that September and October of this year have been the busiest months in the last four (4) years. There are a lot of inspections occurring and he just approved plans for the first three (3) buildings of the Canyon Crossings project.
There was no one present from the Public Works Department but electronic reports are attached to this agenda.
Lane Mecham reported that everything is going along normally for this time of year and revenues are pacing ahead of budget pretty much across the board. The auditors will be in the office next week from Monday to Wednesday and will likely have questions for the Mayor and/or City Council members. The majority of the CARES (Coronavirus Aid Relief and Economic Security Act) applicants have expressed their appreciation and gratefulness for the City Council approving those funds. That has been a huge win for the community and businesses in the community. **Mayor Hart** indicated that he receives emails from the State Auditor regarding invitations to comment on various issues and inquired if Lane is receiving

DRAFT

those as well. **Lane Mecham** stated that he is receiving those. **Council Member Gordhammer** thanked Lane for being the front person on the CARES applications and was pleased that the City was able to reach out and help the businesses in Ivins. **Mayor Hart** inquired if the funds have been distributed. **Lane Mecham** indicated that the funds will be initiated tomorrow.

B. Planning Commission Report

Commissioner Anderson reported that the Planning Commission held a Public Hearing to consider proposed amendments regarding grading. There were no comments and that will move forward to the City Council for a Public Hearing in the future. The Planning Commission also approved an Amended and Extended Preliminary Plan for Mojave Mesa and Final Plats for Red Mountain Terrace, Taviawk-9-EE, Taviawk-12-E and Posovi 3-F.

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 to consider vacating easements at Vista Charter School at approximately 585 East Center Street

Mike Rodriguez reported that this is granting new easements where the City is trading one easement for another. **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 and 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. 2020-13, an Ordinance of Ivins City, Utah, vacating easements at Vista Charter School at approximately 585 East Center Street

Dale Coulam clarified that this is simply replacing the current easement with one that is close, but not exactly the same. It would be trading one easement for another. **Council Member McDonald** inquired as to the purpose for the realignment. **Mike Rodriguez** stated that the purpose is that the existing easements that are in place, especially those furthest north, are encroaching into the area where their building will be and in order for the building to be constructed, those easements need to be vacated and re-aligned. **Principal Gibb** commented that the new building will be where the portable buildings are currently located and those portable buildings will be removed. **Mayor Hart** thanked Principal Gibb for reaching out and discussing this. They have already discussed concerns regarding traffic and have commissioned a traffic study with five (5) recommendations that will alleviate the congestion that occurs there. That will be discussed in the future.

MOTION: Council Member Johnson moved to approve Ordinance No. 2020-13, an Ordinance of Ivins City, Utah, vacating easements at Vista Charter School at approximately 585 East Center Street

DRAFT

SECOND: Council Member McDonald
VOTE: The motion carried.

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

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

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and consider approval of a Proclamation regarding Domestic Violence Awareness Month

Princess Gutierrez with the Dove Center indicated that October is awareness month for Domestic Violence. The Dove Center has provided counseling and other help to over 1200 community members this year. **Council Member Larsen** thanked Ms. Gutierrez for the work they do.

MOTION: Council Member McDonald moved to suspend approval the Proclamation regarding Domestic Violence Awareness Month
SECOND: Council Member Johnson
VOTE: The motion carried.

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

B. 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"

Lane Mecham indicated that this will allow renters to have their own account but owners of the account will still be liable. The changes to this Ordinance also removes the $200 deposit for owners but requires a deposit of $100 from a renter. He and Jennifer Chapman have looked at what other cities are doing and this is similar to how a rental situation with utilities is being handled. **Mayor Hart** commented that he thought this was a good solution. **Council Member Gordhammer** referred to the document indicating that if an account is 90 days past due, the owner is liable but inquired if the owner is aware that their tenant is behind in payments or are they just notified at the 90 days? **Lane Mecham** clarified that the owners are getting the shut off notices that the tenants are getting and the City will continue sending those notifications to the owner. The owners are receiving the past due notices as well as the shut off balance. The Mayor and City Council agreed that this is a good step.

MOTION: Council Member Johnson moved to approve Ordinance No. 2020-09, an Ordinance of Ivins City, Utah, amending Title 10, Chapter 1 of the Ivins City Code entitled "Water System"

DRAFT

SECOND: Council Member Larsen
VOTE: The motion carried.

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

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

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

Lane Mecham stated that this updated the water deposit that was just discussed in the last agenda item and includes a fee for a Final Plat one-time 6 month extension.

MOTION: Council Member McDonald moved to approve Resolution No. 2020-14R, a Resolution of Ivins City, Utah, amending the Consolidated Fee Schedule
SECOND: Council Member Gordhammer
VOTE: The motion carried.

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

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

D. Presentation and continued discussion regarding Ordinance No. 2019-08, an Ordinance of Ivins City, Utah, amending the density allowances for Multi-Family

Mike Rodriguez provided a presentation to the Mayor and City Council, a copy of which is attached to this agenda. He indicated that the information was provided to a couple of developers to solicit their input and he did not receive any negative comments back and they thought that the changes made sense and that the methodology was much easier to calculate. **Mayor Hart** requested that Commissioner Loris and Commissioner Anderson explain why they thought the changes are positive change. **Dale Coulam** commented that Commissioner Loris applied the methodology to one of the developments and it worked. **Commissioner Loris** confirmed that was correct. The observation was that any development with a larger area worked out really well and they could keep open space like a pool or green areas and use the land in a way that would make it more open and see more open space and it was a more feasible use of that open space. **Dale Coulam** referred to High Density Land Use and commented that when the Planning Commission first started out with their discussions, some resulted in less than the density a developer could get with 5000 sq ft lots; that would be considered a taking so there has been a clause added that the developer could at least obtain that density. **Commissioner Anderson** indicated that the methodology is not just for open space. It is also for a community that is useable and helps the impact of the City with parks and similar uses. **Mayor Hart** liked the concept but inquired if the methodology drives the developer to build a two-story project. **Commissioners Anderson** and Loris indicated that the developer would receive a bonus for building a single story project. Mayor Hart and the City Council did not see that

DRAFT

verbiage in the draft Ordinance. **Commissioners Anderson and Loris** commented that they recalled that discussion and seeing the verbiage included in the final approved draft. What was before the City Council appeared to not be the current and final draft as the Planning Commission's recommendation. The **Mayor and City Council** agreed that this agenda item should be continued to the next City Council meeting to review the final draft from the Planning Commission, as well as the Planning Commission Meeting Minutes where this was discussed, so that they may review those prior to the next City Council meeting.

MOTION: Council Member McDonald moved to continue the discussion regarding Ordinance No. 2019-08, an Ordinance of Ivins City, Utah, amending the density allowances for Multi-Family to the next City Council meeting
SECOND: Council Member Johnson
VOTE: The motion carried.

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

E. Discuss and consider approval of a Development Agreement for Red Mountain Terrace Subdivision located at approximately 200 East and Highway 91

Dale Coulam stated that the Preliminary Plan that was approved showed two (2) phases and that is what is driving the Development Agreement. The second phase will pick up the trail along Highway 91. The City would like to COG (Council of Government) funds to purchase right-of-way for a roundabout. The hope was that would occur at phase 1 but the developer wants to get moving with development.

MOTION: Council Member Johnson moved to approve a Development Agreement for Red Mountain Terrace Subdivision located at approximately 200 East and Highway 91
SECOND: Council Member Larsen
VOTE: The motion carried.

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

F. Discuss and consider approval of expenditure for additional fees for the New City Hall

Dale Coulam indicated that when the City signed the contract with VCBO, included in their materials when they submitted their bid, was their fees and those were based on the percentage of the construction costs. The Mayor and Council discussed a number at that time based on the estimate, but at the time it was unknown what additional things there would be. That has now been determined with the add-ons and the total construction costs have increased. When you take the fee of 5%, the difference is $75,000 and technically this did not have to be brought forward for approval because the contract has already been approved but he thought that the

DRAFT

Mayor and Council would want to know about it, which is why it was brought forward on an agenda for approval, although the City is already contractually bound based on the construction contract that was approved. **Mayor Hart** stated that this is a standard architectural contract and the fee is based on a percentage of the construction costs. **Council Member McDonald** indicated that what really concerned him when first read the staff report was that the City is just one month into the new City Hall construction and there's been an increase of $75,000 but after he reached out to Lane Mecham on other things, he understood the increase. One of those other things was the cost for Rocky Mountain Power to run power to the new building. He asked Lane to do more research and see if there are more things that may come up because he did not want to see this project turn into "we need a little more and a little more". He, Lane Mecham and Tom Jorgensen talked about the Rocky Mountain Cost being a material item and understanding that environmental issues are beyond the City's control. **Mayor Hart** reminded the City Council that the City has a guaranteed cost contract with Hughes Construction. **Council Member McDonald** inquired if the City was okay, and in a position to pay for the additional architectural fees for the new City Hall. **Lane Mecham** stated that the City is financially secure and there are impact funds available to pay the fees. **Council Member McDonald** inquired if VCBO was designing the remodel of the existing City Hall. **Mayor Hart** clarified that they already have and the they are locked in on the price.

MOTION: Council Member McDonald moved to approve an expenditure not to exceed $75,000 for additional fees for the New City Hall
SECOND: Council Member Larsen
VOTE: The motion carried.

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

G. Discuss and consider approval of Resolution No. 2020-18R, a Resolution of Ivins City, Utah, approving employee core benefits

Dale Coulam clarified that the City made a decision last year to go with PEHP, which was a three (3) year commitment and was by far the lowest proposal. There are services available from Blomquist Hale to Ivins employees. **Mayor Hart** inquired if this was how they budgeted this year. **Dale Coulam** indicated yes. **Mayor Hart** commented that these benefits are important to Ivins staff. **Dale Coulam** stated that they were and helps with employee retention and with hiring. Staff is very grateful for the Council's support. **Council Member McDonald** inquired if the employees were happy with their core benefits. **Dale Coulam** indicated that they were.

MOTION: Council Member Larsen moved to approve Resolution No. 2020-18R, a Resolution of Ivins City, Utah, approving employee core benefits
SECOND: Council Member McDonald
VOTE: The motion carried.

Council Member McDonald	AYE
Council Member Johnson	AYE

DRAFT

Council Member Gordhammer	AYE
Council Member Larsen	AYE
Council Member Mehr	ABSENT

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

H. Discuss and consider approval of Resolution No. 2020-19R, a Resolution of Ivins City, Utah, appointing a City Council Member to the Sand Hollow Aquatic Center Tri City Board

Dale Coulam stated that the City needs somebody on the board to represent Ivins City. They Mayor and City Council determined that Council Member Johnson could serve on this board. **Council Member Johnson** indicated that she would be happy to serve and represent the City.

MOTION: Council Member McDonald moved to approve Resolution No. 2020-19R, a Resolution of Ivins City, Utah, appointing Council Member Johnson to the Sand Hollow Aquatic Center Tri City Board
SECOND: Council Member Johnson
VOTE: The motion carried.

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

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

I. Continued discussion regarding Ivins replacement City Hall

There was no discussion

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

Mayor Hart stated that Utah's Governor has initiated some changes and requirements. There is no question that state-wide and in Washington County, that there has been an explosion of cases in individual who are between the ages of 15 and 35 and the concern is that those individuals are going home and may pass the virus on to other members. There have not been any transmission at Dixie State University or in the public school system. The biggest concern is that hospitals are reaching capacity. Washington County remains in the moderate status. **Dale Coulam** indicated that the social distancing is still required, there is a limit to social group gatherings and it has been suggested that they keep holiday dinners small to only those in your household. **Mayor Hart** commented that mortality has more to do with the existing conditions than it does age. **Council Member McDonald** stated that he spoke with someone who works at long-term facility and they indicated that family members are sneaking other family members into the facility to visit.

6) CONSENT AGENDA

A. Approval of expenditure for Public Works pavement expansion
B. Approval of City Council Meeting Minutes for October 1, 2020

DRAFT

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

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

7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) REPORTS

A. Council

Council Member Larsen - no report but referred to densities and housing and inquired if they can have a discussion regarding promoting more affordable housing. Investors have bought a lot of the affordable housing and inquired if the City could address that. **Mayor Hart** suggested that he get involved in the Affordable Housing Committee and informally appointed him to that committee. That topic will eventually go to the Planning Commission to discuss.

Council Member Gordhammer - no report

Council Member Johnson - no report

Council Member McDonald reported that things are going well at the Washington Solid Waste District and it is moving in a very positive direction. They are very happy with the new District Manager and they have entered into an agreement with the County for Human Resource services. **Mayor Hart** commented that this is the opt-out period and that runs until November 30th. **Council Member McDonald** reported that 388 people have opted out in Ivins, with most of those being HOA (Home Owner Association) communities. He felt that it was backwards because the people who opt-out are causing the landfill to fill quicker so they should be the ones that are charged. In order for the recycling program to be cancelled, there would need to be at 20,000 people in the County opt-out. **Mayor Hart** inquired how the opt-out information is published for Ivins residents. **Dale Coulam** stated that it is on Ivins website. **Lane Mecham** indicated that it was in the newsletter. **Council Member McDonald** stated that the Washington County Solid Waste District has spent a considerable amount of money on advertising through social media, radio and television as well.

B. Mayor

Mayor Hart reported that he was involved in a meeting with Santa Clara regarding Black Deserts Conditional Use Permit with their construction traffic going through Santa Clara. That did not sit very well with Santa Clara so the City will likely see a revised version of that Conditional Use Permit.

C. City Manager/Attorney Dale Coulam

Dale Coulam reported that Council Member Gordhammer was interested in knowing when the Planning Commission was going to address the outdoor lighting ordinance again and now that they have gotten through the grading ordinance, they will be begin discussing the outdoor lighting ordinance when they have a full commission, which will likely be on November 17th.

D. Items to be placed on future agendas

9) CLOSED MEETING

10) ADJOURNMENT

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

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

The meeting adjourned at 7:20 p.m.

Respectfully,

Kari Jimenez
Ivins City Recorder

DRAFT