IVINS
CITY COUNCIL
MINUTES
November 5, 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 Council Member Larsen.
STAFF: City Manager/Attorney Dale Coulam, Director of Finance Lane Mecham, Parks and Recreation Director Benny Sorensen, Public Safety Director Bob Flowers, Building and Zoning Administrator Mike Rodriguez, and City Recorder Kari Jimenez.
EXCUSED: None.
Audience: Judith Kapuscinski, Judith Lehman, Jeff Loris, Lance Anderson and others who did not sign in.

A. Acknowledgement of Quorum

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

Council Member Larsen led the Flag Salute and 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. Proclamation recognizing November as National American Indian Heritage Month

Judith Lehman was present representing the Color Country Chapter as the Chairman of NSDAR American Indian Committee. The committee is entrusted to the continuing education of the history and culture of Native American citizens and the month of November is National American Indian Heritage Month. **Mayor Hart** read the Proclamation. The City Council was supportive of the Proclamation and it was signed by Mayor Hart.

B. Department Reports: Parks and Recreation and Public Safety

Benny Sorensen provided an electronic report, a copy of which is attached to this agenda. He reported that all is going well. They held bingo in the park and that was a success. They are getting ready for basketball. **Council Member Mehr** inquired where the youth plays the games. **Benny Sorensen** indicated that the games are played at Lava Ridge. He reported that they had some vandalism of the restrooms over the weekend but they have a pretty clear picture of them on the surveillance cameras.

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Chief Flowers provided an electronic report. A copy of the report is attached to this agenda. He reported that they used a drone recently to map a crime scene and on two (2) searches. There has been more damage at the Black Desert Resort of approximately half a million dollars and that is in addition to what occurred there recently. It was a significant planned event where there were spikes placed in the ground and one of the SCI vehicles ran over those. Everything else is busy and going well.

Fire Chief Hancey reported that they received a generous and kind donation from an anonymous Ivins couple to purchase needed SCBA's equipment to outfit the engines with those packs. That will allow the equipment to be compatible with each other and other agencies. The City Council thanked the couple for their donation. Fire Chief Hancey indicated that because of COVID surge throughout the County, they are working with the County to put together two medical surge teams for the east and west sides of the County. The County is purchasing five (5) ambulances and Santa Clara Ivins will receive one of those ambulances.

C. Quarterly Finance Report

Lane Mecham provided a Quarterly Finance Report, a copy of which is attached to this agenda. He reported that there is a lot of uncertainty about the economy but the City budget is proceeding normally, capital projects are on track and there are no major concerns.

D. Planning Commission Report

Commissioner Anderson thanked Chief Flowers for letting the developers know about vandalism that's occurring in City developments. He reported that the Planning Commission held a Public Hearing on a proposed Amended Preliminary Plan and Project Plan for Azalea, formerly known as Kanta Village, and recommended approval. The Planning Commission also approved an amended Final Plat for Palisades at Snow Canyon.

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 - NONE

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and consider approval of Resolution No. 2020-21R, a Resolution of Ivins City, Utah, appointing an individual to the Arts Commission

Mayor Hart indicated that Kevin Warnick with Tuacahn has moved out of the area and Kevin Smith has provided a name to fill that position, that being Maria Lenn. **Council Member Mehr** inquired if she resides in Ivins. **Mayor Hart** indicated no. **Council Member Mehr** inquired if there was anyone on the Arts Commission that did not live in Ivins and commented that they ought to have people who live in Ivins on the Commission. **Mayor Hart** clarified that was not a requirement. **Lane Mecham** read the ordinance, indicating that a majority of the commission shall reside in Ivins. **Judith Kapuscinski** stated that Ms. Lenn would be the only member on the Commission that doesn't reside in Ivins. **Council Member Mehr** had no concerns and just wanted to check the formalities. **Mayor Hart** was impressed with how eager Ms. Lenn was to be a part of the Arts Commission.

MOTION: Council Member Johnson moved to approve Resolution No. 2020-21R, a Resolution of Ivins City, Utah, appointing Maria Lenn to the Arts Commission
SECOND: Council Member McDonald
VOTE: The motion carried.

Council Member Mehr	AYE

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

Roll call vote. All Council Members were present via the Zoom platform or present in the Council chambers and voted in favor.

B. Introduction of an Ordinance regarding the Planning Commission's recommendation to approve grading amendments

Chuck Gillette referred to the draft language for the ordinance and indicated that the language was discussed at length before the Planning Commission and what's before the Council is based on those discussions. A copy of the draft language is attached to this agenda. **Mayor Hart** clarified that roughly two (2) years ago there were a couple of projects that occurred without this language in place and caused residents great concern when properties above theirs developed. **Council Member Gordhammer** referred to the Planning Commission's recommendation to soften the language from "shall" to "encouraged" and inquired as to Chuck Gillette's personal take on that. **Chuck Gillette** commented that it depends because what generally happens is the City receives a proposal and then the City looks at this ordinance telling the applicant that the City would like the applicant to try and do this or that and when the City asks, the applicant generally does what is asked but if an applicant were to refuse, they would not be required to do what the City has asked. **Council Member Gordhammer** referred to a property owner who lives downhill and inquired what the ramifications would be for them or for the person who is going to ultimately reside on that property because she felt that the language has been softened a lot. **Mayor Hart** answered from a developers standpoint and indicated that the two (2) projects that have been the greatest offense to the neighboring projects would have ended up like they are regardless of these changes because of pad elevations and slope. The problem becomes exaggerated the steeper the slope and that forces the houses up the slope. **Council Member Mehr** inquired if a developer on the lower side of a project could bring in fill to help make the grade change less drastic between the two properties. **Mayor Hart** indicated that what usually happens is the developer will carve into the existing grade, which is more drastic and is why Chuck Gillette is referencing from natural grade in the proposed language. The **Mayor and City Council** further discussed elevations, pads, cuts, slopes, wall changes and similar. **Mayor Hart** stated that it was important to realize that this discussion is a presentation and is not expected to be passed tonight. He encouraged the City Council members to digest this document and contact Chuck Gillette with questions. This will come forward as a continued discussion.

C. Discuss and consider an amount of RAP Tax to be distributed to the Kayenta Arts Foundation

Dale Coulam indicated that every year in November, there's an allocation of RAP (Recreational, Arts and Parks) tax funds to Tuacahn for $10,000. The allocation for the Kayenta Arts Foundation (KAF) is set as a range to be not less than $3,000 and not more than $10,000. There is also an application period in December that is decided in January as to who receives what funds that were applied for. **Mayor Hart** stated that there was an arrangement made several years ago when the RAP tax came about and the full range has been awarded to KAF. Tonight's discussion is just one aspect of this and inquired what the total distribution amount would be. **Lane Mecham** stated that the amount is from the previous calendar year and the amount is

$38,777 and that is for the Arts portion. With the $10,000 commitment to Tuacahn and the $3,000 commitment to KAF, the net amount is $25,777. **Judith Kapuscinski** commented that when the RAP tax first came about and there was an agreement made to dedicate $10,000 to Tuacahn, it was mentioned that the City didn't know how much RAP tax would be coming in and if the City automatically dedicated $10,000 to Tuacahn and KAF, the thought was that there wouldn't be enough funds remaining for others. She felt that the agreement was made in good faith that as long as there were enough funds, $10,000 would be given to Tuacahn and KAF. There is then an application process where the Arts Commission has an application form and those applications are limited to 501(C)(3) entities that are providing a substantial benefit to Ivins or the City. The Arts Commission reviews those applications and makes recommendations in January as to what funding should be awarded. The City Council inquired as to what the funds can be spent on and **Mayor Hart** inquired what KAF has used the dedicated funds for. **Judith Kapuscinski** indicated activities with the kids like the street painting festival and at the time, there was no building so the funds were primarily spent on programs and now with the building, they are holding programs indoors but the seating arrangements have changed and masks are required due to the COVID situation. **Lane Mecham** referred to the Memorandum of Understanding and read the following paragraph: "KAF expressly agrees that none of the funds received from the City will be used for salaries." That's really the only restriction in the Memorandum of Understanding. **Judith Kapuscinski** stated that KAF is totally arts focused for the public and community. **Council Member McDonald** indicated that he has said this in the past, he thinks that the City should be saving as much as the City can for the project that is underway, the new City Hall, and there will be substantial expenses when it comes to art for the new City Hall. He felt that it would be foolish for the City to borrow money to pay for those parts of City Hall. He recommended that the City should provide $3,000 to KAF and then review the applications that are received, including the City's application. **Council Member Gordhammer** clarified that the arrangement is between $3,000 and $10,000 and inquired if $10,000 has always been awarded. **Mayor Hart** stated no. **Dale Coulam** clarified that $3,000 was awarded one year, $5,000 one year, $10,000 one year and multiples of those through the years. **Council Member Larsen** how many applications are usually received. **Dale Coulam** indicated the City, Tuacahn and KAF. **Council Member Johnson** was thinking about some of the City's projects where the funds could be used, like moving the statue from the Center Street/Snow Canyon Parkway roundabout to the new City Hall. **Mayor Hart** commented that this year has been an unusual year where the need is greater than in the past and he hoped that the City Council would consider an amount beyond the minimum. **Council Member Mehr** was comfortable with providing the minimum amount or $5,000 and then see how things shake out with the applications that are received. **Council Member Gordhammer** commented that she was very uncomfortable with this process and preferred to see something that is driven on need because this feels arbitrary to her. **Mayor Hart** commented that they could review the process in the future but since we're here now and stuck with the old system, they need to decide what to provide to KAF. **Council Member Gordhammer** suggested that the Arts Commission could make a recommendation now and inquired how fair is it to just pick a number. **Council Member McDonald** commented that it's not just picking a number. It was an agreed upon number when this came about and then the City looks at their needs, the City's needs and Tuacahn's needs and go from there. **Council Member Mehr** commented that rather than having KAF come back to the City every November, he suggested making an amount automatic and

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then they can apply during the application process and suggested they set the amount at $3,000. **Mayor Hart** indicated that the point was made that the amount is between $3,000 and $10,000 so he was not sure it was fair or the right amount, to go with the lowest amount. **Judith Kapuscinski** stated that there has been a document in the past that has detailed what has been done with the funds and what KAF is hoping to do. **Roger Head** is on the Board of Directors for KAF and indicated that RAP tax has given KAF a wonderful opportunity. The Memorandum of Understanding was based on money that would come in and to fund things that KAF is doing. All of the art institutions are doing what they can to enhance the community and bring in tourists. If the Mayor and City Council would like to revisit the Memorandum of Understanding, KAF is willing to do that and he would request that Tuacahn do that as well. They are living through a pandemic that is causing a difficult time for all of the arts organizations. **Mayor Hart** indicated that if there was a fixed amount, this discussion would not occur every year. He suggested the fixed amount be $6,500. **Council Member McDonald** inquired if the Council could make a change like that tonight. **Dale Coulam** stated no because they would need to change the Memorandum of Understanding and change the ordinance and clarified that the City cannot revisit the agreement with Tuacahn because the City is obligated to Tuacahn to help make bond payments. He suggested that the Council get through this process and then revisit this in the spring to set a fixed amount. **Council Member McDonald** inquired if KAF would like to revisit this. **Paul Head** indicated that he thinks that the current agreement brings up this argument every year so he would want to readdress that. **Council Member Gordhammer** stated that it was her preference for a fixed amount but that cannot be done tonight, she would support $6500 for this year. **Council Member Johnson** suggested that they go with $5,000, have KAF apply and then change the process to be a fixed amount. **Council Member McDonald** commented that the RAP tax expires in the near future and the City's obligation to Tuacahn for their bond is 20 years so the City is setting money aside to cover that obligation if the RAP tax is not renewed.

MOTION: Council Member McDonald moved to approve some RAP Tax funding for the Kayenta Arts Foundation in the amount of $5,000.00 for this year
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 via the Zoom platform or present in the Council chambers and voted in favor.

D. Discuss and consider approval of an Amended and Extended Preliminary Plan for the Mojave Mesa subdivision

Mike Rodriguez reported that the Amended and Extended Plan adds eight (8) additional lots to the eastern part of the site and realigning a roadway for the proposed 70 lots on just over 22 acres. The Planning Commission held a Public Hearing on October 13, 2020 and recommended approval.

MOTION: Council Member Johnson moved to approve an Amended and Extended Preliminary Plan for the Mojave Mesa subdivision

SECOND: Council Member McDonald
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 via the Zoom platform or present in the Council chambers and voted in favor.

E. Continued discussion regarding Ordinance No. 2019-08, an Ordinance of Ivins City, Utah, amending the density allowances for Multi-Family

Council Member Johnson was excused at 8:00 p.m.

Mike Rodriguez reported that this will amend how densities are determined in Multi-Family zones. In all Multi-Family districts, densities will be calculated as a percentage of the total square footage of the horizontal cross section of all residential structures at their largest point, as compared to the total square footage of the parcel. In no event will a property owner be allowed a base density that is less than the density that would be achieved using an R-1-5 zoning district. Maximum densities with no density bonus, as well as maximum densities with a density bonus were explained as outlined in the draft ordinance of section (1)(b) and (1)(c), as well as bonus improvements in section (3)(a) through (3)(e). A copy of the draft ordinance is attached to this agenda. **Mayor Hart** indicated that the way he reads this, he thought that the Planning Commission did a great job and the amendments encourage what Ivins General Plan encourages. The **Mayor and City Council** agreed that this will proceed to a Public Hearing at the next City Council meeting.

F. Discuss and consider approval of Resolution No. 2020-20R, a Resolution of Ivins City, Utah, appointing an individual to the Southwest Mosquito Abatement District Board of Directors

There was no discussion.

MOTION: Council Member McDonald moved to approve Resolution No. 2020-20R, a Resolution of Ivins City, Utah, appointing Derek Larsen to the Southwest Mosquito Abatement District Board of Directors
SECOND: Council Member Larsen
VOTE: The motion carried.

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

Roll call vote. All Council Members that were present via the Zoom platform, or present in the Council chambers, voted in favor. One Council Member was excused.

G. Discuss and consider approval of an expenditure for General Service Contract with Rocky Mountain Power for the new City Hall

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Mayor Hart indicated that Gene Madsen with Hughes General Contractors mentioned this sometime ago. **Dale Coulam** stated that Lane Mecham mentioned this as well and the estimated amount was $36k but this is now the actual contract.

MOTION: Council Member McDonald moved to approve an expenditure for a General Service Contract with Rocky Mountain Power for the new City Hall for the amount off $32,628

SECOND: Council Member Gordhammer

VOTE: The motion carried.

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

Roll call vote. All Council Members that were present via the Zoom platform, or present in the Council chambers, voted in favor. One Council Member was excused.

H. Continued discussion regarding Ivins replacement City Hall

Mayor Hart indicated that the contractors tried to move the monument but it turned out to not be moveable but when they pulled all of the stone off of the existing monument so that the original stone can be placed back, they located a time capsule with some letters and photos, although there is some damage to those items. He is going to provide that time capsule to Council Member Johnson as part of Ivins Historical Society and they will try and locate a conservator for the items in the time capsule. **Mayor Hart** referred to the rammed earth wall and stated that the contractor is required to provide a 4' high by 6' wide sample and provided a preliminary sample of the colors. Since the contractor is obligated to make the sample, he suggested that the City rebuild the monument as it was. Pictures and measurements were taken so that it could be rebuilt. The City Council agreed with the sample of colors and supported rebuilding the monument. **Council Member Mehr** encouraged inviting members to bring some dirt from their property to that rammed earth wall. **Mayor Hart** stated that they have a weekly meeting with the contractor and he will bring that up.

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

Mayor Hart indicated that the State has gone through a massive increase in the number of cases, due to number of tests given but what is troublesome is that the hospitals have reached capacity. They are adding housing in other locations and asking people to mask up and try and slow this whole thing down. **Council Member McDonald** wondered if they are capacity because of COVID or other reasons. **Mayor Hart** stated that the ICU and COVID floor reached capacity because of COVID and you can't just pull ICU nurses out of the air. **Council Member Mehr** commented that the situation is challenging and that the virus is going to spread and move throughout society until there's a vaccine and so the hospitals don't run out of hospital beds, they are doing what was similarly done in March but the difference between March and now, is in March the hospitals closed all elective procedures. Healthcare is a business, as well as caring for the community and because of the loss of elective procedures, the healthcare system lost hundreds of millions of dollars. People are delaying care that's needed so right now the decision is to not close elective procedures, continue treating and caring for the community and trying to help the community understand that if the community helps slow the spread, then they can keep

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those services open and serve the whole community. **Mayor Hart** indicated that thus far, the virus has not been transmitted through the public school system.

6) CONSENT AGENDA

A. Approval of purchase of vehicle for Public Safety

B. Approval of City Council Meeting Minutes for October 15, 2020

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

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

Roll call vote. All Council Members that were present via the Zoom platform, or present in the Council chambers, voted in favor. One Council Member was excused.

7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) REPORTS

A. Council

There were no reports by the City Council Members.

B. Mayor

Mayor Hart reported that there will be a virtual event through the Southern Utah Veteran's Home to celebrate Veteran's Day.

C. City Manager/Attorney Dale Coulam

Mayor Hart indicated that they need to schedule a Work Meeting next week with the team from Black Desert Resort. **Dale Coulam** stated that if the Work Meeting is scheduled for next Thursday evening, November 12, 2020, the City will have Bond Counsel for City Hall present to answer questions He actually drafted the Public Infrastructure District statute and will also comment on Tax Incremental Financing. **Mayor Hart** indicated that the Black Desert project is designed with underground parking that is expensive and can't be financed by typical means. They will need to demonstrate that the benefits net out a huge benefit to the City long-term. **Dale Coulam** stated that the proposed Work Meeting date is next Thursday, November 12th at 5:30 p.m. **Council Member Larsen** indicated that he will be out of town but may be able to attend via the Zoom platform. **Mayor Hart** referred to Ivins Bond Counsel and stated that Dale Coulam's advice is for the City to bring on its own advisors and they will be here next Thursday and available. **Dale Coulam** indicated that they may also be able to attend the November 19th City Council meeting as well. **Council Member Larsen** disclosed that he and his business partner have put money down on a condo in the Black Desert Resort project.

D. Items to be placed on future agendas

9) CLOSED MEETING

10) ADJOURNMENT

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

Council Member Mehr	AYE

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

The meeting adjourned at 8:45 p.m.

Respectfully,

Kari Jimenez
Ivins City Recorder

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MOTION: Council Member Johnson moved to approve Resolution No. 2020-21R, a Resolution of Ivins City, Utah, appointing Maria Lenn to the Arts Commission
SECOND: Council Member McDonald
VOTE: The motion carried.

Council Member Mehr	AYE

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Council Member McDonald	AYE
Council Member Johnson	AYE
Council Member Gordhammer	AYE
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$38,777 and that is for the Arts portion. With the $10,000 commitment to Tuacahn and the $3,000 commitment to KAF, the net amount is $25,777. **Judith Kapuscinski** commented that when the RAP tax first came about and there was an agreement made to dedicate $10,000 to Tuacahn, it was mentioned that the City didn't know how much RAP tax would be coming in and if the City automatically dedicated $10,000 to Tuacahn and KAF, the thought was that there wouldn't be enough funds remaining for others. She felt that the agreement was made in good faith that as long as there were enough funds, $10,000 would be given to Tuacahn and KAF. There is then an application process where the Arts Commission has an application form and those applications are limited to 501(C)(3) entities that are providing a substantial benefit to Ivins or the City. The Arts Commission reviews those applications and makes recommendations in January as to what funding should be awarded. The City Council inquired as to what the funds can be spent on and **Mayor Hart** inquired what KAF has used the dedicated funds for. **Judith Kapuscinski** indicated activities with the kids like the street painting festival and at the time, there was no building so the funds were primarily spent on programs and now with the building, they are holding programs indoors but the seating arrangements have changed and masks are required due to the COVID situation. **Lane Mecham** referred to the Memorandum of Understanding and read the following paragraph: "KAF expressly agrees that none of the funds received from the City will be used for salaries." That's really the only restriction in the Memorandum of Understanding. **Judith Kapuscinski** stated that KAF is totally arts focused for the public and community. **Council Member McDonald** indicated that he has said this in the past, he thinks that the City should be saving as much as the City can for the project that is underway, the new City Hall, and there will be substantial expenses when it comes to art for the new City Hall. He felt that it would be foolish for the City to borrow money to pay for those parts of City Hall. He recommended that the City should provide $3,000 to KAF and then review the applications that are received, including the City's application. **Council Member Gordhammer** clarified that the arrangement is between $3,000 and $10,000 and inquired if $10,000 has always been awarded. **Mayor Hart** stated no. **Dale Coulam** clarified that $3,000 was awarded one year, $5,000 one year, $10,000 one year and multiples of those through the years. **Council Member Larsen** how many applications are usually received. **Dale Coulam** indicated the City, Tuacahn and KAF. **Council Member Johnson** was thinking about some of the City's projects where the funds could be used, like moving the statue from the Center Street/Snow Canyon Parkway roundabout to the new City Hall. **Mayor Hart** commented that this year has been an unusual year where the need is greater than in the past and he hoped that the City Council would consider an amount beyond the minimum. **Council Member Mehr** was comfortable with providing the minimum amount or $5,000 and then see how things shake out with the applications that are received. **Council Member Gordhammer** commented that she was very uncomfortable with this process and preferred to see something that is driven on need because this feels arbitrary to her. **Mayor Hart** commented that they could review the process in the future but since we're here now and stuck with the old system, they need to decide what to provide to KAF. **Council Member Gordhammer** suggested that the Arts Commission could make a recommendation now and inquired how fair is it to just pick a number. **Council Member McDonald** commented that it's not just picking a number. It was an agreed upon number when this came about and then the City looks at their needs, the City's needs and Tuacahn's needs and go from there. **Council Member Mehr** commented that rather than having KAF come back to the City every November, he suggested making an amount automatic and

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then they can apply during the application process and suggested they set the amount at $3,000. **Mayor Hart** indicated that the point was made that the amount is between $3,000 and $10,000 so he was not sure it was fair or the right amount, to go with the lowest amount. **Judith Kapuscinski** stated that there has been a document in the past that has detailed what has been done with the funds and what KAF is hoping to do. **Roger Head** is on the Board of Directors for KAF and indicated that RAP tax has given KAF a wonderful opportunity. The Memorandum of Understanding was based on money that would come in and to fund things that KAF is doing. All of the art institutions are doing what they can to enhance the community and bring in tourists. If the Mayor and City Council would like to revisit the Memorandum of Understanding, KAF is willing to do that and he would request that Tuacahn do that as well. They are living through a pandemic that is causing a difficult time for all of the arts organizations. **Mayor Hart** indicated that if there was a fixed amount, this discussion would not occur every year. He suggested the fixed amount be $6,500. **Council Member McDonald** inquired if the Council could make a change like that tonight. **Dale Coulam** stated no because they would need to change the Memorandum of Understanding and change the ordinance and clarified that the City cannot revisit the agreement with Tuacahn because the City is obligated to Tuacahn to help make bond payments. He suggested that the Council get through this process and then revisit this in the spring to set a fixed amount. **Council Member McDonald** inquired if KAF would like to revisit this. **Paul Head** indicated that he thinks that the current agreement brings up this argument every year so he would want to readdress that. **Council Member Gordhammer** stated that it was her preference for a fixed amount but that cannot be done tonight, she would support $6500 for this year. **Council Member Johnson** suggested that they go with $5,000, have KAF apply and then change the process to be a fixed amount. **Council Member McDonald** commented that the RAP tax expires in the near future and the City's obligation to Tuacahn for their bond is 20 years so the City is setting money aside to cover that obligation if the RAP tax is not renewed.

MOTION: Council Member McDonald moved to approve some RAP Tax funding for the Kayenta Arts Foundation in the amount of $5,000.00 for this year
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 via the Zoom platform or present in the Council chambers and voted in favor.

D. Discuss and consider approval of an Amended and Extended Preliminary Plan for the Mojave Mesa subdivision

Mike Rodriguez reported that the Amended and Extended Plan adds eight (8) additional lots to the eastern part of the site and realigning a roadway for the proposed 70 lots on just over 22 acres. The Planning Commission held a Public Hearing on October 13, 2020 and recommended approval.

MOTION: Council Member Johnson moved to approve an Amended and Extended Preliminary Plan for the Mojave Mesa subdivision

SECOND: Council Member McDonald
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 via the Zoom platform or present in the Council chambers and voted in favor.

E. Continued discussion regarding Ordinance No. 2019-08, an Ordinance of Ivins City, Utah, amending the density allowances for Multi-Family

Council Member Johnson was excused at 8:00 p.m.

Mike Rodriguez reported that this will amend how densities are determined in Multi-Family zones. In all Multi-Family districts, densities will be calculated as a percentage of the total square footage of the horizontal cross section of all residential structures at their largest point, as compared to the total square footage of the parcel. In no event will a property owner be allowed a base density that is less than the density that would be achieved using an R-1-5 zoning district. Maximum densities with no density bonus, as well as maximum densities with a density bonus were explained as outlined in the draft ordinance of section (1)(b) and (1)(c), as well as bonus improvements in section (3)(a) through (3)(e). A copy of the draft ordinance is attached to this agenda. **Mayor Hart** indicated that the way he reads this, he thought that the Planning Commission did a great job and the amendments encourage what Ivins General Plan encourages. The **Mayor and City Council** agreed that this will proceed to a Public Hearing at the next City Council meeting.

F. Discuss and consider approval of Resolution No. 2020-20R, a Resolution of Ivins City, Utah, appointing an individual to the Southwest Mosquito Abatement District Board of Directors

There was no discussion.

MOTION: Council Member McDonald moved to approve Resolution No. 2020-20R, a Resolution of Ivins City, Utah, appointing Derek Larsen to the Southwest Mosquito Abatement District Board of Directors
SECOND: Council Member Larsen
VOTE: The motion carried.

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

Roll call vote. All Council Members that were present via the Zoom platform, or present in the Council chambers, voted in favor. One Council Member was excused.

G. Discuss and consider approval of an expenditure for General Service Contract with Rocky Mountain Power for the new City Hall

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Mayor Hart indicated that Gene Madsen with Hughes General Contractors mentioned this sometime ago. **Dale Coulam** stated that Lane Mecham mentioned this as well and the estimated amount was $36k but this is now the actual contract.

MOTION: Council Member McDonald moved to approve an expenditure for a General Service Contract with Rocky Mountain Power for the new City Hall for the amount off $32,628

SECOND: Council Member Gordhammer

VOTE: The motion carried.

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

Roll call vote. All Council Members that were present via the Zoom platform, or present in the Council chambers, voted in favor. One Council Member was excused.

H. Continued discussion regarding Ivins replacement City Hall

Mayor Hart indicated that the contractors tried to move the monument but it turned out to not be moveable but when they pulled all of the stone off of the existing monument so that the original stone can be placed back, they located a time capsule with some letters and photos, although there is some damage to those items. He is going to provide that time capsule to Council Member Johnson as part of Ivins Historical Society and they will try and locate a conservator for the items in the time capsule. **Mayor Hart** referred to the rammed earth wall and stated that the contractor is required to provide a 4' high by 6' wide sample and provided a preliminary sample of the colors. Since the contractor is obligated to make the sample, he suggested that the City rebuild the monument as it was. Pictures and measurements were taken so that it could be rebuilt. The City Council agreed with the sample of colors and supported rebuilding the monument. **Council Member Mehr** encouraged inviting members to bring some dirt from their property to that rammed earth wall. **Mayor Hart** stated that they have a weekly meeting with the contractor and he will bring that up.

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

Mayor Hart indicated that the State has gone through a massive increase in the number of cases, due to number of tests given but what is troublesome is that the hospitals have reached capacity. They are adding housing in other locations and asking people to mask up and try and slow this whole thing down. **Council Member McDonald** wondered if they are capacity because of COVID or other reasons. **Mayor Hart** stated that the ICU and COVID floor reached capacity because of COVID and you can't just pull ICU nurses out of the air. **Council Member Mehr** commented that the situation is challenging and that the virus is going to spread and move throughout society until there's a vaccine and so the hospitals don't run out of hospital beds, they are doing what was similarly done in March but the difference between March and now, is in March the hospitals closed all elective procedures. Healthcare is a business, as well as caring for the community and because of the loss of elective procedures, the healthcare system lost hundreds of millions of dollars. People are delaying care that's needed so right now the decision is to not close elective procedures, continue treating and caring for the community and trying to help the community understand that if the community helps slow the spread, then they can keep

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those services open and serve the whole community. **Mayor Hart** indicated that thus far, the virus has not been transmitted through the public school system.

6) CONSENT AGENDA

A. Approval of purchase of vehicle for Public Safety

B. Approval of City Council Meeting Minutes for October 15, 2020

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

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

Roll call vote. All Council Members that were present via the Zoom platform, or present in the Council chambers, voted in favor. One Council Member was excused.

7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) REPORTS

A. Council

There were no reports by the City Council Members.

B. Mayor

Mayor Hart reported that there will be a virtual event through the Southern Utah Veteran's Home to celebrate Veteran's Day.

C. City Manager/Attorney Dale Coulam

Mayor Hart indicated that they need to schedule a Work Meeting next week with the team from Black Desert Resort. **Dale Coulam** stated that if the Work Meeting is scheduled for next Thursday evening, November 12, 2020, the City will have Bond Counsel for City Hall present to answer questions He actually drafted the Public Infrastructure District statute and will also comment on Tax Incremental Financing. **Mayor Hart** indicated that the Black Desert project is designed with underground parking that is expensive and can't be financed by typical means. They will need to demonstrate that the benefits net out a huge benefit to the City long-term. **Dale Coulam** stated that the proposed Work Meeting date is next Thursday, November 12th at 5:30 p.m. **Council Member Larsen** indicated that he will be out of town but may be able to attend via the Zoom platform. **Mayor Hart** referred to Ivins Bond Counsel and stated that Dale Coulam's advice is for the City to bring on its own advisors and they will be here next Thursday and available. **Dale Coulam** indicated that they may also be able to attend the November 19th City Council meeting as well. **Council Member Larsen** disclosed that he and his business partner have put money down on a condo in the Black Desert Resort project.

D. Items to be placed on future agendas

9) CLOSED MEETING

10) ADJOURNMENT

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

Council Member Mehr	AYE

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

The meeting adjourned at 8:45 p.m.

Respectfully,

Kari Jimenez
Ivins City Recorder

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IVINS
CITY COUNCIL
MINUTES
November 5, 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 Council Member Larsen.
STAFF: City Manager/Attorney Dale Coulam, Director of Finance Lane Mecham, Parks and Recreation Director Benny Sorensen, Public Safety Director Bob Flowers, Building and Zoning Administrator Mike Rodriguez, and City Recorder Kari Jimenez.
EXCUSED: None.
Audience: Judith Kapuscinski, Judith Lehman, Jeff Loris, Lance Anderson and others who did not sign in.

A. Acknowledgement of Quorum

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

Council Member Larsen led the Flag Salute and 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. Proclamation recognizing November as National American Indian Heritage Month

Judith Lehman was present representing the Color Country Chapter as the Chairman of NSDAR American Indian Committee. The committee is entrusted to the continuing education of the history and culture of Native American citizens and the month of November is National American Indian Heritage Month. **Mayor Hart** read the Proclamation. The City Council was supportive of the Proclamation and it was signed by Mayor Hart.

B. Department Reports: Parks and Recreation and Public Safety

Benny Sorensen provided an electronic report, a copy of which is attached to this agenda. He reported that all is going well. They held bingo in the park and that was a success. They are getting ready for basketball. **Council Member Mehr** inquired where the youth plays the games. **Benny Sorensen** indicated that the games are played at Lava Ridge. He reported that they had some vandalism of the restrooms over the weekend but they have a pretty clear picture of them on the surveillance cameras.

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Chief Flowers provided an electronic report. A copy of the report is attached to this agenda. He reported that they used a drone recently to map a crime scene and on two (2) searches. There has been more damage at the Black Desert Resort of approximately half a million dollars and that is in addition to what occurred there recently. It was a significant planned event where there were spikes placed in the ground and one of the SCI vehicles ran over those. Everything else is busy and going well.

Fire Chief Hancey reported that they received a generous and kind donation from an anonymous Ivins couple to purchase needed SCBA's equipment to outfit the engines with those packs. That will allow the equipment to be compatible with each other and other agencies. The City Council thanked the couple for their donation. Fire Chief Hancey indicated that because of COVID surge throughout the County, they are working with the County to put together two medical surge teams for the east and west sides of the County. The County is purchasing five (5) ambulances and Santa Clara Ivins will receive one of those ambulances.

C. Quarterly Finance Report

Lane Mecham provided a Quarterly Finance Report, a copy of which is attached to this agenda. He reported that there is a lot of uncertainty about the economy but the City budget is proceeding normally, capital projects are on track and there are no major concerns.

D. Planning Commission Report

Commissioner Anderson thanked Chief Flowers for letting the developers know about vandalism that's occurring in City developments. He reported that the Planning Commission held a Public Hearing on a proposed Amended Preliminary Plan and Project Plan for Azalea, formerly known as Kanta Village, and recommended approval. The Planning Commission also approved an amended Final Plat for Palisades at Snow Canyon.

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 - NONE

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and consider approval of Resolution No. 2020-21R, a Resolution of Ivins City, Utah, appointing an individual to the Arts Commission

Mayor Hart indicated that Kevin Warnick with Tuacahn has moved out of the area and Kevin Smith has provided a name to fill that position, that being Maria Lenn. **Council Member Mehr** inquired if she resides in Ivins. **Mayor Hart** indicated no. **Council Member Mehr** inquired if there was anyone on the Arts Commission that did not live in Ivins and commented that they ought to have people who live in Ivins on the Commission. **Mayor Hart** clarified that was not a requirement. **Lane Mecham** read the ordinance, indicating that a majority of the commission shall reside in Ivins. **Judith Kapuscinski** stated that Ms. Lenn would be the only member on the Commission that doesn't reside in Ivins. **Council Member Mehr** had no concerns and just wanted to check the formalities. **Mayor Hart** was impressed with how eager Ms. Lenn was to be a part of the Arts Commission.

MOTION: Council Member Johnson moved to approve Resolution No. 2020-21R, a Resolution of Ivins City, Utah, appointing Maria Lenn to the Arts Commission
SECOND: Council Member McDonald
VOTE: The motion carried.

Council Member Mehr	AYE

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

Roll call vote. All Council Members were present via the Zoom platform or present in the Council chambers and voted in favor.

B. Introduction of an Ordinance regarding the Planning Commission's recommendation to approve grading amendments

Chuck Gillette referred to the draft language for the ordinance and indicated that the language was discussed at length before the Planning Commission and what's before the Council is based on those discussions. A copy of the draft language is attached to this agenda. **Mayor Hart** clarified that roughly two (2) years ago there were a couple of projects that occurred without this language in place and caused residents great concern when properties above theirs developed. **Council Member Gordhammer** referred to the Planning Commission's recommendation to soften the language from "shall" to "encouraged" and inquired as to Chuck Gillette's personal take on that. **Chuck Gillette** commented that it depends because what generally happens is the City receives a proposal and then the City looks at this ordinance telling the applicant that the City would like the applicant to try and do this or that and when the City asks, the applicant generally does what is asked but if an applicant were to refuse, they would not be required to do what the City has asked. **Council Member Gordhammer** referred to a property owner who lives downhill and inquired what the ramifications would be for them or for the person who is going to ultimately reside on that property because she felt that the language has been softened a lot. **Mayor Hart** answered from a developers standpoint and indicated that the two (2) projects that have been the greatest offense to the neighboring projects would have ended up like they are regardless of these changes because of pad elevations and slope. The problem becomes exaggerated the steeper the slope and that forces the houses up the slope. **Council Member Mehr** inquired if a developer on the lower side of a project could bring in fill to help make the grade change less drastic between the two properties. **Mayor Hart** indicated that what usually happens is the developer will carve into the existing grade, which is more drastic and is why Chuck Gillette is referencing from natural grade in the proposed language. The **Mayor and City Council** further discussed elevations, pads, cuts, slopes, wall changes and similar. **Mayor Hart** stated that it was important to realize that this discussion is a presentation and is not expected to be passed tonight. He encouraged the City Council members to digest this document and contact Chuck Gillette with questions. This will come forward as a continued discussion.

C. Discuss and consider an amount of RAP Tax to be distributed to the Kayenta Arts Foundation

Dale Coulam indicated that every year in November, there's an allocation of RAP (Recreational, Arts and Parks) tax funds to Tuacahn for $10,000. The allocation for the Kayenta Arts Foundation (KAF) is set as a range to be not less than $3,000 and not more than $10,000. There is also an application period in December that is decided in January as to who receives what funds that were applied for. **Mayor Hart** stated that there was an arrangement made several years ago when the RAP tax came about and the full range has been awarded to KAF. Tonight's discussion is just one aspect of this and inquired what the total distribution amount would be. **Lane Mecham** stated that the amount is from the previous calendar year and the amount is

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MOTION: Council Member McDonald moved to approve some RAP Tax funding for the Kayenta Arts Foundation in the amount of $5,000.00 for this year
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 via the Zoom platform or present in the Council chambers and voted in favor.

D. Discuss and consider approval of an Amended and Extended Preliminary Plan for the Mojave Mesa subdivision

Mike Rodriguez reported that the Amended and Extended Plan adds eight (8) additional lots to the eastern part of the site and realigning a roadway for the proposed 70 lots on just over 22 acres. The Planning Commission held a Public Hearing on October 13, 2020 and recommended approval.

MOTION: Council Member Johnson moved to approve an Amended and Extended Preliminary Plan for the Mojave Mesa subdivision

SECOND: Council Member McDonald
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 via the Zoom platform or present in the Council chambers and voted in favor.

E. Continued discussion regarding Ordinance No. 2019-08, an Ordinance of Ivins City, Utah, amending the density allowances for Multi-Family

Council Member Johnson was excused at 8:00 p.m.

Mike Rodriguez reported that this will amend how densities are determined in Multi-Family zones. In all Multi-Family districts, densities will be calculated as a percentage of the total square footage of the horizontal cross section of all residential structures at their largest point, as compared to the total square footage of the parcel. In no event will a property owner be allowed a base density that is less than the density that would be achieved using an R-1-5 zoning district. Maximum densities with no density bonus, as well as maximum densities with a density bonus were explained as outlined in the draft ordinance of section (1)(b) and (1)(c), as well as bonus improvements in section (3)(a) through (3)(e). A copy of the draft ordinance is attached to this agenda. **Mayor Hart** indicated that the way he reads this, he thought that the Planning Commission did a great job and the amendments encourage what Ivins General Plan encourages. The **Mayor and City Council** agreed that this will proceed to a Public Hearing at the next City Council meeting.

F. Discuss and consider approval of Resolution No. 2020-20R, a Resolution of Ivins City, Utah, appointing an individual to the Southwest Mosquito Abatement District Board of Directors

There was no discussion.

MOTION: Council Member McDonald moved to approve Resolution No. 2020-20R, a Resolution of Ivins City, Utah, appointing Derek Larsen to the Southwest Mosquito Abatement District Board of Directors
SECOND: Council Member Larsen
VOTE: The motion carried.

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

Roll call vote. All Council Members that were present via the Zoom platform, or present in the Council chambers, voted in favor. One Council Member was excused.

G. Discuss and consider approval of an expenditure for General Service Contract with Rocky Mountain Power for the new City Hall

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Mayor Hart indicated that Gene Madsen with Hughes General Contractors mentioned this sometime ago. **Dale Coulam** stated that Lane Mecham mentioned this as well and the estimated amount was $36k but this is now the actual contract.

MOTION: Council Member McDonald moved to approve an expenditure for a General Service Contract with Rocky Mountain Power for the new City Hall for the amount off $32,628

SECOND: Council Member Gordhammer

VOTE: The motion carried.

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

Roll call vote. All Council Members that were present via the Zoom platform, or present in the Council chambers, voted in favor. One Council Member was excused.

H. Continued discussion regarding Ivins replacement City Hall

Mayor Hart indicated that the contractors tried to move the monument but it turned out to not be moveable but when they pulled all of the stone off of the existing monument so that the original stone can be placed back, they located a time capsule with some letters and photos, although there is some damage to those items. He is going to provide that time capsule to Council Member Johnson as part of Ivins Historical Society and they will try and locate a conservator for the items in the time capsule. **Mayor Hart** referred to the rammed earth wall and stated that the contractor is required to provide a 4' high by 6' wide sample and provided a preliminary sample of the colors. Since the contractor is obligated to make the sample, he suggested that the City rebuild the monument as it was. Pictures and measurements were taken so that it could be rebuilt. The City Council agreed with the sample of colors and supported rebuilding the monument. **Council Member Mehr** encouraged inviting members to bring some dirt from their property to that rammed earth wall. **Mayor Hart** stated that they have a weekly meeting with the contractor and he will bring that up.

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

Mayor Hart indicated that the State has gone through a massive increase in the number of cases, due to number of tests given but what is troublesome is that the hospitals have reached capacity. They are adding housing in other locations and asking people to mask up and try and slow this whole thing down. **Council Member McDonald** wondered if they are capacity because of COVID or other reasons. **Mayor Hart** stated that the ICU and COVID floor reached capacity because of COVID and you can't just pull ICU nurses out of the air. **Council Member Mehr** commented that the situation is challenging and that the virus is going to spread and move throughout society until there's a vaccine and so the hospitals don't run out of hospital beds, they are doing what was similarly done in March but the difference between March and now, is in March the hospitals closed all elective procedures. Healthcare is a business, as well as caring for the community and because of the loss of elective procedures, the healthcare system lost hundreds of millions of dollars. People are delaying care that's needed so right now the decision is to not close elective procedures, continue treating and caring for the community and trying to help the community understand that if the community helps slow the spread, then they can keep

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those services open and serve the whole community. **Mayor Hart** indicated that thus far, the virus has not been transmitted through the public school system.

6) CONSENT AGENDA

A. Approval of purchase of vehicle for Public Safety

B. Approval of City Council Meeting Minutes for October 15, 2020

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

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

Roll call vote. All Council Members that were present via the Zoom platform, or present in the Council chambers, voted in favor. One Council Member was excused.

7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) REPORTS

A. Council

There were no reports by the City Council Members.

B. Mayor

Mayor Hart reported that there will be a virtual event through the Southern Utah Veteran's Home to celebrate Veteran's Day.

C. City Manager/Attorney Dale Coulam

Mayor Hart indicated that they need to schedule a Work Meeting next week with the team from Black Desert Resort. **Dale Coulam** stated that if the Work Meeting is scheduled for next Thursday evening, November 12, 2020, the City will have Bond Counsel for City Hall present to answer questions He actually drafted the Public Infrastructure District statute and will also comment on Tax Incremental Financing. **Mayor Hart** indicated that the Black Desert project is designed with underground parking that is expensive and can't be financed by typical means. They will need to demonstrate that the benefits net out a huge benefit to the City long-term. **Dale Coulam** stated that the proposed Work Meeting date is next Thursday, November 12th at 5:30 p.m. **Council Member Larsen** indicated that he will be out of town but may be able to attend via the Zoom platform. **Mayor Hart** referred to Ivins Bond Counsel and stated that Dale Coulam's advice is for the City to bring on its own advisors and they will be here next Thursday and available. **Dale Coulam** indicated that they may also be able to attend the November 19th City Council meeting as well. **Council Member Larsen** disclosed that he and his business partner have put money down on a condo in the Black Desert Resort project.

D. Items to be placed on future agendas

9) CLOSED MEETING

10) ADJOURNMENT

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

Council Member Mehr	AYE

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

The meeting adjourned at 8:45 p.m.

Respectfully,

Kari Jimenez
Ivins City Recorder

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