IVINS
CITY COUNCIL
MINUTES
July 1, 2021

***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 under "City Council" on the right of the home page and selecting "Audio".**

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: Dale Coulam City Manager/Attorney, Building and Zoning Administrator Cody Mitchell, Public Works Director/City Engineer Chuck Gillette, Director of Finance Lane Mecham, and Deputy City Recorder Sharon Allen.
EXCUSED: None.
Audience: Judith Kapuscinski, Chris Haddad, Pam Gardiol, Paul Bryson and others who did not sign in.

A. Acknowledgement of Quorum

Mayor Hart acknowledged there was a quorum present. Council Member McDonald and Council Member Gordhammer were in attendance via the Zoom application. All other Council Members were present in the Council Chambers. There were no disclosures or conflicts of interest with items on this meeting's agenda.

B. Flag Salute

Boy Scout Troop Number 407 led the Flag Salute

C. Invocation

Council Member McDonald gave the Invocation

D. Disclosures

Council Member Larsen disclosed that he and his business partner have a $1,000 refundable deposit on a condo in the Black Desert Resort project. There were no other disclosures or conflicts of interest with items on this meeting's agenda.

2) REPORTS, PRESENTATIONS AND APPOINTMENTS

A. Department Reports: Parks and Recreation; Public Safety

Benny Sorensen provided a report to the Mayor and City Council, a copy of which is available as an attachment to this agenda. He reported that they had a leak in the water supply to the splash pad that is close to being repaired. He requested input from the Council regarding the splash pad because other municipalities are closing their splash pads because of the drought. This month the City used approximately 775,000 gallons of water in the splash pad, which is normal for this time of year. The City can reuse approximately 300,000 gallons of that in the irrigation system. They will be treating Fire Lake Park tonight. **Council Member Mehr** inquired if it is safe to swim the next day after treatment. **Benny Sorensen** clarified that they normally close the Park for the day if they treat it during the day but when they treat it at night, it will be available to use the next morning. **Mayor Hart** inquired if there have been any

DRAFT

reports of swimmers itch this year at Fire Lake Park. **Benny Sorensen** indicated they have not. **Chief Flowers** provided a written report to the Mayor and City Council. A copy of the report is available as an attachment to this agenda. Traffic is pretty heavy and they continue to patrol Fire Lake Park. They are moving the speed trailer around the cities, have additional DUI (driving under the influence) and seatbelt enforcement and are going to start concentrating on texting. Things are going great at the animal shelter and the Shelter Manager has quite a social media following for the shelter and getting animals adopted.

B. Planning Commission Report

Commissioner Anderson reported that he was not present at the meeting but was able to listen to it. He reported that the Planning Commission recommended approval of a Preliminary Plan for Indigo Trails Phase 2 and that is moving forward to the City Council for consideration. The Planning Commission also discussed exterior colors as well as Accessory Dwelling Units and Commissioner Pack is going to write up some information on the Accessory Dwelling Units for their August Planning Commission meeting.

3) CITIZEN COMMENT & REQUEST FOR FUTURE AGENDA ITEMS - NONE

4) PUBLIC HEARING AND ACTION ITEMS

A. Public Hearing to approve the amended Transportation Master Plan, Transportation Impact Fee Facilities Plan and Transportation Impact Fee Analysis

Dale Coulam indicated that this has been before the City Council previously but the Public Hearing at the Planning Commission level was omitted and because it is part of the General Plan, a Public Hearing was held before the Planning Commission for their consideration and recommendation. The City Council did not act previously on the Impact Fee so that was included and this is the Public Hearing on those. **Chuck Gillette** reported that there was a recommendation from the Planning Commission to add lowering power lines on Highway 91 and to put that in the Capital Facilities Plan. It does not impact the Impact Fee Analysis because they didn't think that impact fees could cover the cost of lowering those power lines and he was not sure how the City would fund the lowering of those power lines because it is a $2 million dollar expense. Other than that, everything is the same. **Mayor Hart** requested that Lane Mecham explain how one could 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. **Mayor Hart** opened the Public Hearing. **Lance Anderson** stated that down by the entrance to Anasazi, he has started working on that with SITLA and then the Conservancy (Water Conservancy) purchased the property and SITLA owns the property on the other side of the road and he suggested that they be thinking about whether a roundabout be put at the entrance of Anasazi so that access is not all along Highway 91 or to identify that intersection. He would like that in a plan someway so that when the land develops, the entrances are controlled. Regarding the power lines he would like to make it so that landowners have an SAA (Special Assessment Area) so that when they develop it encourages them to put those lines underground. There being no other comments, **Mayor Hart** closed the public hearing.

B. Discuss and consider approval of Ordinance No. 2021-07, an Ordinance of Ivins City, Utah, adopting the Ivins City Transportation Impact Fee Facilities Plan and Impact Fee Analysis; enactment of Transportation Impact Fees

Dale Coulam indicated that the Council has heard public comment twice on this and the next item and it would adopting the actual ordinances. **Council Member Mehr** stated that this ordinance is already in place and the Council is just updating the fees, which is almost doubling. **Chuck Gillette** clarified that the fee was $1,548 and this study would require that to

DRAFT

increase to $2,278 based on the projects in the Transportation Master Plan and those projects are required for growth and they are asking growth to pay for the projects. The most expensive project is Highway 91 getting that widened and improved. **Mayor Hart** inquired what would occur if a Federal grant came through for that project and inquired if the City would need to amend the plan to reflect that. **Chuck Gillette** clarified that they are basing the fee off of that project being covered at 75%. If the City does not receive that funding, the City would need to amend the plan to increase the impact fee. **Council Member Mehr** commented that when they refer to developer, it's with a broad brush and new growth should pay for infrastructure because the mindset is that if the City did not grow, the City would not need the additional infrastructure and that makes sense to him but if you have a person who owns a lot in an established subdivision and then the City is the government body that imposes fees on a home owner or property owner to build their single family home. He's differentiating developer and a single property owner. He inquired if the City differentiates that and still impose these impact fees for that scenario and if so, should the City be doing that. **Dale Coulam** clarified that those individuals are developing their piece of property and adding to Ivins community. He inquired if it was fair to have everyone else in the community let them not pay when everybody else paid their fair share. **Council Member Mehr** indicated he didn't think so but commented that the cost of the infrastructure has already been paid. **Chuck Gillette** begged to differ on that and stated that until one builds a home, they have not paid the impact fees. **Mayor Hart** clarified that the impact fees are paid at time the home is built and the developer provides the infrastructure at their expense whether they have had the property for a long time or just purchased it, they still add to the numbers in the community.

MOTION: Council Member Gordhammer moved to approve Ordinance No. 2021-07, an Ordinance of Ivins City, Utah, adopting the Ivins City Transportation Impact Fee Facilities Plan and Impact Fee Analysis; enactment of Transportation Impact Fees
SECOND: Council Member Larsen
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 in attendance and voted in favor.

C. Discuss and consider approval of Ordinance No. 2021-10, an Ordinance of Ivins City, Utah, amending the Transportation & Trails Maps & Figures of the General Plan

Chuck Gillette stated that he needs to know whether or not the City should include the lowering of powerlines in the Transportation Impact Program and whether it should be in the 0-5 year plan, the 5-10 year plan or the 10-20 year plan. **Mayor Hart** commented that this has been under discussion for a long time and he recalled it being the impossible dream and inquired if it was now possible. **Chuck Gillette** indicated that they are talking about the north side of Highway 91 where St. George owns the powerlines. That line could go underground based on its voltages. There is a proposal from the City of St. George to increase the voltage, then it would not be possible to put it underground although they are in an easement in Ivins City. They do not have a written easement so it's a prescriptive easement and not able to expand the use of that easement if Ivins does not want them too. For $2 million dollars they could lower the whole

DRAFT

line. **Mayor Hart** commented that this is a cosmetic thing in the view corridor but functionally it works. Putting it underground would remove the clutter from the roadway. **Council Member McDonald** inquired why the City of St. George has a line there. **Chuck Gillette** indicated that the City of St. George provides power to the Shivwits Band and the well field that is out at Gunlock, as well as the treatment plant at Gunlock. The City of St. George has indicated that the reason they may need a higher voltage is if Shivwits were to develop more intensively. The City of St. George is concerned that putting the power underground may limit what they can do with the voltage. **Lane Mecham** stated that one of the challenges with financing that through an SAA is having people who are actually willing to pay for that in that area. A lot of the people will most likely be people who own townhomes and likely less willingness in that community to that type of financing. **Mayor Hart** commented that if it goes into the plan, the Council would have to amend that. **Chuck Gillette** clarified that they could approve it and determine what plan timeframe it would go into and then publish it. Mayor Hart indicated that putting the power underground needs to be studied. **Lance Anderson** indicated that when they were doing the drainage project along Highway 91, they were putting an agreement together with the City of St. George and had a way to fund it where the landowners were going to come up with some money, the project was going to come up with some money and they got some numbers from the City of St. George so they knew what the cost would be for the north side but it is political because the City of St. George doesn't want to do it. **Mayor Hart** suggested that the City explore options, get studies done and amend the plan later if it is a priority. **Council Member Johnson** suggested that the Council put it in the 10-20 year plan to show that is what the City wants. **Lance Anderson** would like to see this done sooner and felt that an SAA would pass. **Council Member Mehr** commented that the recommended system improvements under the 20 year transportation plan is Old Highway 91 Kwavasa Drive to Pioneer Parkway being 5 lanes and suggested that could tie together with putting the power underground at that time. **Lance Anderson** indicated that the disadvantage of not doing it now is not knowing where to put the pathway. **Chuck Gillette** stated that he wanted to see the power underground but it is a funding issue. An SAA is a way to fund it but an SAA is hard. The City did an SAA for the Historic Township. The cost was a quarter on the dollar and it was a great move but it was difficult and a lot of people were furious about it. He didn't know if that was the right way to fund it but wondered how it would ever get paid for. He thought that it could go into the 10-20 year plan and then with some commercial out there, maybe it would be more viable. **Council Member Gordhammer** suggested that it go into the 10-20 year plan. **Chuck Gillette** referred to the roundabout concept and indicated that when they did the study they looked at intersections and that intersection did not pop up as being necessary but the City can put a roundabout there and could add that on Highway 91, intersections, even if they're not shown or a future roundabout, that the City will preserve right-of-way for a future roundabout. **Council Member Mehr** referred to Pioneer Parkway and what Ivins labels that. Ivins calls it a major collector and he suggested that it be called a major arterial because it carries the traffic from Highway 91 to Pioneer Parkway and he thought that Santa Clara calls it that as well. **Chuck Gillette** clarified that he checked Santa Clara's plan and they call that a major collector as well. **Council Member Mehr** agreed that those should match.

MOTION: Council Member McDonald moved to approve Ordinance No. 2021-10, an Ordinance of Ivins City, Utah, amending the Transportation & Trails Maps & Figures of the General Plan, as amended with the two amendments

DRAFT

SECOND: Council Member Gordhammer
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 in attendance and voted in favor.

D. Public Hearing to discuss proposed salaries for Elected Officials and salary ranges for Statutory Officers and Department Heads

Dale Coulam stated that the statute requires that the City periodically hold a Public Hearing and adopt these salary ranges by ordinance. There is a program that puts data together for municipalities and prior City Councils have asked Ivins to use a population of 30,000 or smaller for the data. By position you can look up what those ranges are and compute the salaries. The City of St. George is a neighboring City and would likely hire our employees so Ivins included them in the market survey. Ivins reviews this to see if Ivins employees are being treated fair. **Mayor Hart** opened the Public Hearing. There being no comments, **Mayor Hart** closed the Public Hearing.

E. Discuss and consider approval of Ordinance No. 2021-08, an Ordinance of Ivins City, Utah, approving salaries of Elected Officials and salary ranges for Statutory Officers and Department Heads

Council Member Mehr inquired if this was in the budget. **Dale Coulam** indicated that it was.
MOTION: Council Member Mehr moved to approve Ordinance No. 2021-08, an Ordinance of Ivins City, Utah, approving salaries of Elected Officials and salary ranges for Statutory Officers and Department Heads
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 in attendance and voted in favor.

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and consider change order for emergency electrical generation for new City Hall

Gene Madsen with Hughes General Contracting provided some information to the Mayor and City Council regarding the difference between a 150 KW generator and a 175 KW generator. A copy of the information that was provided is available as an attachment to this agenda. The **Mayor and City Council** discussed the pros and cons of each generator. **Lane Mecham** clarified that the purchase of the 150 KW generator was in the budget but that the City was in a position to revisit that cost. **Gene Madsen** indicated that either generator had a lead time of approximately a year and a half. The **Mayor and City Council** determined that although the generator would only be used in emergency situations, they felt that due to the number of

DRAFT

seniors who live in Ivins that require a lot of health equipment and the overall comparison of the two of what could be ran in an emergency situation, the 175 KW generator was a better buy and the preferred generator to purchase.

MOTION: Council Member Mehr moved to approve the change order for the 175 KW generator for emergency electrical generation for the new City Hall
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

B. Discuss and consider approval of an expenditure for Founders Monument Sign (re-created) in support of the new City Hall

Gene Madsen with Hughes General Contracting stated that the bench would be included and they would use pioneer stone to replicate the sign. Jenny Johnson moved to approve expenditure 17859. 2nd by Dennis Mehr. Unanimous.

MOTION: Council Member Johnson moved to approve an expenditure of $17,859.00 for the recreation of the Founders Monument Sign
SECOND: Council Member Mehr
VOTE: The motion carried.

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

C. Discuss and consider approval of amount to purchase material for new City Hall landscape

Benny Sorenson reported that the Parks Department will be installing the landscape for the new City Hall and staff has adjusted the original plan to fit the site and that has resulted in less cost. The expenditure includes irrigation parts, landscape rock, plants, benches and retaining wall blocks.

MOTION: Council Member McDonald moved to approve an amount of $46,700 to purchase material for the new City Hall landscape
SECOND: Council Member Gordhammer
VOTE: The motion carried.

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

Council Member Johnson was excused at 7:00 p.m.

DRAFT

D. Discussion regarding draft of governing document for Black Desert Public Infrastructure District in Ivins City, as explained by Ivins Legal and Financial experts

Dale Coulam indicated that he has had several meetings, considered several drafts and there have been good discussions regarding this. This is the first time that the Mayor and Council is seeing this document. At the next City Council meeting there will be a Public Hearing to consider adopting this. **Randy Larsen** with Gilmore & Bell is Ivins Legal Counsel and stated that the PID authorizes additional tax that is at a higher rate to pay for new growth. The document has been reviewed by Zions Bank and ignores the TIF. The governing document is discretionary and as a result that is the way that the City Council controls what the PID can do. It has no ongoing purpose by statute other than to finance the Public Infrastructure District and in no event can the District raise the property tax by more than 1%. There is also a disclosure in the governing document that provides a disclosure to those purchasing in the District and the disclosure will also be contained in the REPC (Real Estate Purchase Contract). **Dale Coulam** commented that this process has been a good collaborative effort by Black Desert and the City.

E. Discussion regarding the Arts Commission banner, logo and brochure

Judith Kapuscinski indicated that the Arts Commission is asking for approval of the banner and the brochure. **Dale Coulam** stated that a thumbs up will work. The Mayor and Council gave a thumbs up approval.

F. Discuss and consider approval of Ordinance No. 2021-09, an Ordinance of Ivins City, Utah, establishing a Temporary Land Use Regulation

Dale Coulam indicated that this is in essence a moratorium city-wide for certain areas. He has attended meetings that show the great necessity of storing water and there are essential needs on the west side of the County. The Governor has issued an emergency proclamation and then it went to a moratorium. The Washington County Water Conservancy District was prepared to move forward to condemn land if they were pushed into a corner. This moratorium allows for further discussion to occur and for those talks to occur before a decision is made. This gives the Mayor and Council six (6) months to consider options within the areas identified on the maps with building permits put on hold in those areas while they do further studies. **Mayor Hart** stated that it has become apparent with the complications of the Lake Powell pipeline project that the plan needs to be seriously enhanced and in the studies they are being conducted, it is apparent that we need water storage on west side of the County. It is prudent to take this time-out so that the Water Conservancy District has time to explore options. **Terry Marten** indicated that he wanted everyone to talk and assess the pros and cons of the options. **Council Member Mehr** inquired what the consequence was if the Council does not act on this ordinance. **Dale Coulam** clarified that they would be looking into condemnation and then one of these options would not be an option anymore. The Water Conservancy District wants to settle on the best choice but they have the right to file for eminent domain and this ordinance allows them to make the best decision. **Council Member Gordhammer** referred to the moratorium being for six (6) months. **Dale Coulam** clarified that the time frame is by statute. **Chuck Gillette** commented that there is a meeting in August with the Washington County Water Conservancy District to get them all in the same room and go over the options.

MOTION: Council Member Mehr moved to approve Ordinance No. 2021-09, an Ordinance of Ivins City, Utah, establishing a Temporary Land Use Regulation
SECOND: Council Member McDonald
VOTE: The motion carried.

DRAFT

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

Roll call vote. Three (3) Council Members voted in favor. One (1) Council Member voted in opposition and one (1) Council Member was absent. The Motion passed.

G. Discuss and consider approval of Resolution No. 2021-08R, a Resolution of Ivins City, Utah, amending the Ivins City culinary water rate to increase all culinary water rates by $0.10 per 1,000 gallons to pass-through Washington County Water Conservancy District's wholesale water rate increase of $0.10 per 1,000 gallons (from $1.34 to $1.44 per 1,000 gallons

Chuck Gillette stated that there was a type-o on the year and that has been changed.

MOTION: Council Member McDonald moved to approve Resolution No. 2021-08R, a Resolution of Ivins City, Utah, amending the Ivins City culinary water rate to increase all culinary water rates by $0.10 per 1,000 gallons to pass-through Washington County Water Conservancy District's wholesale water rate increase of $0.10 per 1,000 gallons (from $1.34 to $1.44 per 1,000 gallons
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 who were present voted in favor. One Council Member was absent.

H. Discuss and consider approval of an update to Standard Specifications for Lighting Design

Chuck Gillette indicated that this creates criteria for streetlights and bollards on the west side of the City and other collector and arterial streets. **Mayor Hart** referred to the map and commented that the zones identified on the map looked good to him. Council Member Gordhammer appreciated all of the work that was put into this. **Chuck Gillette** indicated that they are experimenting with the light hat and the option to lower the hat to shield the lighting more and employees Shiloh and Wilson are working on that.

MOTION: Council Member McDonald moved to approve an update to Standard Specifications for Lighting Design
SECOND: Council Member Larsen
VOTE: The motion carried.

Council Member Mehr	AYE
Council Member McDonald	AYE

DRAFT

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

MOTION: Council Member Mehr moved to suspend the rules and move agenda item 5)J ahead of agenda item 5)I
SECOND: Council Member McDonald
VOTE: The motion carried.

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

J. Discuss and consider approval of Resolution No. 2021-09R, a Resolution of Ivins City, Utah, appointing a Director of Finance

Dale Coulam stated that Lane Mecham has given his notice, sold his home and closes on July 20th. The City reached out to the former Director of Finance Wally Ritchie to see if he wanted to see if he wanted to come back but the timing wasn't right for him. He reached out to a competent CPA that he knew, Cade Visser. He lives in South Weber currently and was interviewed by Lane Mecham and himself and hired him. It lines up with some trainings through GFOA (Government Finance Officers Association) that the City has required of every Finance Director that the City has hired. **Cade Visser** was in attendance via the Zoom application and introduced himself and indicated that he was excited for the opportunity to work for Ivins. **Lane Mecham** stated that Cade has a lot of accounting experience and is a quick learner. **Council Member Mehr** thanked Lane Mecham for his service and inquired as to Lane's last day, Cade's start date and if this should be effective immediately. **Lane Mecham** indicated that they were still working on when his last day will be. **Dale Coulam** stated that the position could be effective immediately and clarified that Cade's conditional offer says he begins employment on or before July 15th. Council Member Mehr suggested that the amendment to the Resolution would be that the Resolution shall be effective immediately but take effect on July 14, 2021, meaning the Council is passing the Resolution now but it isn't taking effect until July 14th.
MOTION: Council Member Mehr moved to approve Resolution No. 2021-09R, a Resolution of Ivins City, Utah, appointing a Director of Finance, that being Cade Visser, as amended
SECOND: Council Member McDonald
VOTE: The motion carried.

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

I. Continued discussion on the Planning Commission's recommendations regarding proposed amendments to the current Outdoor Lighting Ordinance

DRAFT

Mayor Hart referred to the exhibits that Chuck Gillette has provided and inquired of the Council if they agree that the language that already exists in the ordinance, with some additional exhibits for demonstration, is sufficient for clarification purposes. He referred to the Heritage Estates subdivision where there are a number of homes with gable-type roofs and he felt that this ordinance allows the lighting to move up as high on the house as it needs to, as long as the lamp is not visible and the shielding is sufficient to keep it from spilling onto adjacent properties. **Council Member Mehr** stated that practically speaking, he does not know how one cannot see the bulb in a two-story home. **Mayor Hart** clarified that they were talking as if they were looking at them from adjacent properties. **Chuck Gillette** clarified that soffit lighting on a two-story house would not be allowed unless there was a shielding. **Mayor Hart** clarified that the drawings are showing a flood light or a double flood light that are shielded so that light spill does not trespass beyond an individuals' yard but that does allow for some additional lighting in yards beyond what is currently defined. **Chuck Gillette** inquired if the diagrams now need to be included in the ordinance. **Mayor Hart** indicated that was what he thought should occur and that the language did not necessarily need to be changed, just adding the diagrams. **Chuck Gillette** stated that he had four (4) pages of diagrams that were handed out at the previous City Council meeting. **Mayor Hart** suggested those be reviewed and included before the final version is passed and use either all or part of those. With what the City just adopted for the lighting standard with the zones created and with the language that exists, the Council may have covered what the Council wanted to address beyond what has come to the Council through the Planning Commission's recommendations. **Council Member Gordhammer** suggested that this agenda item be included earlier in the agenda at the next meeting. **Council Member Mehr** wanted to finish this up in the next meeting or two and wanted to move forward with going through the Planning Commission's recommendations. The **Mayor and other City Council Members** agreed. **Mayor Hart** referred to updated Ordinance No. 2021-02, as well as the Planning Commission's recommendations. He referred to the Planning Commission's recommendations, Chapter 23, titled "Outdoor Lighting" and indicated that the first markup that came to the City Council from the Planning Commission is on page 2 with the paragraph that begins with "Effective outdoor lighting enhances the City's character and identity..." and adds "provides safety and security for persons and property..." and removes the rest of the language "...and provides safety and security for persons and property. Excessive light, or light pollution, can be annoying, cause safety problems, reduce privacy, and waste energy resources". **Council Member Gordhammer** commented that in her opinion, she did not see a reason to strike that because it seems like an accurate statement. **Council Member Mehr** appreciated that and indicated that the language that is recommended to be stricken, comes across as an opinion statement and thought that it is debatable whether excessive light causes safety problems but did not think it was a material change in terms of what they as a Council are trying to accomplish and did not have a major issue with the language. He inquired if Council Member Gordhammer had an issue with the astronomical observation term. **Council Member Gordhammmer** did not think that was in the original ordinance and indicated that she did not like that term but it is in the original ordinance and has been for some time and was fine leaving it in the ordinance. **Council Member Larsen** referred to the lighting districts/zones that they just created and the changes made previously and inquired if the Council really needed to go through this ordinance line-by-line or leave it the way it was. **Council Member Gordhammer** agreed. **Council Member Mehr** commented that there were some areas that he wanted the Council to cover. He referred to the first recommendations made by the Planning Commission in the paragraph referenced above

DRAFT

and stated that he thought that what the Planning Commission is trying to say is that safety and security is their number one priority and that's why they have moved it up in the paragraph. **Planning Commissioner Lance Anderson** stated that some of the Commissioners had priorities they wanted in the ordinance and if three of the Commissioners agreed, it was moved forward. He clarified that most of the things he did not vote on and it was the Planning Commission's intent to list priorities as they believed they should be. **Mayor Hart** indicated that what he has is the last sentence stricken in the 4th paragraph. **Council Member Mehr** inquired if the other edits on page two (2), lines 60, 63, 66, 68 and 70 are agreeable changes. **Council Member Gordhammer** referred to Council Member Larsen's comment that the Council should only be looking at changes that the Council feels are really important and keep what is in the ordinance originally unless the Council felt strongly about something. **Mayor Hart** stated that the definition of "Kelvin" should be included in the ordinance. The **Mayor and City Council** agreed. **Council Member Mehr** referred to the recommended definition of "Home Accent Lighting" on page four (4), line 150 and inquired if that should be included in the ordinance. The **Mayor and City Council** agreed that it should. **Cody Mitchell** referred to page two (2), line 70 and indicated that should be struck because it was moved to be included in line 48. The **Mayor and City Council** agreed. **Council Member Mehr** referred to page six(6) beginning on line 197 and inquired if there were any issues with the "Photometrics" and "Plasma Lamp" definitions. **Council Member Gordhammer** inquired why the definition of "Plasma Lamp" would be included in the ordinance. **Council Member Mehr and Council Member McDonald** commented to incorporate what may be coming in the future. The **Mayor and Council** agreed to include that definition but to strike the Explanation included at the end of the "Plasma Lamp" definition. **Mayor Hart** inquired if the definition of "Photometrics" should be included as a definition and the **Mayor and Council** agreed that it should be included. **Council Member Mehr** referred to page seven (7) beginning at line 243 and commented that those strike-throughs should be removed and the verbiage "LED Lamps" should be added under (1)(c). The **Mayor and other Council Members** agreed. **Council Member Mehr** referred to the same page beginning at line 254 striking verbiage relating to color temperature. **Council Member Gordhammer** questioned why they would be removing all of the verbiage from line 254 to line 267 taking out 255 to 268. **Mayor Hart** inquired of Planning Commissioner Lance Anderson to remove the ACRYLITE sheeting, which is essentially Ivins solution to amber light and inquired if the history on that was Planning Commissioner Bob Morris wanting to go to just white light. **Council Member Gordhammer** commented that is the filter Ivins currently uses. **Dale Coulam** clarified that Planning Commissioner Morris also did not like a single source named because he felt that the price would go up if the City does not allow a similar colored filter. **Mayor Hart and the City Council Members** determined that none of the verbiage under (3)Color/Temperature would be removed but that the words "or approved equivalent," after the word "ACRYLITE", would be added. There was a discussion between the Mayor and City Council regarding whether or not an amber filter is required on a commercial development. **Mayor Hart** inquired if the City wants to retain the amber filter lighting in the commercial areas going forward. **Mayor Hart** clarified that the amber filter is currently required for non-residential properties, which is commercial. The **City Council** commented that if that was the case, they inquired why the Canyon Crossing development was not required to use amber filtered lighting. **Dale Coulam** clarified that the ordinance that added that filter requirement was passed in 2019. It started out with Chuck Gillette first introducing it in 2018 but it was not passed until the fall of 2019. In the meantime, the developers of the Canyon

DRAFT

Crossing project came in with an application prior to that requirement being passed. **Mayor Hart** pointed out that the City now has a couple of large scale developments coming in and inquired if the City wants to see those development with the required amber filtered lights or white lights. He suggested that they leave the ordinance as it is with the amber filtered light requirement. The **City Council agreed. Council Member Mehr** clarified that to be consistent, the wording "or approved equivalent" would be added. **Council Member Mehr** referred to page eight (8), line 280 and inquired what they meant by "flashing lights". **Council Member Gordhammer** clarified for emergency or public safety. **Council Member Mehr** referred to page eight (8), lines 300 to 312 and it was agreed to make those changes. There was a discussion regarding section 14 on page 9 about removing that entire section based on the recommendation of Chuck Gillette because that information was contained in the standard specifications document. The **Mayor and Council** decided to hold off on making a decision on that. **Mayor Hart** referred to page 11, lines 427 and 428 regarding holiday lighting. **Council Member Mehr** wanted to make sure that's protected. The intent of the outdoor lighting ordinance is to protect the night sky and holiday lighting is not disturbing that. There was a discussion regarding holiday lighting and the **Mayor and Council** ultimately agreed that holiday lighting was permitted. **Mayor Hart** referred to page 12, line 436 and indicated that "(g) Linear fluorescent lamps" should be removed because those are nonexistent. **Mayor Hart** referred to section 16.23.106 "Outdoor site lighting requirements" and suggested that they continue this discussion to the next City Council meeting.

MOTION: Council Member Mehr moved to continue
SECOND: Council Member McDonald
VOTE: The motion carried.

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

K. Discuss and consider a request to allow an on site sewer system and/or septic tank

Dale Coulam stated that this involves one of the lots that could be covered by a potential reservoir so this is moot due to the Temporary Land Use Regulation that the City Council passed tonight.

6) CONSENT AGENDA

A. Approval of City Council Meeting Minutes for June 17, 2021

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 Gordhammer	AYE
Council Member Larsen	AYE
Council Member Johnson	ABSENT

7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) REPORTS

A. Council

DRAFT

The Mayor and City Council thanked Lane Mecham for his service and wished him in in the future. There were no other reports.

B. Mayor – no report
C. City Manager/Attorney Dale Coulam – no report
D. Items to be placed on future agendas

9) CLOSED MEETING

10) ADJOURNMENT

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

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

The meeting adjourned at 9:36 p.m.

Respectfully,

*Kari Jimenez
Ivins City Recorder

Deputy City Recorder Sharon Allen was in attendance. City Recorder Kari Jimenez prepared these Minutes.

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