IVINS
CITY COUNCIL
MINUTES
October 21, 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 5:31 p.m. and announced there was a quorum present.

All present included Council Member Mehr, Council Member McDonald, Council Member Johnson, Council Member Gordhammer, and Council Member Larsen.

STAFF: City Manager/Attorney Dale Coulam, Building and Zoning Administrator Mike Haycock, Public Works Director/City Engineer Chuck Gillette, City Engineer Tom Jorgensen, Director of Finance Cade Visser, and City Recorder Kari Jimenez.

Audience: Michelle Delloso, Lynette Miller, Pam Gardiol, Nancy Martinez, Layla Gaylord, Randy Ence, Venna Ence, Dave & Suzy Appel and others who did not sign in.

EXCUSED: None.

A. Acknowledgement of Quorum

Mayor Hart acknowledged that all Council Members were present in the Council Chambers.

B. Flag Salute

Council Member Larsen led the Flag Salute

C. Invocation

Council Member Larsen gave the Invocation

D. Disclosures

Council Member Larsen disclosed that he and a business partner have a $1,000 refundable deposit down on Black Desert Resort. There were no other 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

Judy Lehman, the Color Country Chapter Chairman of the NSDAR American Indian Committee, was present and requested this Proclamation. **Mayor Hart** read the Proclamation, a copy of which is available as an attachment to this agenda.

MOTION: Council Member Mehr moved proclaim November as National American Indian Heritage Month in Ivins City

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

B. Department Reports: Building Department; Public Works/Engineering; Finance

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Mike Haycock reported that for the year-to-date, there have been 181 residential building permits issued, 26 permits for home additions, 19 multi-family buildings with 62 units, 70 solar permits and 2 commercial permits.

Chuck Gillette provided an electronic report, a copy of which is available as an attachment to this agenda. He reported that earlier this month they hired Administrative Assistant Marty Thomas. The R&PP (Recreation & Public Purposes) application is still going through the process and the electronic report outlines the updated timeline. The Public Works crew is working on water leaks and there have been discussions with the Water Conservancy District and Kayenta regarding the reservoir site and the possibility of extending the moratorium that was put in place a few months ago for that area. The most economically feasible place for the reservoir is in the dry wash but those discussions are continuing on a weekly basis. **Mayor Hart** commented that he received a thoughtful email this past week asking about pedestrian safety along Highway 91 and what the plans were on the south side of Hwy 91. **Chuck Gillette** commented that there are two (2) roundabouts planned at 400 West and Kwavasa Drive. There would be pedestrian crossings there but they would need to see if there are enough students to warrant a crossing and a crossing guard. **Mayor Hart** inquired at what time do they look at reducing the speed on highway 91? **Chuck Gillette** indicated that that has always been the plan and the speed will be reduced to 40 mph with the Highway 91 project and that reduced speed will start on Highway 91 at the Santa Clara border and end on Highway 91 at the Shivwits Reservation border. **Council Member Gordhammer** referred to the dry wash as a location for the reservoir and inquired if the Water Conservancy District is still considering recycled water there coming from St. George. **Chuck Gillette** clarified that there is a pipeline in place that could deliver reuse water to that reservoir but in terms of for the future, the City of St. George says there is no more capacity in that line to bring up that up to the new reservoir so a treatment plant would be required if they do not acquire Shivwits water rights.

Cade Visser reported that department heads are maintaining their operational budgets and everything is looking good. The Auditors will be on-site on Monday, October 25th and will provide their opinion to City after they are finished with the audit.

C. Planning Commission Report

Commissioner Anderson reported that the Planning Commission held a Public Hearing and approved an Amended Class IV Conditional Use Permit for Crescent Moon Village. The Planning Commission also approved a Final Plat for Taviawk Phase 12-H.

3) CITIZEN COMMENT & REQUEST FOR FUTURE AGENDA ITEMS

A. Citizen requests to be placed on a future agenda

None

4) PUBLIC HEARING AND ACTION ITEMS

A. Public Hearing on the Planning Commission's recommendation on a Concurrent land Use Amendment from LDR (Low Density Residential) to HDR (High Density Residential) and a Zone Amendment from RA-1 (Residential Agricultural, minimum lot size 1 acre) to R-1-5 (Single Family Residential, minimum lot size 5,000 sq ft) on approximately 7 acres, located at approximately 200 West and Highway 91. Sunshine Seven, LLC-Owner; Visionary Homes-Applicant

Mike Haycock reported that the applicant has requested a concurrent Land Use Amendment from LDR (Low Density Residential) to HDR (High Density Residential) and a Zone Amendment from RA-1 (Residential Agricultural, minimum lot size 1 acre) to R-TH (Townhomes). The Planning Commission held a Public Hearing on this request and

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recommended approval but to a zone change of R-1-5 (Single Family Residential, minimum lot size 5,000 sq ft) instead of the Townhomes that was requested. **Mayor Hart** requested that Cade Visser explain how one could join the meeting electronically and make a comment for the Public Hearing. **Cade Visser** provided instructions as how to make a public comment for the Public Hearing. **Mayor Hart** opened the Public Hearing. **Michelle Delloso** resides in the Shadow Canyons subdivisions and her concern was that the previous vision of Ivins for the past 16 years was the serenity of Ivins. She was concerned with the increased traffic on 200 West and was told when she bought her home that the property that is currently being considered, would be developed as medium density. **Kevin Gattis** resides in the Shadow Canyons subdivision and commented that to go from 1 acre to high density would negatively affect their property values and their way of life. He was concerned with the constant traffic and has noticed that the road that goes into the existing townhomes is being used as a parking lot because there is not enough parking in the existing townhome development. The lot under consideration is elevated and he was concerned that if 2 story structures were allowed to be built, their view would be gone. He requested that if a zone change was granted, that only one-story homes would be allowed. **Mayor Hart** recognized that he had received an email with signatures primarily from those residing in the Shadow Canyons subdivision expressing some of the same concerns. **Nancy Martinez** resides in the Shadow Canyons subdivision and when they purchased, the existing townhomes were only one story but by the time they moved in, the townhomes were 2 stories. She requested that only one story homes and medium density be allowed on the property under consideration. She has noticed over the past year the increase in noise and traffic on 200 West, which is also the main road to accessing UNITY Park. **Barb Prey** resides in the Shadow Canyon subdivision and expressed her concerns about traffic and requested that the City Council only allow single story homes. **Lila Gaylord** resides in the Shadow Canyons subdivision requested that the City Council only allow single story family homes with a medium density of 7500 sq ft instead of the recommended 5000 sq ft lots. That will help reduce traffic and noise and continue to protect Ivins beauty. **Bonnie Legreen** resides in the Shadow Canyons subdivision and felt that the City should stay with the standards of low level buildings, low lighting and the dark sky. Parking is already an issue with the existing townhomes. **Suzy Appel** resides at 715 South 200 West and owns the 5 acres that is up against the parcel being considered. She commented that at the Planning Commission meeting, there were two (2) individuals who spoke in favor of this change but the rest of the people spoke against it. She understand that it will be developed but just because there is more profit in high density, that does not mean that's the best place for it. She felt that 200 West had become a secondary highway and when there are ball games at UNITY Park, traffic travels fast down 200 West. She requested that this be sent back to the Planning Commission for review before moving forward. **Mayor Hart** inquired if there was anyone attending through the Zoom application who wanted to make a comment. **Cade Visser** indicated that there was no one on Zoom with their hand raised to comment. There being no further comments, **Mayor Hart** closed the Public Hearing.

B. <u>Discuss and consider approval of Ordinance No. 2021-20, an Ordinance of Ivins City, Utah, regarding a Concurrent Land Use Change and Zone Change from LDR-RA-1 to HDR-R-1-5</u>

Applicant **Reed Scow** stated that he has looked at this from a few different directions and the recommendation by the Planning Commission to 5,000 sq ft lots removes an acre of property and does not work. He felt that what he has requested to be built would help transition to single story, single family homes. **Mayor Hart** requested that Dale Coulam explain how the requested zoning translates into what the Council was seeing. **Dale Coulam** clarified that the Council has

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in the past, created a buffer zone and this is a hybrid between the original application and the Planning Commission's recommendation and what the developer has presented as a compromise are townhomes designed to block what residents have said was a design they didn't like on the Red Mountain Vista Townhomes and then provide a buffer of R-1-5 single family homes on 200 West. **Mayor Hart** commented that the average lot size in the Shadow Canyons subdivision was 7500 sq ft. **Council Member Larsen** was in favor of 7500 sq ft lots because that is what the lots are in the adjacent subdivision of Shadow Canyons. **Council Member Gordhammer** referred to the height of a single family home being limited to 25 and inquired what the height of a townhome was limited to. **Dale Coulam** indicated that if the townhomes are setback a certain distance, they could be built to a maximum height of 35' and clarified that a two story home could be built to a maximum height of 25 feet. The Azaela project across the street from this parcel are two stories with a maximum height of 25 feet. **Council Member Gordhammer** commented that she drove by the property and the elevation is noticeable. When you look at what's across the street, there would definitely be a significant impact on the City and violate the General Plan because it would obliterate the view shield. It is a huge change to go from 1 acre parcels to high density. She was in favor of medium density residential with 7500 sq ft lots. **Council Member Mehr** inquired what the 200 West road was classified as in the Transportation Master Plan. **Chuck Gillette** stated that it is a minor collector. **Council Member Mehr** inquired with the development there if that would warrant changing that classification. **Chuck Gillette** stated that there are concerns with 200 West and future models indicate that the City may need a roundabout on 200 West and to reserve space for that but the roundabout is not in the plan for the near future. **Council Member McDonald** referred to the Land Use Plan and commented that it had worked well for many years with the agricultural holding zones but that obviously is not working very well but did not know if the City could put a building moratorium in place until the City has reviewed the Land Use Plan. **Dale Coulam** commented that the City has a one-time six (6) month moratorium in place for a specific purpose but did not think that the City could keep extending that. The City would need a reasonable basis to do that but the City Council could stop zoning higher densities and keep parcels larger so that higher density is not built and that would be a legislative decision. He agreed that the City needs to revisit the Land Use Plan and the Planning Commission will be reviewing that in the near future. The Land Use Plan should represent the City Councils vision and go along with the General Plan. If the Council tries to change land owners zoning of their property and those owners are not involved, the land owners can get really upset.

Mayor Hart indicated that another dynamic worth mentioning was discussions regarding water availability and reconsidering densities. Applicant **Reed Scow** commented that the housing he has proposed uses less water than homes on 7500 sq ft lots because there is no yard. **Council Member Johnson** commented that part of the discussion at Planning Commission was the need for affordable housing. There is no affordable housing in the Ivins community and the City needs to find the balance. **Council Member Mehr** commented that it would be nice if the City could have a development that brought families to Ivins. He was not in favor of the item that was before them on the agenda. **Dale Coulam** commented that the Council has the option of just denying the agenda item. **Council Member Larsen** agreed with a zone change that was similar zone to that of the Shadow Canyons subdivision and commented that it would fit better with the General Plan. **Council Member Gordhammer** commented that by changing the zone to match the Shadow Canyons subdivision, that would reduce the issue of traffic if it were less dense. She was still concerned about the elevation issue but did not think that there was anything the

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Council could do about that. She didn't believe that it was the City Council's role to maximize the land owners revenue to come up with a plan that results in getting the most profit possible. The City Council needs to look at what is around the property.

MOTION: Council Member Mehr moved to deny the application
SECOND: Council Member McDonald
VOTE: The motion failed for lack of votes

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

Council Member Larsen inquired what the Council Members would like to see on this lot what they thought would be fair. **Council Member Mehr** commented that if the applicant wants to come forward with a proposal that meets the guidelines, ordinances and General Plan, the Council should let them re-circle and come back to the Council, rather than the Council deciding for that applicant. **Council Member Johnson** stated that if the Council is going to deny this application, it would be helpful to give the applicant an idea of what they would like to see.

MOTION: Council Member Larsen moved to approve the subdivision at 7500 sq ft lots and medium density
SECOND: Council Member Gordhammer
VOTE: The motion failed for lack of votes

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

Applicant **Reed Scow** offered another option, that being to continue this agenda to the next City Council meeting to give him the opportunity to go back and re-look at this

MOTION: Council Member Johnson moved to continue this agenda item to the next City Council meeting
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	NAY

Council Member McDonald was excused at 7:04 p.m.

C. Public Hearing on the Planning Commission's recommendation to amend Section 16.12.107 of the Zoning Ordinance regarding rental of accessory dwelling units

Dale Coulam indicated that state law refers to inside the footprint of a home that would be called an interior accessory dwelling unit but what the Planning Commission recommended was to also add external dwelling units like a casita but you could only have one, either interior or

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exterior. **Mayor Hart** requested that Cade Visser explain how one could join the meeting electronically and make a comment for the Public Hearing. **Cade Visser** provided instructions as how to make a public comment for the Public Hearing. **Mayor Hart** opened the Public Hearing. There being no raised hands through the Zoom application and no one in the room wishing to comment, **Mayor Hart** closed the Public Hearing.

D. Discuss and consider approval of Ordinance No. 2021-21, an Ordinance of Ivins City, Utah, amending Section 16.12.107 of the Ivins City Zoning Ordinance to allow rental of accessory dwelling units

Dale Coulam indicated that there are other references to accessory dwelling units in the zoning ordinance but Planning Commissioner Bryan Pack drafted this and added a new definition and for purposes of this section only, recognized interior and exterior dwelling units. He clarified that there are areas in the City that the CC&Rs (Covenants, Conditions and Restrictions) exclude the rental of casitas and if that is the case, this Ordinance does not override the CC&R's. **Council Member Gordhammer** commented that it was important to mention that the rental is for a term longer than 30 days and are not to be short-term rentals.

MOTION: Council Member Johnson moved to approve Ordinance No. 2021-21, an Ordinance of Ivins City, Utah, amending Section 16.12.107 of the Ivins City Zoning Ordinance to allow rental of accessory dwelling units
SECOND: Council Member Larsen
VOTE: The motion carried.

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

Roll call vote. All Council Members who were present voted in favor. Council Member McDonald was excused.

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and consider approval of a Preliminary Plan for Unity Village located at approximately 400 South and 200 West. Corner the Market, LLC-Owner/Applicant

Mike Haycock reported that the Unity Village subdivision consists of 30 lots on a total acreage of 10.23 acres. The property is zoned R-1-10 (Single Family Residential, 10,000 sq ft minimum lot size) with an SLA (Subdivision Lot Averaging).

MOTION: Council Member Larsen moved to approve a Preliminary Plan for Unity Village located at approximately 400 South and 200 West
SECOND: Council Member Johnson
VOTE: The motion carried.

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

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B. Continued discussion and consideration to approve Ordinance No. 2021-18, an Ordinance of Ivins City, Utah, adopting the Ivins City Public Safety Impact Fee Facilities Plan and Impact Fee Analysis; Enactment of Public Safety Impact Fees

Dale Coulam indicated that the changes made were based on the last City Council meeting.

MOTION: Council Member Gordhammer moved to approve Ordinance No. 2021-18, an Ordinance of Ivins City, Utah, adopting the Ivins City Public Safety Impact Fee Facilities Plan and Impact Fee Analysis; Enactment of Public Safety Impact Fees
SECOND: Council Member Larsen
VOTE: The motion carried.

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

Roll call vote. All Council Members who were present voted in favor. Council Member McDonald was excused.

C. Continued discussion and consideration to approve the Development Agreement for Black Desert Resort

Dale Coulam indicated that Black Desert Resort put together a draft of the changes based on the last City Council meeting and he has suggested a few more clarifications that are red lined in the document. **Chuck Gillette** stated that he would like to see the Development Agreement address the Western Corridor and Black Deserts responsibility in constructing a portion of that. **Dale Coulam** commented that his position is if the Western Corridor does not serve the property, the City cannot require that contribution. **Mayor Hart** agreed and stated that the Western Corridor would service the SITLA (School & Institutional Trust Lands Administration) portion of the property. **Chuck Gillette** indicated that initially it would not be, but in the future when the Western Corridor connects to Highway 91 and goes over to the airport, that will be the way that people access Black Desert Resort coming from the airport. Additionally, the Transportation Master Plan indicates that if a project is built adjacent to a master planned road and the project receives some sort of benefit, they have the responsibility to construct part of that master planned road. Based on that, the developer would be responsible to build three lanes of the Western Corridor. If the requirement to build the Western Corridor is all placed on the SITLA property, he was not sure that was fair. He felt that Black Desert Resort had some responsibility to build a portion of the Western Corridor and that portion would be three (3) lanes, not the whole highway. **Mayor Hart** commented that in the Black Desert Resort layout, the Western Corridor connects to Black Deserts Resorts proposed conservation easement. Black Desert Resort does not propose development along that other than on the SITLA parcel. It was his contention that if Black Desert Resort does not have development along that road, he inquired why they would be responsible for any part of it. **Chuck Gillette** indicated that sometimes residential homes back up to a road and they don't necessarily have access to that road but a developer is required to make improvements to that road and at some point, the Western Corridor will serve the Black Desert Resort project. **Dale Coulam** stated that Black Desert resort has expressed willingness to participate in some manner but they did not want to be pinned down and commit to that at this

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point and do not know in what manner they would contribute. Black Desert Resort does not want to blast out a road that was not going to be used at this point in time because it would scar the land. **Patrick Manning** indicated that it was not that they were not willing to contribute, it was more of a timing issue and the road would not serve the project at all. As an act of good faith, they would be willing to stipulate that they would donate the land free of cost for that road as an olive branch but blasting it now does not make sense because it would be an eyesore for a long period of time. They did not know when that would connect to Interstate-15, if ever. It did not make sense to put something in the Development Agreement saying that Black Desert will contribute, unless it's down the road. They do not want to do anything to hurt the land if it is not needed but they are willing to donate the land. **Chuck Gillette** reiterated that if Black Desert Resort is not required to build a portion of the Western Corridor then that responsibility falls on the SITLA property. **Mayor Hart** commented that the Western Corridor is on the plan but it may not go down as far as is projected on the transportation plan and it's unknown as to the timeframe. He reiterated that there has been an offer by the developer that land will be donated and that could be written into the Development Agreement at some point. **Patrick Manning** stated yes. **Dale Coulam** indicated that it would be nice to write that into the agreement now and address that subject in the future and that access to the Alan Layton portion of the property, that part of the property would be developed. There would be an entrance with a dead end and could be posted as not a thru road. That does need to be addressed in the current Development Agreement, with a stipulation that Ivins will address it in the future phases. It may not tie to an exact future phase, but it will come up as discussion points as future phases are added. **Patrick Manning** stated that he is okay with some of that and indicated that the Western Corridor will serve all of Ivins, more than it will for the Black Desert Resort project. He had a little bit of an issue over building a road with three lanes that Black Desert Resort literally does not need. The main point is they do not plan on having an access off of the northern corridor into the Alan Layton parcel. They plan on having ingress and egress off of Snow Canyon Parkway because of the elevation change. The topography does not allow for there to be an access point off of the northern corridor and it would be a disaster to try and get egress onto the Alan Layton parcel. **Chuck Gillette** did not agree with just saying if they do not put in an access onto that road then they shouldn't have to pay for that improvement. If a project is adjacent to a master planned road, the developer is responsible to put in their portion of that road. **Patrick Manning** indicated that Black Desert Resort would receive the least amount of benefit from the Western Corridor and they just want to make sure that the City is fair as it relates to that. He was happy to leave it as a future discussion item. They will do their part but he wants it to be fair. **Chuck Gillette** stated that it would be unfair to say that all of the road needed to be paid for by the SITLA parcel. **Patrick Manning** agreed. **Damon Georgelas** Attorney for Black Desert Resort clarified that in this Development Agreement, they have not included the Alan Layton parcel. They bought it separately and are treating it like a separate parcel, which would provide for a future opportunity to address this when they come to the City with a Development Agreement for the Alan Layton parcel. The current Development Agreement is defined as the original resort center core. They do not want to make obligations to the Alan Layton parcel because it is part of this Development Agreement. This Development Agreement does contemplate that the developer will have to come back to the City, specifically with respect to the outside road and traffic improvements based on the traffic study that is done for the project. Making the Western Corridor an obligation now felt premature. **Dale Coulam** indicated that the Development Agreement should at least say that the Western Corridor is still being

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considered and will be discussed in the future. **Chuck Gillette** referred to the developer agreeing to the dedication of the roadway and inquired if that could be actualized. **Patrick Manning** stated the Council can amend the Transportation Master Plan for a new alignment and they are happy to dedicate and donate the land and state that in the agreement. **Dale Coulam** indicated that the City would need another version of the Development Agreement stating what has been discussed. **Damon Georgelas** stated that he could include that in the Development Agreement. In the same paragraph referring to the traffic study, he could add a sentence that says the traffic study will incorporate consideration of the Western Corridor and its impact on the project, to assess developers' fair participation. Then say that all parties agree that the developer will dedicate the land for the Western Corridor for its current alignment or amended alignment in the future. **Dale Coulam** clarified that they would dedicate the land in accordance with the current Transportation Master Plan alignment or if it is amended, to whatever the revised version is.

Council Member Gordhammer referred to the general obligations on page 8 and page with regard to the existing plan and required city approvals. When she read through that, it talks about if the densities are changed and says that the City agrees that in the event the City makes changes independent of any request from the developer, the plan and its associated uses and densities in such manner that developer believes it is not in the best interest to continue with the proposed development, then the developer, at its sole discretion may elect to terminate this agreement and to be released from all further obligations set forth herein. She inquired if that was in the agreement because of the water. **Dale Coulam** clarified that the developer has stated a density of 1200 units and if the City took that away, that would be an exaction and the City would have to compensate them for it and it is saying that they can terminate the agreement and stop the project. **Damon Georgelas** indicated that this has more to do with the event of a down zoning or that type of thing which is generally considered unconstitutional but it often leads a developer with the untenable situation of having to form a contract while all the benefits of the agreement itself have been taken away and while that's being worked out. They do not expect that to happen and that verbiage is a catchall so that if it turns out in the unlikely event that there's actually zero water to build the whole project, they would not want to be stuck having to build a project that they do not have water for. It has more to do with a future council deciding to change the General Plan and materially altering the agreement. **Dale Coulam** stated he saw it as a vesting question, and he thinks they would be vested in what their approvals are. If the City tried to change those approvals so that it changed their vesting, then that would be grounds for them to terminate the contract and not proceed. Black Desert Resort has water rights themselves and that's what's filling the ponds and that's what they'll water the golf course with. It also helps the City of St. George balance their system. They will also receive culinary water from Ivins City and ultimately from the Water Conservancy District.

MOTION: Council Member Johnson moved to approve Development Agreement for Black Desert Resort, as amended

SECOND: Council Member Larsen

VOTE: The motion carried.

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

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D. Discuss and consider approval of expenditure for Contract No. 21-03 Tuacahn Tank Recoating and discuss and consider alternative options as presented by the Sentierre development

Tom Jorgensen reported that the interior coating for the Tuacahn Tank is starting to fail and the exterior needs to be recoated. The tanks are checked out every five (5) years to make sure that they are not in need of repair or recoating. The last inspection deemed it necessary for the Tuacahn tank to be recoated. The City prepared the bid documents with the low bid coming in at $123,900, which is budgeted but Sentierre is looking to bury or takedown the steel tank and install a concrete tank that would end up being buried or partially buried and hidden. Sentierre communicated to Dale Coulam, Chuck Gillette and Tom of this intention so a decision needs to be made as to whether the City uses the funds that were going to be used to recoat the tank and put that towards the Sentierre tank, rather than recoating the current tank, although the City does not know Sentierre's timeline for installing the new tank. **Mayor Hart** questioned if the tank has reached a critical stage where it could leak or fail if the City does not do something right away. **Tom Jorgensen** indicated no. There are spots here and there in the tank that are degraded but it is not a full failure and if it were to fail, it would not be a catastrophic failure. If the City enters into an agreement with Sentierre, how much would the City be willing to contribute? **Mayor Hart** commented that he thought that had already been discussed with Sentierre a few years ago. **Dale Coulam** clarified that the estimate was that Ivins City would contribute approximately $100,000 towards the new tank. **Tom Jorgensen** stated they are looking at some additional expenditures if the City decides to recoat that tank because there is a section of rock back behind the tank that has started to slough off and in order for them to safely recoat the tank, the City would need to install some sort of a barrier up there. There will be some additional expenses to put a temporary tank up there so the $123,900 figure does not include that. **Mayor Hart** suggested that the City work on getting a formal agreement with Sentierre. **Dale Coulam** clarified that he will be meeting with Stan Castleton with Sentierre the first part of November.

MOTION: Council Member Mehr moved to deny the expenditure because the City is going to consider alternative options
SECOND: Council Member Gordhammer
VOTE: The motion carried.

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

6) CONSENT AGENDA

A. Approval of City Council Meeting Minutes for October 7, 2021

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

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

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Council Member Larsen	AYE
Council Member McDonald	ABSENT

7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) REPORTS

A. Council

There were no reports by the Council Members

B. Mayor

Mayor Hart reported that moving day for the new City Hall will occur on Monday, October 25th but with some complications because the Council room is not fully operational so the next City Council meeting will likely be held here at the old City Hall. A ribbon cutting is scheduled for Friday, November 5th at noon.

C. City Manager/Attorney Dale Coulam

Dale Coulam reported that the City will celebrate Christmas as departments rather than a full Christmas party.

D. Items to be placed on future agendas

9) CLOSED MEETING

10) ADJOURNMENT

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

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

The meeting adjourned at 8:00 p.m.

Respectfully,

Kari Jimenez
Ivins City Recorder

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