IVINS
CITY COUNCIL
MINUTES
January 20, 2022

NOTICE: This meeting was held in person. You may listen to the live audio feed by going to www.ivins.com under "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 Scott, Council Member Mehr, and Council Member Johnson.

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

EXCUSED: Council Member Anderson

Audience: Paul & Gery Bryson, Liz Fortney, Laela Gaylord, Chris Haddad, Pam Gardiol, David Robinson, Judith Kapuscinski, Patty Dupre, Sharon Barton, Nancy Martinez and others who did not sign in.

A. Acknowledgement of Quorum

Mayor Hart acknowledged there was a quorum present. Council Member Johnson, Council Member Mehr and Council Member Scott were present. Council Member Anderson was excused.

B. Flag Salute

Council Member Scott led the Flag Salute

C. Invocation

Council Member Scott gave the invocation

D. Disclosures

Council Member Scott referred to Agenda items 5)A and 5)B and disclosed that he was on the Arts Commission prior to being elected to the City Council. He referred to agenda item 3) and indicated that one of the Citizen Comment from was submitted by his wife Patty Dupre. There were no other disclosures or conflicts of interest with items on this meeting's agenda.

2) REPORTS, PRESENTATIONS AND APPOINTMENTS

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

Mike Haycock provided a written reported. A copy of the report is available as an attachment to this agenda. He reported that the Building Department has updated their technology and are able to look at plans and take photos while in the field, saving time and resources.

Chuck Gillette provided a written report, a copy of which is available as an attachment to this agenda. He reported that the Public Works crew has been crack sealing throughout the City and last month laid down 25,000 pounds of material and on the Consent Agenda, there is a request to purchase more material. He is still working on acquiring right-of-way for the Highway 91 project.

Cade Visser provided a written report. A copy of the report is available as an attachment to this agenda. He reported that URS is finishing up their audit and the remodel of the old City Hall into the Public Safety Building is currently under budget.

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B. Quarterly Report

Cade Visser referred to the economic overview of the County in general and indicated that unemployment continues to look great, despite all the "Help-Wanted" signs. Unemployment is lower than it was pre-pandemic and the average monthly wage continues to increase. Washington County has never seen a jump in gross taxable sales as is being seen right now. The quarterly numbers and property tax are in line with what the County assessed and all revenues are doing better than expected. Department Heads and staff are doing well by making smart decisions with purchases and being efficient with the resources they currently have. **Mayor Hart** referred to the Street, Sanitation and Buildings fund being substantially under budget and inquired why that was. **Cade Visser** clarified that there is a large capital expenditure for the street sweeper, as well as some other large capital expenditures that have not been expended yet. **Council Member Scott** thanked Cade for answering all of his questions. **Cade Visser** referred to the Non-Operating Income and clarified that the way the City has historically budgeted for the Non-Operating Income, has been based on impact fees where the City plans for 100 building permits per year but the last six (6) to seven (7) years, those have been higher and that is reflected in the Non-Operating Income. Regarding Public Safety Impact Fees, there have been extremely low for the past five (5) years but Ivins has seen significant growth in that time and Public Safety Impact Fees were recently increased and that is expected to help offset some potential upcoming expenses like a fire station or other projects that come along in the future, due to growth. The economy is stabilizing but with inflation and COVID still hanging around, the City is continuing to focus on being conservative, using the resources that it has and continuing to build up General Fund reserves. Revenues and expenditures are as expected and capital projects are on track.

C. Planning Commission Report

Commissioner Robinson reported that the Planning Commission swore in Commissioner Pam Gardiol and she is now the Vice-Chair. The Planning Commission also recommended approval of a Preliminary Plan for Serenity Estates and after the Planning Commission meeting, they held a Joint Special Meeting with the City Council to discuss the Ivins City Land Use Plan.

3) CITIZEN COMMENT & REQUEST FOR FUTURE AGENDA ITEMS

Laela Gaylord provided a Citizen request with a number of documents attached, as well as a letter typed by Tiffany Martineau, regarding Wreaths Across America. A copy of this information is available as an attachment to this agenda. She requested that Wreaths Across America be on the next City Council meeting for the City Council to consider funding the program. The **Mayor and City Council** agreed that it would be on the next City Council agenda for a discussion.

Patty Dupre summitted a Citizen Request regarding seven (7) suggestions to encourage more public involvement and transparency. A copy of the request is available as an attachment to this agenda. The **Mayor and City Council** agreed this would be discussed on the next City Council agenda.

Lisa Rutherford submitted a Citizen Request regarding the Black Desert fence. Ms. Rutherford was not present at the meeting but Mayor Hart read her submitted request, a copy of which is available as an attachment to this agenda. **Dale Coulam** indicated that this was more of a question than an agenda item and stated that the Developer is required to put up construction fencing, as well as SWIPP (Storm Water Pollution Prevention Plan) fencing and what is there, meets both of those requirements. On a construction site, it is common to have however many contractors working on the project, place their wooden signs on the site. Staff thought that what

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is there presently, was preferable over a number of wooden signs. It is common practice to place business names on signage around a project. The current sign fencing also catches tumbleweeds and serves better purposes than wood signs. If the Council would like to prohibit that type of fencing/signage, the City would need to go through the process of changing ordinances to be more specific. **Mayor Hart** inquired if the Council would like to bring ordinances forward that relate to signs, with this specific item in mind. The **City Council** was not interested in reviewing or bringing this forward as a future agenda item.

4) PUBLIC HEARING AND ACTION ITEMS - NONE

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and consider Arts Commission's recommendations for distribution of 2021 RAP Tax Arts Funds

Judith Kapuscinski is Chair of the Ivins Arts Commission and stated that the Commission has submitted their written recommendations to the Mayor and City Council. Those recommendations are available as attachments to this agenda. The application deadline was December 31, 2021 by 5:00 p.m. and there was one (1) application that was submitted in a timely manner and that was by the Kayenta Arts Foundation. The Arts Commission is recommending that the Kayenta Arts Foundation be fully funded in the requested amount of $15,000 for their three (3) festivals: Art in Kayenta, the Street Painting Festival, and the Festival of the Americas. There is an amount of $5,000 of RAP Tax funds that the City places in reserve and then any remaining RAP Tax funds divided equally between Recreation, Arts and Parks. For the Arts part, there an amount of $10,000 has been committed to Tuacahn Center for the Arts, as well as $7,500 committed to the Kayenta Arts Foundation under the agreement portion of the RAP ordinance. There is $2,265 remaining from the RAP Tax Arts Funds and the Arts Commission's recommendation is that be put into a designated reserve for public art. **Dale Coulam** indicated that he concurred in that recommendation. It was his understanding that the Arts Commission was tasked with the responsibility for recommending art at the new City Hall and that the balance is set aside and dedicated for public art in and around City Hall and Ivins. They have talked about art to replace the statue in the roundabout, but the remainder this year is small and would not be enough for that, but could certainly begin to fund art in the new City Hall. That was the plan to take place when the new City Hall building was finished and that is already in motion. The Arts Commission has indicated that they want to be the body that recommends that and that would be appropriate. They can start in the building with some of the bare walls and they can also recommend some pieces that are from local artists. **Judith Kapuscinski** commented that would be in the public areas and not offices. **Dale Coulam** agreed. **Mayor Hart** inquired about other applications. **Judith Kapuscinski** stated that there was one, but it came in after the deadline and it requested $6 trillion dollars. **Council Member Scott** indicated that he agreed with the Arts Commission's recommendations to fund the Kayenta Arts Foundation, as well as art for City Hall. **Council Member Mehr** commented that the City is meeting the obligations of those that the City has committed funds to, there is an excess and there was one (1) application so he did not see any issues and agreed with the Arts Commission's recommendations.

MOTION: Council Member Scott moved to approve the Arts Commission's recommendations for approval of the KAF grant, as well as the balance going to fund art for City Hall and the City

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SECOND: Council Member Johnson
VOTE: The motion carried.

Council Member Scott	AYE
Council Member Mehr	AYE
Council Member Johnson	AYE
Council Member Anderson	ABSENT

B. Discuss and consider Arts Commission's recommendations regarding options for acquisition of Public Art

Judith Kapuscinski indicated there was a consensus on the Arts Commission that anytime the City is using public money for public art, that it should be noticed up and the public should be given the opportunity to see the art and to share their thoughts. The Arts Commission's recommendations are for large or multiple art projects like the round-about and that there would be a process. One way to do that would be to Commission art through the request for proposal process. Another way would be if there is existing art piece, to acquire through a direct purchase in accordance with single-source requirements and to acquire art through a discrete Ivins art-on-loan program. The Arts Commission feels like there is a role for an art-on-loan program in Ivins and they discussed a couple of different ways to have an art-on-loan program in Ivins. One would be to partner with the City of St. George and their art-on-loan program, which is run by the nonprofit Art Around The Corner. The Arts Commission also looked at another variation of that and it would be cost efficient and time efficient to do an Ivins art-on-loan program. Ivins could set up the program exactly as they want it and decide on the parameters. **Mayor Hart** commented that for the round-abouts, the art-on-loan might be a much more economical solution to getting something representative of Ivins being an arts community. **Judith Kapuscinski** commented that those would need to be pretty large pieces and to install those for a year and then move them, may be cost prohibitive. There may be other ways of getting art in the roundabout it could be one large piece or it could be a collection of objects of an artist's choice. **Council Member Scott** stated that there are basically three (3) ways to go about adding art to the city with flexibility and the art-on-loan program would be a way to get more, sooner. **Judith Kapuscinski** indicated that the program could be phased in where the first year they seek art for a couple of locations. As an example, the City of St. George pays an artist a stipend of $1,000 for the piece, brings the artist and the piece to St. George for an opening reception and then the City pays for insurance and maintenance of the pieces. With the remaining Arts RAP funds from this year and last year, the City could likely obtain a couple of pieces to install relatively soon, at least sooner than commissioning a piece of art. **Mayor Hart** commented that by this time next year, there could be something put together that the City could include in the budget to providing art in various locations. One of the concerns that was expressed about the art-on-loan program, was that some pieces may not be liked or reflective of Ivins City. **Judith Kapuscinski** indicated that the Arts Commission is only an advisory commission so they would only be suggesting pieces. **Council Member Scott** stated the other thing with the art-on-loan program that the Arts Commission is recommending, is that it is a standalone Ivins program and Ivins would not be following whatever the City of St. George or anybody else might be doing. The City Council could give the Arts Commission some directions, the Arts Commission could then provide the Council with recommendations and the Council would be in total control. **Judith Kapuscinski** indicated that with the Call For Entry, the Council could indicate what they are looking for and say they do not want certain things and the pieces are displayed for a short period of time. An artist's piece goes up for a year. If

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someone wants to buy it, the artist can sell it but the purchaser does not take possession of it until the end of the display period. There are grants to cover the costs of installation , maintenance and insurance. **Council Member Mehr** stated that he did not want to tie the City to an ongoing, long-term contract that the City could not get out of. **Judith Kapuscinski** clarified that the City could set the parameters for the art-on-loan program. There is a one-time expense for the stipend, travel to the City and then the ongoing expense of maintenance, insurance and installation. **Council Member Johnson** commented that based on what they have been talking about, Ivins would delete the City of St. George portion of that and just go with the Ivins art-on-loan program. **Judith Kapuscinski** clarified that the Ivins art-on-loan program would be a discrete program described in the documentation that the Arts Commission provided.

MOTION: Council Member Scott moved to approve the Arts Commission's recommendations and to authorize the Arts Commission to put together an arts-on-loan program for the City Council's approval

SECOND: Council Member Johnson

VOTE: The motion carried.

Council Member Scott	AYE
Council Member Mehr	AYE
Council Member Johnson	AYE
Council Member Anderson	ABSENT

C. Discuss and consider approval of purchase of GIS-Asset Management-Work Order Management Software

Chuck Gillette indicated that this is in the budget and is something that they have been planning for and wanting to do for many years. It is expensive but the Public Works Department manages $100 million dollars' worth of assets. It is a huge responsibility to take care of those assets and they do not take that lightly. They currently have some software that helps manage those assets, but it is simple software. They have a mapping software that is GIS (Geographic Information Systems), similar to Google Maps. Information is very handy when it is geographically searched and found and is a great way to store, retrieve and obtain information now. They have always had a GIS system and a rudimentary work order management maintenance system but some of the maintenance records are paper records and not even electronic records yet. They need to go to this system because it combines two records into a single system database and saves staff time. As an example, when Public Works exercises the fire hydrants, they currently have a printed list and all of the information is written down on paper. If the City has this system, they can look it up and can pinpoint a fire hydrant on the map and see when it was tested and how much it flows. For the pipe systems, if one pipe has a lot of leaks, they can bring up a report that shows where all of the leaks have been in the City. It shows up on a map and you can see patterns of where the leaks are occurring. They can create information reports and dashboards that say what is going on the City's system daily. He talked to the provider of the software and they showed him a dashboard that the City of St. George created where the dashboard shows a pattern of where graffiti is occurring in the City. Anybody can look it up because that information is geographically referenced. Ivins City has a population of nearly 10,000 residence and Public Works has crossed a threshold where they need to go to the next level and merge the two databases. The cost is not so much the annual cost, it is the implementation cost where a professional group is hired to take the two databases and combine them together and then provide the training that is needed to run the system effectively. The implementation cost is $27,000 and then there is an annual software cost of $10,000 for the first

year and $15,000 each year after that on a three (3) year contract. He has looked at different options and they are nearly the same cost. It is common that cities are moving to this type of a database. **Mayor Hart** inquired if there is a different element of this program that applies to Building and Zoning. **Chuck Gillette** clarified that is the permit part and that is not part of this request. Another benefit to this program is that field personnel has access to this data. The biggest problem with mapping is that the City has maps in the office but those in the field rely on the office staff to take that data and convert it into a file that can be uploaded but they do not have access to all the maintenance data. With this system, in the field, an operator can open that up on a tablet, take a picture, that gets uploaded into the system and then the office staff can look at pictures taken in the field. **Council Member Mehr** indicated that this sounds wonderful but it felt like overkill. He inquired what is happening today and what aren't they getting done, that this software is going to provide and inquired if it was worth the cost. **Chuck Gillette** clarified that there are some cost savings due to other software that they currently have that the City would not be using anymore, primarily the iWorQ software. That has a permitting component that they will still be using but the work order management system that they use right now in iWorQ, won't be used, which will be a savings of approximately $2500 a year. They use iWorQ now but it is a work order management system but the City has GIS maps and those maps are maps that they can print or create a file but then staff has to update the file every time they update the map. As soon as staff has updated the map, the file that they sent out a couple months ago, is no longer up to date. There is no live updating. The iWorQ system has been a huge benefit and it was approximately 12 years ago that the City upgraded to the iWorQ system but it is not connected to the maps that the City uses. It is hard to get the information from the maintenance information into the mapping information because they do not talk to each other and are not accessible in the field. Being able to access that information is significant because staff currently does not necessarily have the most up-to-date information in the field. If there's an emergency and they are trying to find valves, they may not know where the valves are. They are relying on the mapping data to tell you where the valves are. If they don't have that information, it delays how quickly they can respond to the emergency. **Council Member Scott** inquired if the software is already included in the budget, along with the implementation costs. **Chuck Gillette** clarified that both are already in the budget and they have been planning on this for a while. The City will need something like this eventually and if it gets denied this year, he will ask for this again next year. **Dale Coulam** stated that this is a very powerful tool, to have data in hand, out in the field. All the information that you need and to be able to upload pictures so that others can see them and the Department Head does not have to be at multiple locations at the same time. He can be in one location and see the information that's coming in. It's a way to for the Public Works operations to be much more efficient and have all the data readily at their fingertips, which is critical when they are out in the field. **Chuck Gillette** indicated that staff keeps getting tasks added to their plates and this type of technology enables them to take on those additional tasks, without hiring additional employees. He has been with Ivins for 15 years and they have two (2) additional Public Works employees than what they had ten (10) years ago, yet the City has nearly doubled. **Mayor Hart** commented that it is a more efficient management tool than anything that's been out there in the past and he was in favor of this. **Council Member Johnson** stated that having the proper software is everything in a lot of businesses and she was in favor of this.

MOTION: Council Member Johnson moved to approve the purchase of GIS-Asset Management-Work Order Management Software

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SECOND: Council Member Scott
VOTE: The motion carried.

Council Member Scott	AYE
Council Member Mehr	AYE
Council Member Johnson	AYE
Council Member Anderson	ABSENT

Council Member Mehr requested discussion and inquired what the cost difference was between what Public Works is doing now for monthly ongoing maintenance, compared to implementing this new software. **Chuck Gillette** clarified that they would be saving $2500 by implementing the new software. **Council Member Mehr** commented that means the City would be increasing the cost by $12,500. There was some discussion regarding the costs and savings. **Dale Coulam** indicated that these costs are minimal, when compared to the cost of an employee. The tasks now must be done manually and so that takes a lot of employee time. This software assists staff to be more efficient and avoids hiring somebody else to do the manual labor to make outdated software work. It is the savings of not having to hire another employee to do manual things when it can be done much more efficiently with electronic tools. **Council Member Mehr** commented that Dale Coulam made a good point. Ivins is growing and giving the nature of how the City is growing and where the City is going, he could support this.

D. Discuss and consider approval of a Public Access Utility Easement Agreement

Dale Coulam indicated that Chuck Gillette has been busy acquiring right-of-way for Highway 91 and has been working with an attorney on this to work out an agreement. Years ago an owner brought in a plan to work with the realignment of Main Street and the part that they are talking about is the part that borders along Highway 91 and consists of 13,050 feet in length. There are two ways to compensate an owner, one is to obtain an appraisal and pay them for it, or, if they are willing to dedicate and in exchange, they either get a density bonus or the City counts it as open space. That would be considered compensation and would not be a taking because an owner received some consideration in exchange for what was given up. This owner, and what their attorney has been working with Chuck on, has proposed that this be an easement at first and then when they develop their property, that it be dedicated on the plat and then ownership goes to the City. Part of the reason they are reserving that right, would be to use part of this easement to go onto the property without trespassing. While they use that property, they agree to indemnify Ivins City so that if somebody were to be injured while they were using the easement, the liability would not be on the City and they would be required to defend and hold the City harmless. Once the property is dedicated and the City has ownership, that responsibility would then be on the City because the City would own the property. **Mayor Hart** commented that the City either has to buy it now, or acquire it at no cost with this agreement. **Chuck Gillette** clarified the City would not buy it now because the City has an option of moving the trail into the public right-of-way. The owners would then have to relocate it into the easement when they develop. The owners see a benefit to donating it right now. **Dale Coulam** stated that the tradeoff is open space, but they are only asking for half as open space. **Chuck Gillette** indicated that the owners would be donating an acre and the multi-family rules say that developers are required to provide a certain amount of open space and if the City allows the developer to apply the donated property towards that open space requirement, the developer would only have to provide a quarter of an acre of open space and that is the tradeoff that they are asking or, some credit towards that open space requirement. **Dale Coulam** clarified that the intent for that was that it's usable so that the community in a multi-family development has

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something to use on site. It's an amenity. A trail would be an amenity, pickleball courts or something to that effect as amenities. **Council Member Scott** referred to Red Mountain Terrace on Highway 91 and 200 East where there is a 30 foot buffer area and a trail and then a block wall and inquired if this developer is envisioning the same concept and what was the quid pro quo with Red Mountain Terrace. He inquired if this had been done for other properties in the City because there are other properties up and down Highway 91. **Chuck Gillette** clarified that Red Mountain Terrance was required to put in the trail, the landscaping, the wall and bollard lighting, as part of their privilege to develop and subdivide their property in the way that they did. These developers would be no different. They would be required to do that when they're ready to develop. The difference is that the City needs to put that trail in now because the City has funding that says the City has to put the trail in. The City does not have to put it in that location. The City could put it in the right-of-way, but then the developer would have to move it. The quid pro quo would be that the developers do not have to move the trail in the future if the developers let the City put the trail where it going to be in the final location. **Council Member Scott** commented that the developer would benefit from that right now and the City would be spending the money for the trail now but if the developer starts the development, they have to do this anyway at their own expense. **Chuck Gillette** indicated that was correct. **Council Member Scott** stated that the City has gotten the 30-foot buffer with the trail in other locations on Highway 91 and the City has not given anything in return for that like open space credit or anything similar. **Chuck Gillette** clarified that was correct. **Council Member Scott** stated he was concerned about open space and understood that there is a short-term rental overlay on the site that this agreement relates to. He felt that short-term rentals can be built there, one would want all of the open space in a short-term rental development that one could get. He did not like the idea of giving these developers something, because with other property owners, the City has not done that for them. **Dale Coulam** clarified that the City did that on Snow Canyon Parkway where the City gave consideration to obtain the wider landscape buffer, as well as the City built the wall for the owners at the City's expense. The City may not have that precedent on Highway 91 but the City does on Snow Canyon Parkway **Council Member Scott** inquired what the approximate cost was for 13,050 feet of trail. **Chuck Gillette** stated approximately $50,000 to $60,000. **Mayor Hart** commented that the alternative is that the City either acquire the property by purchasing it, or the City abandons the idea of placing that section of the trail in its permanent location. **Chuck Gillette** clarified that the City has to put the trail in because the City has Federal funding for it. The alternative is that the City puts the trail in Ivins right-of-way and then when the property is developed, the developers move it. The developers will have to pay to tear the trail up and then pay to relay it. **Mayor Hart** commented that he had the same concern as Council Member Scott and if he were the property owner, he would be pleased to provide the full measure of open space. If the developer built 120 units, with a quarter of an acre of amenities, that's a problem. The ordinance was written for a reason. **Mayor Hart** commented he senses that this is not going to pass tonight regardless. **Chuck Gillette** stated that if the Council does not agree to this tonight, he will go back and renegotiate this. He inquired if the Council agreed to the other terms of the agreement, if those could be approved. **Dale Coulam** indicated that the City Council would want to see the complete agreement for their approval. **Chuck Gillette** stated that he would come back to the City Council with a final agreement. **Mayor Hart** indicated that the developer could have the security of knowing that with that one provision removed as it related to the open space credit, it would be likely that this agreement would be approved when it came back before the City

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Council. **Council Member Mehr** stated that it would be best to continue this discussion. **Council Member Scott** indicated that for the benefit of the applicant, if they are watching or listening to this meeting, they know how he feels and they have a sense of how the Council feels here and helps the applicant understand the Councils' sentiment at this point.

MOTION: Council Member Mehr moved to continue this discussion to a future meeting
SECOND: Council Member Johnson
VOTE: The motion carried.

Council Member Scott	AYE
Council Member Mehr	AYE
Council Member Johnson	AYE
Council Member Anderson	ABSENT

6) CONSENT AGENDA

Mayor Hart referred to the cost of the crack seal and the cost benefit of purchasing a half load versus a full load. **Chuck Gillette** clarified that the shipping cost is the same for a half load or a full load.

A. Approval of expenditure for crack seal materials for streets pavement maintenance
B. Approval of City Council Meeting Minutes for January 6, 2022

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

Council Member Scott	AYE
Council Member Mehr	AYE
Council Member Johnson	AYE
Council Member Anderson	ABSENT

7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) REPORTS

A. Council

Council Member Scott referred to a memo that he sent regarding an idea to create a Youth City Council. A copy of the memo is available as an attachment to this agenda. The Mayor and City Council were supportive of moving forward with the creation of a Youth City Council.

Council Member Mehr - no report
Council Member Johnson - no report

B. Mayor

No report

C. City Manager/Attorney Dale Coulam

Dale Coulam reported that the parts are still on backorder for the use of the Zoom application for the City Council meetings. The contractor has worked out a work-around on a temporary basis and the City will be testing it to see if all technical applications work together.

D. Items to be placed on future agendas

9) CLOSED MEETING

10) ADJOURNMENT

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

Council Member Scott	AYE

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Council Member Mehr	AYE
Council Member Johnson	AYE
Council Member Anderson	ABSENT

The meeting adjourned at 7:10 p.m.

Respectfully,

Kari Jimenez
Ivins City Recorder

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