IVINS
CITY COUNCIL
MINUTES
May 5, 2022

NOTICE: NOTICE: This meeting was held electronically and in person. 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 Council Member Mehr, Council Member Johnson, Council Member Murphy, and Council Member Anderson.
STAFF: City Manager/Attorney Dale Coulam, Parks and Recreation Director Benny Sorensen, Chief of Police Bob Flowers, Director of Finance Cade Visser, Building and Zoning Administrator Mike Haycock, Fire Chief Parker, and City Recorder Kari Jimenez
Audience: Brad Osburn, Ed Budinsky, Dave Appel and others who did not sign in.
EXCUSED: Council Member Scott

A. Acknowledgement of Quorum

Mayor Hart acknowledged that there was a quorum present. Council Member Scott was excused.

B. Flag Salute

Council Member Mehr led the Flag Salute

C. Invocation

Council Member Mehr gave the Invocation

D. Disclosures

There were no disclosures or conflicts of interest with items on this meeting's agenda.
Mayor Hart reported that he attended a banquet in Salt Lake City put on by the Intermountain Chapter of the American Concrete Institute where Ivins City was presented the Structures-Precast/Tilt-Up award for the new Ivins City Hall building. A copy of the Excellence in Concrete Awards brochure is available as an attachment to this agenda.

2) REPORTS, PRESENTATIONS AND APPOINTMENTS

A. Concept Plan Report for Golf Village Phase of Black Desert Resort, located at approximately 1500 East Snow Canyon Parkway, north of the horse roundabout. Enlaw, LLC-Owner. Patrick Manning-Applicant

Mike Haycock reported that the Golf Village Phase of Black Desert Resort consists of 186 golf suite units, a mail stop, members lounge and visitors center. The Land Use is Resort Mixed Use and the property is zoned Resort Commercial, which is one of the zones allowed for a Resort Mixed Use. The proposed density and use is consistent with the General Plan and Conditional Use Permit.

B. Concept Plan Report for Vista Estates Subdivision, located at approximately the northwest corner of 200 West and Hwy 91. Sunshine Seven, LLC-Owner. Rick Scadden-Applicant

Mike Haycock reported that this subdivision consists of 24 lots on 6.1 acres. The Land Use is Medium Density Residential and the property is zone R-1-7.5, which is one of the zones allowed for Medium Density Residential. the proposed density and use is consistent with the General Plan.

DRAFT

C. Department Reports: Parks and Recreation and Public Safety

Benny Sorensen provided an electronic report, a copy of which is available as an attachment to this agenda. He reported that Bingo-in-the Park is continuing to be popular, with nearly 40 people attending. The City has video on the website of the Easter Egg Hunt. There has been some vandalism with individuals cutting the plants in the City landscape buffers. **Council Member Johnson** referred to the vandalism and commented that there have been comments made on social media regarding that. She urged residents to contact the City to find out what is going on so that they get the whole story and not just what is posted on social media. She referred to dumpster day being this upcoming Saturday, as well as Ironman and inquired if residents are going to be able to get across Center Street to get to the dumpsters. **Benny Sorensen** indicated that would be a question for Public Works to answer.

Chief Flowers provided an electronic report. A copy of the report is available as an attachment to this agenda. He reported that everything is marked and ready for Ironman. People are going to need to be patient because the Ironman begins early in the morning and ends late in the evening. The Police Department has been reorganized recently with Jaron Studley being promoted to Lieutenant, Nick Tobler was a Detective and has been promoted to Sergeant and Officer Jessica Bate was promoted to Detective. **Council Member Anderson** referred to the hillside on the southside of Highway 91 above the subdivision that Chief Flowers resides in and commented that there are a lot of campers there with open fires and people shooting tannerite. He was concerned about that being a fire hazard. **Chief Flowers** stated that he was very aware of the situation and working with the BLM (Bureau of Land Management) although the BLM is not that concerned with the situation. **Council Member Anderson** clarified that where the campers are is in Ivins City and offered to walk the fence line with Chief Flowers.

Fire Chief Parker provided an electronic report, a copy of which is available as an attachment to this agenda. He reported that their emergency response has increased by approximately five percent (5%) from last year. There was a major structure fire in the Center of town and that is under investigation and there was a rescue in Snow Canyon today. They are currently holding interviews this week for a Captain and three (3) Fire Fighter Medics. As of July 1st, they will have five (5) personnel, with three (3) full-time on engine and the ambulance staffed with part-time personnel 24 hours a day, 7 days a week, 365 days a year. He referred to budget and said one of the capital projects they are looking forward to is a fully automated computer system that was decided prior to his employment but the system will be with the City of St. George, Washington City, Gold Cross and SCI. There's a cost to have it installed at the dispatch center and the station alerting system that includes TVs, monitors, lighting systems, an automated voice and the computer selects who goes on what call. They have an ambulance coming in 3 to 4 week. Washington County owns it and SCI will be staffing it and that will replace their current pieces of equipment, which are three (3) ambulances. The current ambulances they have are a 2015, a 2000 and a 1995. All three (3) of those will be staffed for the Ironman. **Council Member Johnson** referred to the new automated system and inquired what portion of the $50,000 would be paid for by SCI Fire. **Fire Chief Parker** clarified that the total cost of the new system is approximately $124,000 that was split five (5) ways and that payment was made this fiscal year. The $50,000 is just for the fire station on Rachel Drive in Santa Clara. They bid Ivins as well but because they do not have response personnel there, they opted not to do that at this time because that would be an additional $50,000. **Council Member Anderson** inquired if the fire station on Center Street in Ivins would be manned. **Fire Chief Parker** stated that it has not been manned since he's been here but he moved himself over there, along with two (2) others

DRAFT

that are administrative. **Council Member Anderson** indicated that residents are worried about response times. **Fire Chief Parker** referred to the heat map that is part of the electronic report that he provided and stated that the darker red areas indicates that more calls occurred in those areas and most of the calls are occurring in the middle to southern part of Ivins. He is working on submitting an application to the CIB (Community Impact Board) in February, 2023 for a grant to build a new station and that would include a ladder truck. The decision where that station will go will be based on data because it needs to be built in the right location. **Mayor Hart** inquired if that would be the fire truck that they are already working on acquiring. **Fire Chief Parker** stated it was and clarified that it is a tractor drawn aerial and is mobile toolbox. It has all of their canyon rope rescue equipment, jaws of life, air bags for lifting vehicles off of other vehicles. Currently they do not have any of that equipment, with the exception of the jaws of life. The current ladder truck is currently 60 feet when fully deployed and the new one would be 100 feet. He referred to the apartments at Tuacahn and indicated that with the current ladder truck, they would be unable to reach the upper levels for rescue. Ivins would be the biggest impact and the reason they would like the 100 foot aerial. **Dale Coulam** inquired if that was the purchase of a new ladder truck in the next fiscal year. **Fire Chief Parker** stated no and clarified that it would be in fiscal year 2024 to 2025 and depends on the CIB application and they will cover 50% of the total purchase price of the ladder truck, which is approximately $1.4 million so they would need to pay $750,000 for their portion of that purchase. The cost of the station is approximately $4.5 million and they are going to apply to CIB for $3 million from CIB and then they will need to pay for the remaining cost of that. **Dale Coulam** indicated that he mentioned this previously to the City of Santa Clara that ARPA (American Rescue Plan Act) funds are available for use to purchase ladder trucks. **Fire Chief Parker** stated that they are going to look at that, as well as other options. **Council Member Johnson** referred to several members of the Fire Department recently obtaining their engineer status and inquired if those equate over to the new ladder truck. Fire Chief Parker clarified that they will continue with the current rank status and training that they have so those engineers can operate the new truck. The department that he came from in California had the truck that they are obtaining so he is familiar with the truck, has the manuals and procedures for the truck. He will train an officer and then that officer will train the others on how to drive and operate that piece of equipment. **Council Member Johnson** inquired how long after the truck is obtained would the employees be able to operate it. **Fire Chief Parker** indicated within two (2) weeks.

D. Planning Commission Report

Commissioner Robinson reported that the Planning Commission had Concept Plan reports for the Golf Village Phase of Black Desert Resort and for the Vista Estates subdivision. They also had a Public Hearing on proposed City-wide Land Use Map, Zoning Map and General Plan amendments. They also approved Preliminary Plans for the Desert Cove Subdivision and the Vista Subdivision and approved a Final Plat for Indigo Trails. **Dale Coulam** clarified that the Land Use Map agenda item will be back on the Planning Commission for another Public Hearing because the Planning Commission did not make a recommendation on a change from RMU (Resort Mixed Use) to "Resort" and that still needs to be addressed because the City has someone waiting on that change. On the Land Use Map, instead of showing it as Resort Mixed Use, which only has one (1) available zone, which is Resort Mixed Use, that would be changed to "Resort" and have all three (3) of the Resort zones, those being Resort Mixed Use, Resort Commercial and Resort RV, as choices under "Resort". That would require both a change on the map and change the legend.

DRAFT

Council Member Anderson referred to the RMU change and inquired if that will be something that the City Council will look at because right now RMU includes all zones including commercial and residential but not RV. **Dale Coulam** clarified that the ordinance says it includes all of those zones and you have to pick one (1) from residential and one (1) from commercial . The zone that you can choose under RMU is only RMU but to come up with the mixed use, it includes choosing the mix from all zones. The City is trying to clarify it so people understand the Land Use Plan better and just call it "Resort" and then give them the zones that an applicant can choose from and applicants can understand their options better. **Council Member Murphy** recalled there being a requirement for a buffer when a resort development abuts a residential neighborhood. **Dale Coulam** clarified that commercial requires a buffer and RMU would have a commercial element to it so that would trigger a buffer.

MOTION: Council Member Mehr moved to suspend the rules and move agenda item 5)B to this point in the agenda

SECOND: Council Member Johnson

VOTE: The motion carried.

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

5) DISCUSSION AND POTENTIAL ACTION ITEMS

B. Discuss and consider approval of an expenditure for furniture for the Public Safety Department

Chief Bob Flowers reported that he has looked at multiple websites and multiple office furniture suppliers, with most of them being a much higher cost and/or being months behind in filling orders. With the help of Aaron Cooper, the local sales representative for Alpine Business Products, they have been able to find the remaining furniture that is still needed to help them with their move. **Mayor Hart** inquired if there were any issues with this as it related to the budget. **Dale Coulam** clarified that it is within the budget.

MOTION: Council Member Mehr moved to approve an expenditure for furniture for the Public Safety Department in the amount of $24,406.21

SECOND: Council Member Anderson

VOTE: The motion carried.

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

3) CITIZEN REQUEST FOR FUTURE AGENDA ITEMS REGARDING ORDINANCES, POLICIES OR OTHER LEGISLATIVE ITEMS

There were no requests submitted.

4) PUBLIC HEARING AND ACTION ITEMS

A. Public Hearing on proposed amendments to the nonresidential Table of Uses to clarify definitions and Classes of Use

DRAFT

Dale Coulam stated as a Council, this has been discussed previously and they discussed it at the last City Council meeting. It was suggested that for tattoo parlor, that they exclude certain things from that definition. What was excluded from the definition for tattoo parlor, was included in all non-residential zones and a period was inserted after the word "dermatologists". **Council Member Mehr** inquired as to what was in red, versus what was in black in the document. **Dale Coulam** clarified that if there is a line through it, they are striking out that language. If it is red, it's new language. He referred to "Bar Establishment" and indicated that the code used to say "Dining Club" but with the new State legislation, a choice had to be made between a restaurant license or a bar establishment. The Planning Commission's recommendation was that a bar establishment only be allowed in the CLM (Commercial Light Manufacturing) zone. He referred to "Car Washes" and stated that the recommendation is that something like Lightfoot's car wash would be allowed but a car wash like a Quick Quack or Tag-N-Go would not be allowed, due to the noise and disturbance of a neighborhood, as well as the volume of water that those establishments use. Golf Courses were discussed previously and the City Council agreed to eliminate those. Regarding a Hotel, the new version is called a Resort Hotel. It's a horizontal concept like Sentierre and Black Desert Resort. He referred to a Sexually oriented business and indicated that was already in the code text as only allowed in the CLM zone but in the Table of Uses it did not say what class of use those are or what zones they would be allowed in. That has been clarified to say that would be allowed in the CLM (Commercial Light Manufacturing) zone. **Council Member Mehr** referred to Golf Courses and was concerned that now that a golf course is in the process of being built in Ivins, that the City would not allow any others and therefore there is no more competition. He felt that the government should stay out of protecting monopolies although he didn't feel strong enough that anything needed to be done with the language because it could be put back in the code if need be. **Mayor Hart** clarified that when the Council discussed this, it related to limited water supply and conservation but the problem with adding something back in the future is that developers look at the Ivins City Code for their guidance. **Council Member Johnson** commented that unless Ivins City annexed land, there would not be any place for a golf course. **Mayor Hart** stated that there is land in the Anasazi Valley area by the Santa Clara River that is within Ivins Development area. **Dale Coulam** clarified that even if it's in Ivins annexation area, under the plan, the annexation process is quite a process to go through to annex a piece of property. **Mayor Hart** inquired about a mini golf course or disc golf and if anything like that would need to be clarified. **Dale Coulam** indicated that it would be difficult to come up with every conceivable use that might be out there and define those. Those who would like to do something like that could approach the City and file an application to be considered to amend the Table of Uses.

Mayor Hart requested that Cade Visser explain how to make a comment electronically. **Cade Visser** gave instructions as how to make a public comment for the Public Hearing. He indicated that while individuals are connected through the Zoom application, they would see a raised hand at the bottom and if they wanted to make a comment, they could raise their hand and make their comment. **Mayor Hart** opened the Public Hearing and commented that there was one email correspondence from CJ Koharcheck. He inquired if there was anyone in attendance through the Zoom application that wanted to make a comment. **Cade Visser** indicated that there was no one in attendance through the Zoom application that wanted to make a comment. There being no comments, **Mayor Hart** closed the Public Hearing.

B. Discuss and consider approval of Ordinance No. 2022-05, an Ordinance of Ivins City, Utah, amending Table 33-2 Table of Uses Nonresidential Zoning Districts

DRAFT

There was no further discussion.

MOTION: Council Member Murphy moved to approve Ordinance No. 2022-05, an Ordinance of Ivins City, Utah, amending Table 33-2 Table of Uses Nonresidential Zoning Districts, as amended

SECOND: Council Member Johnson

VOTE: The motion carried.

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

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

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and consider tentatively adopting the Tentative Budgets to Complete Fiscal Year Ending (FYE) 2022 and the Tentative Budgets for Fiscal Year Ending (FYE) 2023 and set a Public Hearing

Cade Visser reported that the City Council is looking at the budgets to make sure they are ready to proceed to a Public Hearing on May 19th. **Mayor Hart** inquired if all of the adjustments included the capital projects that the Council decided not to move forward with like the exterior of the Public Safety Building? **Cade Visser** indicated that the exterior remodel of the Public Safety building has been removed. **Mayor Hart** inquired if the City Council has been sufficiently educated on this so that they can move forward with this to a Public Hearing. **Cade Visser** referred to a memo that Council Member Scott sent requesting a holistic analysis and he working on that for the Council to provide a multi-scenario /multi-year look at how the capital projects integrate with the Ivins City budget. He thanked the prior Directors of Finance for submitting information to GFOA (Government Finance Officers Association) where for the past several years Ivins City has received a budget presentation award. He continues to work off of what they have submitted previously and makes adjustments as needed. **Council Member Mehr** referred to the mill rate and inquired what that means as taxpayers. **Cade Visser** clarified that the City must leave the tax property revenue for the tentative budget the same as it was in prior years, until the county is done with their assessments. The County then provides a new rate. **Mayor Hart** commented that as the values increase, the rate decreases and essentially taxpayers pay the same amount because it is just based on a different evaluation. **Council Member Mehr** commented that there is a price for growth and inquired if there is ever a benefit to a taxpayer for that. **Dale Coulam** clarified that rates coming down would be due to appreciation in value of the property and due to growth, revenue increased for the City. Growth is what is keeping the City from having to increase property taxes. **Council Member Murphy** indicated that the way that Truth-in-Taxation works, is the taxing districts are not allowed to receive more revenue than they did the year before, unless they do a Truth-in-taxation hearing to raise the rate so cities do get more revenue from new growth. The rates are going to fluctuate because this year, the values are up, so the market values on properties are going up, which means the tax rate is going to adjust on all levels, other than the State school fund, which has been held for the last five (5) years. That will stay the same for one more year and then that will make taxes higher because they held the rate five (5) years ago at the legislature. **Mayor Hart** indicated that residential developments end up costing the City, so the long-term hope is that the City has other revenue sources, namely commercial development, that fills in those

DRAFT

voids. He has heard of cities reducing their property taxes because those other revenue sources have been substantial enough to do that. The **Mayor and City Council** agreed to set this for a Public Hearing at the next City Council meeting on May 19th.

6) CONSENT AGENDA

A. Approval of City Council Meeting Minutes for April 21, 2022

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

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

7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) REPORTS

A. Council

Council Member Johnson reported that the Heritage Days committee held another meeting a couple of days ago and are planning a lot of exciting and fun things. They also have a proposal for a Grand Marshal that she will provide to the Mayor so that can be addressed on a future agenda. **Council Member Mehr** commented that the City is coming up on its 100 year anniversary and would like to look at some ideas to commemorate that with Heritage Days. **Mayor Hart** would like to see something in the newsletter as a special feature that describes some of the early history and on the website as a historical document for residents to look at.

There were no other reports.

B. Mayor

Mayor Hart reported that he was contacted by President Richard Williams of Utah Tech University about visiting Ivins. They talked about a pipeline program for students to transition to Utah Tech University. The University President is engaged in the affairs of the University and community and they are expecting approximately 13,000 students this fall at Utah Tech.

C. City Manager/Attorney Dale Coulam

No report.

D. Items to be placed on future agendas

Ivins City 100 year anniversary celebration ideas and activities

9) CLOSED MEETING

10) ADJOURNMENT

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

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

DRAFT

The meeting adjourned at 6:52 p.m.

Respectfully,

Kari Jimenez
Ivins City Recorder

DRAFT