IVINS
IVINS CITY COUNCIL MEETING
MINUTES
March 21, 2024

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 Scott, Council Member Smith, Council Member Barton, Council Member Gillespie, Council Member Anderson, and City Recorder Kari D Jimenez.
STAFF: Building and Zoning Administrator Mike Haycock, Public Works Director/City Engineer Chuck Gillette, and City Manager/Attorney Dale Coulam.
EXCUSED: None.

A. Acknowledgement of Quorum

Mayor Hart acknowledged that there was a quorum present.

B. Flag Salute

Council Member Smith led the Flag Salute

C. Invocation

Council Member Smith gave the Invocation

D. Disclosures

Council Member Anderson referred to agenda items 5)E and 5)F and disclosed that he is the Applicant on those agenda items. There were no other disclosures or conflicts of interest with items on this meeting's agenda.

2) REPORTS, PRESENTATIONS AND APPOINTMENTS

A. Acknowledgement from Tuacahn- Darrin Winn, Director of Development

Darrin Winn with Tuacahn expressed gratitude to Ivins City for their longstanding partnership, highlighting Ivins contributions over the years. Nearly 500 new seats have been added to the amphitheater with the most recent project, which will be celebrated with a ribbon-cutting ceremony on Monday, April 15th at 5:30 PM. The Mayor and City Council were invited to attend that ribbon-cutting ceremony. He reported that Tuacahn has had a record-breaking season and emphasized Tuacahn's mission to provide family-friendly entertainment that is inspiring and uplifting. He thanked the City for their ongoing support.

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

Mike Haycock reported that in the next couple of months the kitchens at Black Desert Resort will be operational and the resort will be practicing using the equipment. They will also be moving the golf operations in the next couple of months so the Council will start seeing the temporary buildings go away. Everything else is going well in the Building Department.
Chuck Gillette reported that there is significant activity in the Public Works Department. Excavation trucks are transporting soil from three of the six dams just below the Red Mountain. The extracted material is being repurposed as fill for the Blackstone Development project along Highway 91. Extensive crack sealing is underway throughout the City and City crews are involved in various road improvement projects that includes patching potholes on 200 East and preparing the road to transfer to Snow Canyon State Park. In response to national concerns regarding lead contamination in water systems, the Federal government has mandated an inspection of lead water service lines. The City is required to assess lines installed before approximately 1979 or 1980. Although the number of lies that predate that time period around

150 to 200 water lines require verification. To date, approximately 75 lines have been excavated and verified by the City crews and that has been done by going through the meter boxes. He reported that over the past few weeks significant progress has been made on Highway 91, with a focus on addressing utility issues. The City crews has been diligently potholing to assess the depth and potential conflicts with utilities along the highway. There are concerns regarding the project's alignment and St. George's water lines. St. George has expressed concerns about Ivins' plans for Highway 91, which includes dealing with three water lines and a high-pressure gas line, alongside various other utilities. Of particular concern is an asbestos cement pipe within one of St. George's culinary water lines, which is fragile and challenging to work around. The pipe, installed in the 1970s, presents risks of dust exposure if disturbed. Additionally, alterations to the road's width may affect the depth of St. George's pipelines, potentially necessitating mitigation measures or replacement. Discussions are ongoing to determine responsibilities and potential mitigation with the goal of reaching a satisfactory resolution that aligns with regulatory standards and safety protocols.

C. Planning Commission Report

Mike Haycock reported that the Planning Commission approved a Preliminary Plan for Desert Cove and discussed Accessory Dwelling Units.

3) CITIZEN COMMENT & REQUEST FOR FUTURE AGENDA ITEMS

Mayor Hart reported that he had one Citizen Request from Daniel Foster to install speed bumps on 200 South between 100 West and Red Mountain Blvd. He read the request, a copy of which is available as an attachment to this agenda. It was determined that the request was Administrative and not Legislative and follow-up would be with Chuck Gillette and Tom Jorgensen in Ivins Public Works Department.

4) PUBLIC HEARING AND ACTION ITEMS - NONE

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and consider approval of Resolution No. 2024-02R, a Resolution of Ivins City, Utah, re-appointing a Planning Commission Member

Mayor Hart indicated that his recommended re-appointment was Dave Robinson, as he had been appointed mid-term of another individuals term and he would like him to continue to serve on the Planning Commission.

MOTION: Council Member Smith moved to approve Resolution No. 2024-02R, a Resolution of Ivins City, Utah, re-appointing Dave Robinson to the Planning Commission
SECOND: Council Member Anderson
VOTE: The motion carried unanimously.

Council Member Scott	AYE
Council Member Smith	AYE
Council Member Barton	AYE
Council Member Gillespie	AYE
Council Member Anderson	AYE

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

B. Discuss and consider approval of Resolution No. 2024-03R, a Resolution of Ivins City, Utah, appointing a Planning Commission Member

Mayor Hart requested that the City Council continue this agenda item.
MOTION: Council Member Scott moved to continue this agenda item
SECOND: Council Member Anderson
VOTE: The motion carried unanimously.

Council Member Scott	AYE
Council Member Smith	AYE
Council Member Barton	AYE
Council Member Gillespie	AYE
Council Member Anderson	AYE

* REMOVED FROM THE AGENDA: C. Discuss and consider approval of Resolution No. 2024-04R, a Resolution of Ivins City, Utah, appointing a City Attorney

D. Discuss and consider approval of the Arts Commissions selection for the Art-on-Loan program

Michele Adams reported that a group of eight (8) judges anonymously reviewed 11 entries to the 2024 Art-on-Loan program. Included on that panel was a City Council representative, a Kayenta Center for the Arts representative and six (6) members of the Arts Commission. The Arts Commission recommended that six (6) pieces of art be selected for the 2024 Art-on-Loan program by the following artists: Robert Corsetti, Elizabeth Fortney, Kathy Johnson, Ken Lima, Lance Ludlow and Lyman Whittaker. The Mayor and City Council agreed.

MOTION: Council Member Gillespie moved accept the Art-on-Loan winners as presented by the Arts Commission

SECOND: Council Member Anderson

VOTE: The motion carried unanimously.

Council Member Scott	AYE
Council Member Smith	AYE
Council Member Barton	AYE
Council Member Gillespie	AYE
Council Member Anderson	AYE

*ADDED TO THE AGENDA: E. Discuss and consider approval of a Development Agreement for property consisting of approximately 4.813 acres and located at approximately Guy Lane and Highway 91, Ivins City, Washington County, Utah

Council Member Anderson recused himself and sat in the audience. **Mayor Hart** this was a fairly lengthy discussion that we had at our last meeting and the Council came up with a way for this to work through a Development Agreement. **Dale Coulam** clarified that the items in the Development Agreement are things that apply no matter what the zone is. **Council Member Gillespie** inquired if the land was sold, transferred, left in a will or if there is a change of any kind, is the document recorded? **Dale Coulam** clarified that it will be recorded but that a provision should be added to the agreement that it will run with the land and be binding on all successors and assigns. The motion can be made to add that it is binding on future heirs, successors and assigns

MOTION: Council Member Barton moved to approve the Development Agreement for property consisting of approximately 4.813 acres and located at approximately Guy Lane and Highway 91, Ivins City, Washington County, Utah with the condition that it be amended to include that it will run with the land and be binding on successors and that it will be executed before any zone change becomes effective on the property.

SECOND: Council Member Scott

VOTE: The motion carried unanimously.

Council Member Scott	AYE
Council Member Smith	AYE

Council Member Barton	AYE
Council Member Gillespie	AYE
Council Member Anderson	AYE

*ADDED TO THE AGENDA: F. Continued discussion and consideration to approve Ordinance No. 2024-05, an Ordinance of Ivins City, Utah, regarding a Zone Amendment from Resort Mixed-Use to Resort Commercial on approximately 4.813 acres

MOTION: Council Member Gillespie moved to approve Ordinance No. 2024-05, an Ordinance of Ivins City, Utah, regarding a Zone Amendment from Resort Mixed-Use to Resort Commercial on approximately 4.813 acres approving zoning amendment from RMU resort mixed use to resort commercial for property located at approximately Guy Lane and Highway 91 with the stipulation that the Development Agreement is executed before this zone change becomes effective
SECOND: Council Member Smith
VOTE: The motion carried unanimously.

Council Member Scott	AYE
Council Member Smith	AYE
Council Member Barton	AYE
Council Member Gillespie	AYE
Council Member Anderson	AYE

G. Continued discussion of the draft Storm Drain Master Plan, Impact Fee Facilities Plan and Impact Fee Analysis

Chuck Gillette referred to the presentation that was provided previously, a copy of which is available as an attachment to this agenda. The **Mayor and City Council** requested more time to review the Plan and Analysis and suggested that this be set for a Public Hearing. This will be set for a Public Hearing when the ordinance that is being prepared by the consultant, is available for review.

H. Discussion regarding the Proclamation for Dark Sky Week

Mayor Hart indicated that it was suggested that because the Governor has put this Proclamation out statewide for the last three years, and the fact that that Ivins City is well known for its Night Sky and the City has taken significant measures to manage that, the City ought to adopt a Proclamation declaring the month of April as Dark Sky month. Mayor Hart read the Proclamation. A copy of the Proclamation is available as an attachment to this agenda.

I. Discuss and consider FYE 2025 Budget for Fire/EMS

The **Mayor and City Council** had a lot of mathematical questions about the City of Santa Clara's budget that needed an explanation before Ivins could formally approve the budget and suggested this be continued to the next City Council meeting.

MOTION: Council Member Anderson moved to continue agenda item 5)I for FYE 2025 Budget for Fire/EMS
SECOND: Council Member Scott
VOTE: The motion carried unanimously.

Council Member Scott	AYE
Council Member Smith	AYE
Council Member Barton	AYE
Council Member Gillespie	AYE
Council Member Anderson	AYE

J. Continued discussion regarding the Interlocal Agreement with Santa Clara regarding Fire and EMS

Mayor Hart indicated that either this is the time frame that Ivins City Council determines they want to separate or determines that they want to stay with agreement as it is written for one more year. If that is the direction of the Council, during that period of time, both cities will agree on a consultant to conduct that study which would yield an unbiased professional point of view.

The **Mayor and City Council** agreed to stick with the agreement as it is written and conducting a survey through a third party consultant.

K. Continued discussion regarding updating the General Plan

The **Mayor and City Council** continued their discussion on updating the General Plan, working through a number of pages, discussing photography and photos that could be updated and included in the plan, addressing the Table of Contents, the Forward that Mayor Hart wrote, growth and planning, transportation, trails and verbiage and grammatical clarifications. Council Member Scott and Council Member Gillespie will provide the updated information discussed tonight, before the next City Council meeting.

6) CONSENT AGENDA

A. Approval of expenditure for video inspection of sewer lines
B. Approval of City Council Work Meeting Minutes for February 15, 2024
C. Approval of City Council Meeting Minutes for February 15, 2024

MOTION: Council Member Gillespie moved to approve the Consent Agenda
SECOND: Council Member Smith
VOTE: The motion carried unanimously.

Council Member Scott	AYE
Council Member Smith	AYE
Council Member Barton	AYE
Council Member Gillespie	AYE
Council Member Anderson	AYE

7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) REPORTS

A. Council

Council Member Gillespie reported that Heritage Days is in progress and they had their second meeting today. Heritage Days will be held on September 6th and September 7th. They had to alter the days to adjust to St. George days that the City of St. George is starting to do this year. She also understood from Black Deserts operations team that they will be ready sometime in April to present a strategy plan to the City Council regarding the PGA event.

Council Member Barton reported that the Council is receiving a number of emails from residents inquiring what is going on with Black Desert Resort and the Dry Wash Reservoir and she suggested that the City set something up on Ivins website and in the newsletter to provide updates on what's going on in the City. **Mayor Hart** commented that the City is already doing that in staff reports. **Council Member Barton** indicated that the information is not all in one place and is difficult to find so having something central would be helpful. **Mayor Hart** suggested that she work on a kind of prototype of what she would like to see.

Council Member Scott reported that Ivins City has joined a Utah wellbeing project to conduct a public wellbeing survey through the internet in April. The survey is going to report on residents wellbeing attitudes about community issues to promote sound planning and decision making to support the overall quality of life in Ivins. There are 46 cities in the state participating this year

and they will be doing this for a number of years. When the results are in around the end of April, they will be able to obtain a report to help give us some direction and it may be useful in updating the general plan. The survey allows people to explain or interpret what wellbeing means to them. The survey takes approximately 10 minutes to fill out and is for everybody in the community that are 8 years old or older. The website address for this survey is tinyurl.com/Ivins2024.

There were no other reports.

B. Mayor

Mayor Hart reported that there will be a TalkAbout at Rocky Vista University on Wednesday, April 24th from 7:00-9:00 p.m. regarding Public Safety.

C. City Manager/Attorney Dale Coulam

Dale Coulam reminded those who are registered for the Land Use Conference, that is tomorrow. The Utah League of Cities and Towns conference is also coming up in April.

D. Items to be placed on future agendas

Council Member Gillespie would like to consider a policy regarding the use of cell phones while on the dais.

9) CLOSED MEETING

10) ADJOURNMENT

MOTION: Council Member Anderson moved to adjourn

SECOND: Council Member Smith

VOTE: The motion carried unanimously.

Council Member Scott	AYE
Council Member Smith	AYE
Council Member Barton	AYE
Council Member Gillespie	AYE
Council Member Anderson	AYE

The meeting adjourned at 8:03 p.m.

Respectfully,

Kari D. Jimenez, MMC
Ivins City Recorder