IVINS
CITY COUNCIL MEETING
MINUTES
May 16, 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, and Council Member Gillespie.
STAFF: City Manager Dale Coulam, City Attorney Bryan Pack, Director of Finance Cade Visser, Building and Zoning Administrator Mike Haycock, Public Works Director/City Engineer Chuck Gillette, and City Recorder Kari D. Jimenez.
EXCUSED: Council Member Anderson

A. Acknowledgement of Quorum

Mayor Hart acknowledged there was a quorum 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

There were no 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 referred to the electronic report that was provide, a copy of which is available as an attachment to this agenda. He reported that staff is working on the event permit for the upcoming PGA Tour and there are ongoing discussions being held at the TRC (Technical Review Committee). Staff has emphasized the importance of communication with the community and the PGA Tour event permit process is currently underway.
Chuck Gillette referred to the electronic report previously submitted. A copy of the report is available as an attachment to this agenda. He reported that there has been a lot of construction going on lately. The slurry project is nearly complete, with the final day of work expected tomorrow. The chip seal is finished, and some HA5 projects are still pending. The current focus is on restriping, which is standard after resurfacing projects to enhance safety. One specific improvement under consideration involves the 200 East roundabout. Currently, two lanes enter the roundabout, with the left lane designated for left turns only, and the right lane for straight or northbound traffic on 200 East. The proposed change is to merge the two lanes into one before the roundabout, converting it into a single-lane roundabout. Single-lane roundabouts are generally considered safer, though they offer less capacity. He indicated that Council Member Anderson disagreed, preferring to maintain two lanes entering and merging after the roundabout, though this would eliminate the bike lane until the merge occurs. Mayor Hart and the other Council Members noted that a single-lane entry might reduce speeds and improve safety, especially given the high traffic of school students in the area. **Chuck Gillette** indicated that Council Member Anderson acknowledged the safety benefits but was concerned about traffic flow efficiency. **Council Member Scott** added that merging into one lane before the roundabout

might slow traffic more and highlighted safety improvements for pedestrians and cyclists. The proposal could maintain a complete bike lane and improve crosswalk safety. That the design could revert to two lanes if the single-lane configuration proves ineffective. The Mayor and other council members agreed to try the single-lane configuration as an experiment. **Council Member Gillette** also reported on other projects, including verifying that there was no lead in the water service lines, resolving material issues on a trail project, and working on a retaining wall on Center Street. The 60% design meeting for Old Highway 91 also occurred.

B. Planning Commission Report

There was no Planning Commission meeting held on May 14, 2024.

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

4) PUBLIC HEARING AND ACTION ITEMS

A. Public Hearing to receive comment on the proposed and/or amended FYE (Fiscal Year Ending) 2024 Budgets to complete and FYE (Fiscal Year Ending) 2025 Budgets for the:

1. General Fund
2. Debt Service Fund
3. Special Revenue Funds: a. Public Safety; b. Streets; c. Parks
4. Capital Project Fund
5. Water Fund
6. Sewer Fund
7. Storm Drain Fund
8. Municipal Building Authority Fund

Cade Visser reported that the last City Council meeting, they reviewed the various funds. The General Fund is balanced without using any unassigned fund balance, although the City is using some restricted fund balance from previous Building Department permits to fund the Building Department for the upcoming fiscal year. The Enterprise Funds will have positive operating cash flow. Major Capital projects include Highway 91 Phase 2, acquiring BLM (Bureau of Land Management) land for a future public works yard and regional park, and several Enterprise projects involving sewer, storm drains, and detention basins. There will be a slight increase in costs due to higher-than-anticipated property, liability, and auto insurance premiums. Despite that, the City expects to maintain a surplus going into fiscal year 2025 with the current budget. He reported that he discussed previously with some of the City Council Members regarding the possibility of a property tax increase or a Truth-in-taxation hearing. If the Council decided to pursue that, the City would need to notify the State Tax Commission and the County by June 1, 2024 to schedule a Public Hearing in August of 2024. The notification would not commit the City to the tax increase but would ensure that the City meets the necessary deadlines if the City chose to proceed with an increase. **Mayor Hart** opened the Public Hearing.

Jim Martinson is a resident of Ivins and a former police officer. He addressed the issue of funding public safety and mentioned that the standard ratio of police officers to residents is about 1 officer per 1,000 residents, a standard that Ivins is currently slightly below. He noted that tourism can significantly burden public safety services, including EMS, fire, and police, impacting the budget. To address this, he suggested imposing a transient occupancy tax. Although the tax amount would be small, the rationale is that visitors, who increase the demand on public safety, would contribute to the funding needed for additional staffing.

Chuck Warren with the Desert Preservation Initiative highlighted the organization's efforts over the past two years, dedicating approximately 3,000 hours to removing Tamarisk from the washes

in Kayenta. He referenced the City's General Plan, which addresses the concerns of Tamarisk invasion in dry washes, stating that those invasive plants choke out other vegetation, impede drainage, cause flooding, and present serious fire hazards. The General Plan advocates for Tamarisk management to restore healthy dry washes and for preserving washes in their natural state wherever feasible. Mr. Warren requested that the City Council to consider allocating funds in the budget for Tamarisk eradication, noting that the Tamarisk problem exists on both public and private lands.

There being no other comments by those in attendance in the audience or via the Zoom application, **Mayor Hart** closed the Public Hearing.

B. Discussion regarding the above Budgets

Council Member Scott presented a memorandum addressing property tax and other budget issues, available as an attachment to the agenda. Key points included: Ivins has not increased property tax rates since 2010. In 2010, 45% of cities in Utah had higher tax rates than Ivins, while last year, 72% did. Despite the Utah Taxpayers Association's opposition to tax increases, about 60 cities and towns raise property taxes annually. Analysis shows Ivins' tax rate is now towards the low end. Property tax revenues have increased by 72% since 2010, coinciding with a 70% increase in population. Inflation has risen by 51% in the same period, but property tax rates have not been adjusted to account for this. Public safety costs have significantly increased due to expanded services, such as moving to a fully staffed fire department and increasing police presence. Public safety costs have risen $700,000 more than what would be expected from inflation and population growth alone. Additional services provided by the fire and police departments have driven these increases. Ivins has numerous capital projects planned, with significant funding gaps. Specific needs include updating the impact study for the regional park, funding a ladder truck, and addressing road maintenance costs. Additional considerations include expanding the Ivins Animal Shelter, landscaping Highway 91, burying power lines, and enhancing recreational amenities. Council Member Scott advocated for a modest property tax increase to address these needs and suggested that regular small increases are preferable to large, infrequent hikes. He cited training from the Utah League of Cities and Towns and emphasized that not raising taxes periodically is fiscally irresponsible. He urged the City Council to consider a modest property tax increase to ensure financial stability and support for essential services and capital projects.

Mayor Hart noted that there were several individuals present for appointment of a Public Safety Director and suggested that the rules be suspended and this agenda item be discussed towards the end of the City Council agenda in lieu of agenda item 5)G.

MOTION: Council Member Scott moved to suspend the rules and continue this discussion later in the agenda

SECOND: Council Member Barton

VOTE: The motion carried unanimously.

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

5) DISCUSSION AND POTENTIAL ACTION ITEMS

*A. Discuss and consider approval of Resolution No. 2024-09R, a Resolution of Ivins City, Utah, appointing Public Safety Director

Mayor Hart publicly commended retiring Chief of Police Bob Flowers for his years of dedicated service. He highlighted that Chief Flowers came to Ivins City from positions of greater responsibility elsewhere and chose to lead the law enforcement and public safety services for both Ivins and Santa Clara. He noted that under Chief Flowers' leadership, the cities have been recognized as the safest in Utah multiple times. He expressed deep gratitude on behalf of both cities for Chief Flowers' integrity, compassion, and unwavering dedication, stating that he should feel proud of the exemplary job he has done. **Chief Flowers** responded with heartfelt remarks, emphasizing his deep connection to the community. He reflected on his 44-year career as a police officer, expressing how meaningful it was to serve a community where his work had a personal impact. He appreciated the support and collaboration with the Mayor, City Council and City Manager, recalling their numerous discussions and problem-solving efforts. He conveyed his gratitude for the taxpayer support and his commitment to being a good steward of public funds. He praised the men and women of the Ivins and Santa Clara Police Departments and acknowledged the challenges faced by local government. He affirmed his trust in the Council's difficult decisions for the betterment of the community.

Mayor Hart indicated that Chief Flowers decided it was time to retire, it was a difficult decision, marked by much contemplation and deliberation. Finding a successor for such an important position as Police Chief is challenging, especially when considering the necessary combination of skills, commitment, and service background. Despite that, Ivins City was fortunate to have a couple of outstanding candidates from within Ivins' own ranks. With that confidence, the City discussed Jaron Studley's qualifications, and the Mayor expressed his expectations, which align with those of the community. He firmly believed that Jaron Studley is the right person for this job, and as the appointing authority, he was pleased to recommend Jaron Studley as the new Public Safety Director.

MOTION: Council Member Barton moved to approve Resolution No. 2024-09R, a Resolution of Ivins City, Utah, appointing Jaron Studley as Public Safety Director
SECOND: Council Member Gillespie
VOTE: The motion carried unanimously.

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

Roll call vote. All Council Members who were present voted in favor. One Council Member was absent.

B. Discuss and consider approval of Resolution No. 2024-06R,a Resolution of Ivins City, Utah, declaring Tom Weiskopf Week

Mayor Hart indicated that last year, when the announcement was made that Black Desert had reached an agreement with the PGA to bring a PGA Tour event to Ivins, it was truly exciting. Patrick Manning, who was present at the meeting, informed the Mayor that Tom Weiskopf had been the Chief Designer of the magnificent golf course. The PGA does not come to a location simply because of an invitation; they likely scrutinized every inch of the course before deeming it worthy for the best players in the world to compete. Sadly, shortly after completing the course design. Tom Weiskopf passed away due to pancreatic cancer. It was discussed that Ivins City

should do something to honor Tom Weiskopf in conjunction with the PGA event. **Mayor Hart** read the Resolution declaring Tom Weiskopf Week.

MOTION: Council Member Gillespie moved to approve Resolution No. 2024-06R,a Resolution of Ivins City, Utah, recognizing October 7th through October 13th as Tom Weiskopf Week

SECOND: Council Member Barton

VOTE: The motion carried unanimously.

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

Roll call vote. All Council Members who were present voted in favor. One Council Member was absent.

C. Discuss and consider approval of a Second Amended Development Agreement with Rocky Vista University

Dale Coulam indicated the applicant intends to create a second amended development agreement to add 67 parking spaces, bringing the total to 84. The amendment justified the need for additional parking and provided a history stating that within ten years of the first agreement, there should be sufficient parking for multifamily units. The plan included additional development to the east and south of the student housing, which would include more parking. The goal is to reduce parked traffic on 400 East as construction of a residential project along 200 North to Park Avenue was imminent. **Attorney Tim Anderson**, representing the property owner, explained that the amendment was a cleanup matter related to the original development agreement for the medical school area. Students are using the northeast part of the Rocky Vista University (RVU) school parking and highlighted the importance of providing adequate parking. He emphasized the need to shift parking to new areas within two years and mentioned that 67 new spaces were already underway. **Council Member Barton** expressed concerns about parking on 400 East, citing near misses and resident difficulties. **Council Member Gillespie** was skeptical about the sufficiency of parking spaces for studio apartments, noting the potential for more than one car per unit. **Attorney Tim Anderson** reassured that they were addressing these issues and ensuring compliance with parking requirements. **Council Member Scott** pointed out the discrepancy in parking calculations based on city code, emphasizing the need for 206 parking spaces, not counting those at RVU. **Mayor Hart and Council Member Smith** discussed the practicality of the parking arrangements and the need to meet code requirements while ensuring future developments included adequate parking. Ultimately, the discussion concluded with the understanding that Crimson Cliffs needed a legal right to 206 parking spaces, either through the addition of new spaces or a permanent arrangement with RVU or other properties. **City Attorney Bryan Pack** suggested that the Council table this item in lieu of an administrative opinion from the City, clarifying the amount of parking that's needed on this project at 206. Council Member Scott so moved. Council Member Smith seconded the motion.

MOTION: Council Member Scott moved so move

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	ABSENT

D. Discuss and consider approval of Resolution No. 2024-07R, a Resolution of Ivins City, Utah, adopting Storm Drain Study and Rates

Chuck Gillette indicated that this was a formality.

MOTION: Council Member Smith moved to approve Resolution No. 2024-07R, a Resolution of Ivins City, Utah, adopting Storm Drain Study and Rates

SECOND: Council Member Barton

VOTE: The motion carried unanimously.

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

*E. Discuss and consider approval of expenditure for pavement striping for 2024 Spring Pavement Maintenance Project

Chuck Gillette reported that some of the major streets that need restriping include Center Street, Snow Canyon Parkway, Snow Canyon Drive, Puerto Drive and 200 East. There will also be several roundabouts that will need restriping, including the Black Desert Drive roundabout, the Snow Canyon roundabout and the 200 East roundabout. Staff has received an estimate from Straight Stripe Painting, Inc. to provide striping services to reapply striping to the areas mentioned. The estimate is $45,368.75 plus an additional $5,000 for contingency, for a total of $50,368.75, which is what staff is recommending be approved.

MOTION: Council Member Barton moved to approve the expenditure for pavement striping for 2024 Spring Pavement Maintenance Project for $45,368.75 plus an additional $5,000 contingency

SECOND: Council Member Gillespie

VOTE: The motion carried unanimously.

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

*F. Discuss and consider approval of Resolution No. 2024-08R, a Resolution of Ivins City, Utah, allowing Ivins City to pay the URS Tier 2 Public Safety 2.14% rate increase for 2024

Dale Coulam explained that the Utah Retirement Systems (URS) manages retirement for government entities in Utah, offering contributory and non-contributory programs. In the contributory program, employees contribute to the retirement fund. In the non-contributory program, which Ivins participates in, employees do not pay any portion of the retirement fund contributions. Over the past two years, there have been rate increases and last year the City absorbed the increase in line with policy. This year, URS requires a Resolution, so a Resolution has been drafted for Tier 2 employees, specifically public safety personnel. The Resolution

authorizes Ivins to cover the rate increase and he recommended approving this Resolution to allow the City to pay the rate increase.

MOTION: Council Member Smith moved to approve Resolution No. 2024-08R, a Resolution of Ivins City, Utah, allowing Ivins City to pay the URS Tier 2 Public Safety 2.14% rate increase for 2024

SECOND: Council Member Gillespie

VOTE: The motion carried unanimously.

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

Roll call vote. All Council Members who were present voted in favor. One Council Member was absent.

4) B. Discussion regarding the above Budgets

Mayor Hart indicated that Council Member Scott has given the Council a thorough introduction to a very serious topic where the Council needs to at least reach some tentative ideas to the direction the City wants to go. This is something that has frustrated cities from the time that the legislature passed this legislation that basically kept the amount of property tax the same and the rates to adjust to accommodate that and that has crippled cities across the state for ever since. The City held the Certified Tax Rate one time and had to go through truth-in-taxation but that has only occurred one time and that occurred approximately 25 years ago. I want to emphasize a couple of points that Council Member Scott has made here. This is not just Ivin's City. This is likely true for every City across the State of Utah and probably across the nation, that the long term replacement of infrastructure is not accounted for in budgets. That doesn't mean that the City is going to be able to muster $80 million over the next 25 years or whatever it's going to take but it poses the question of is it time for Ivins City to look seriously at some of these things that simply get left out of the budget because there's no revenue to apply to it. The expectation is that the revenue situation is going to change when Black Desert Resort becomes fully operational. It is unknown to what extent that puts a dent in what Council Member Scott described. He suggested that the City Council focus on the question of is this the time that the City take a serious look at truth-in-taxation, with the idea of raising the property tax rates for Ivins City. **Council Member Gillespie** commented that if the City notifies the State and the County by the deadline and holds a public hearing in the August timeframe. If the City then decided we weren't going to move forward with the truth-in-taxation process, there is no requirement to proceed and no penalties or issues with that. Her thinking was to be prepared to proceed with the process and give notice and that gives the City time for discussion, to do some in depth research, forecasting, and goal setting to then determine if the City wants to proceed with the truth-in-taxation process. The **Mayor and City Council** agreed.

G. Continued discussion regarding updating the General Plan

There was no further discussion from what was discussed at the Work Meeting held tonight.

6) CONSENT AGENDA

A. Approval of City Council Meeting Minutes for April 18, 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	ABSENT

7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) REPORTS

A. Council

Council Member Barton reported that they had another great open space meeting and they have some good ideas but they are long-term for long-term planning.

Council Member Scott reported that the Ivin's Youth Council toured the animal shelter earlier this week and brought the shelter 164 pounds of supplies from donations. While they were there, they learned about the role of the shelter and Shelter Manager MacKenzie Peterson educated them on how to be an advocate for both the shelter and for animals. They had fun hanging out with cats, dogs and reptiles. They also had the Youth Council second annual banquet that was held this week. They said goodbye to one graduating member of the Youth Council who was their Mayor for the last two years, Summer Terry and she was awarded a $200 scholarship that was funded by the Advisors. Ivins resident Ken Brockbank graciously offered his home for that event. There were approximately 20 in attendance with some friends of those on the Youth Council for recruitment and some advisors. Ken Brockbank was phenomenal. He is in the business of Management and Motivation and he facilitated an icebreaker where everyone had to learn something new from one person in the room that they didn't know. He also did a presentation on leadership and tied that into being a leader through the Youth Council. They are going into the new year of the Youth Council with at least eight (8) members, maybe one or two more. He also reported that through the League of Cities and Towns they have heard about the Healthy Community designation and as a City Ivins is going to pursue that. It does not cost the City anything to pursue that. One of the things they had to do to get it rolling was to create a Healthy Ivin's Coalition and that has happened. They will be having their first meeting by the end of July and then likely meet in mid to late October. The coalition members are Jamy Dahle who is head of the Ivins Youth Council and is at Utah Tech University as Director of Counseling and Health Promotion Services. David Hatch is an Ivin's resident and has past consultant work with the USDA to enhance the technical capacity of small farmers in Latin America and the Caribbean. Nathan LeFevre is at Rocky Vista University as the Senior Director of Clinical Operations. Dr. Laura Rosch is with Rocky Vista University and is the Campus Dean and Associate Professor of Internal Medicine and Craig Shanklin is an Ivins resident and is a former healthcare executive, had a very large health care business, is a member of the Healthy Dixie Council, a member of the St. George Active Transportation Committee, a Board Member and former President of the Southern Utah Bicycle Alliance. Council Member Scott is also hoping that Marc Christensen, Ivins new Parks and Recreation Director, will join the coalition as well. There were no other reports.

B. Mayor

Mayor Hart reported that Arts Commission reception was held this past Monday, welcoming the new Art-on-Loan artists. It was well attended; the artwork is fantastic and interspersed in the reception area of the of the Public Safety building and the City Hall building.

C. City Attorney Bryan Pack

No report

D. City Manager Dale Coulam

Dale Coulam reported that he was privileged to work with Chief Bob Flowers the entire time he with Ivins City. He has been a good friend and mentor and he was excited for Black Desert Resort and that endeavor for Bob and wished him well in his future endeavors.

E. Items to be placed on future agendas

Residential irrigation standard.

9) CLOSED MEETING

10) ADJOURNMENT

MOTION: Council Member Smith moved to adjourn

SECOND: Council Member Barton

VOTE: The motion carried unanimously.

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

The meeting adjourned at 8:20 p.m.

Respectfully,

Kari D. Jimenez, MMC
Ivins City Recorder