IVINS
CITY COUNCIL
MINUTES
August 15, 2024

NOTICE: This meeting was held electronically and in person. City Hall was the anchor location for the electronic meeting. You may watch the audio and video feed by going to www.ivinsutah.gov 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 Mayor Hart, Council Member Scott, Council Member Smith, Council Member Barton, Council Member Gillespie, and Council Member Anderson.
STAFF: City Manager Dale Coulam, City Attorney Bryan Pack, Building and Zoning Administrator Mike Haycock, and City Recorder Kari D. Jimenez.
EXCUSED: None.
Audience: Chris Haddad, James Barden, Jerry A., Connie Jellison, Gail Fulde and others who did not sign in.

A. Acknowledgement of Quorum

Mayor Hart acknowledged that there was a quorum present. All Council Members were present.

B. Flag Salute

Council Member Anderson led the Flag Salute

C. Invocation

Council Member Anderson 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 expressed gratitude for his staff while he was out of the office and reported that current City employee Rob Dalley has been appointed as the Deputy Building Official. He brings a solid background in building codes, strong leadership abilities, and dependable support. **Mike Haycock** referred to the Building Department report, a copy of which is available as an attachment to this agenda. He reported that they are staying busy with the projects in the City. City Engineer Tom Jorgensen was present. There were no questions regarding the Public Works and Engineering reports. Those reports are available as attachments to this agenda.
Cade Visser reported that most of the revenue received in August and July was for fiscal year 2024. Due to fire expenditures coming in significantly below the revised budget, higher-than-expected ambulance fees, and other departments staying under budget, the City ended up with a substantial surplus for fiscal year 2024. This surplus could be added to savings or used for capital projects if necessary. For fiscal year 2025, the City could transfer funds mid-year if needed. He reported that the auditors are scheduled to be at Ivins City Hall for fieldwork the first week of October, with finalized fiscal year 2024 numbers expected by the end of October.

B. Planning Commission Report

Mike Haycock reported that the Planning Commission approved a Preliminary Plan for the Arava subdivision located at approximately 200 North and 500 East and continued to discuss Resort Commercial and Resort Mixed Use.

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

4) PUBLIC HEARING AND ACTION ITEMS - NONE

5) **DISCUSSION AND POTENTIAL ACTION ITEMS**

A. Discuss and consider approval of a Proclamation regarding Constitution Week

Members of the Color Country Chapter of the Daughters of the American Revolution (DAR) were present and requested an Ivins City Proclamation for Constitution Week. They highlighted the significance of the U.S. Constitution. The U.S. Constitution established the fundamental laws and principles governing the nation, protecting individual liberties and ensuring a system of checks and balances. Over time, the Daughters of the American Revolution recognized the importance of preserving the Constitution's legacy and petitioned Congress to set aside September 17-23 to commemorate its adoption. The DAR has promoted Constitution Week by emphasizing the responsibility of all citizens to protect and defend the Constitution, reminding people of its significance, and encouraging the study of the historical events that shaped that vital document. **Mayor Hart** read the Proclamation, a copy of which is available as an attachment to this agenda.

MOTION: Council Member Scott moved to approve a Proclamation regarding Constitution Week
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

B. Discuss and consider approval of Resolution No. 2024-15R, A Resolution of Ivins City, Utah, appointing Jenny (Johnson) Christiansen as the 2024 Heritage Days Parade Grand Marshal

Mayor Hart read the Resolution, which is available as an attached to this agenda. The Resolution recognized and emphasized Jenny's lifelong commitment and service to Ivins City.

MOTION: Council Member Gillespie moved to approve Resolution No. 2024-15R, A Resolution of Ivins City, Utah, appointing Jenny (Johnson) Christiansen as the 2024 Heritage Days Parade Grand Marshal and Honorary Miss Ivins
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

C. *Continued discussion regarding status of compliance with Conditional Use Permit for Hidden Springs RV Resort

The **Mayor and City Council** had a lengthy discussion regarding this agenda item. The **Mayor and City Council** determined that the owners of the RV Resort needed to resolve all health and safety issues before it could open. Specific concerns, such as bathrooms and roadways, needed to be addressed. The resort opted for family-style bathrooms, which were considered more efficient than the traditional male/female facilities. The owners of the resort requested extensions for meeting requirements like internal landscaping and the installation of concrete pads. Several ordinance violations were noted and there was discussion as to whether concrete pads were necessary. The current landscape plan did not meet the ordinance's tree density requirements and the current ordinance prohibits renting out units in the clubhouse. Unpermitted structures, including a tiny home and a Conex building, were in violation of the city's rules, though the owner seemed to misunderstand the permitting requirements. The City Council decided to allow the resort to open early, as long as all health, safety, and welfare issues were resolved. They also proposed a review of the RV resort-related ordinance, including those covering rentals, tree planting, and concrete pads. Some council members expressed concern about the owners repeated requests for extensions and non-compliance with existing regulations. A public hearing before the Planning Commission for their recommendation was scheduled, followed by a Public Hearing before the City Council on the Planning Commission's recommendations to address these issues. Both Public Hearings were scheduled for September, 2024.

MOTION: Council Member Anderson moved to allow Hidden Springs to open early with the completion of the health, safety and welfare items on the Public Works and also the building department's recommendations, including completion of the street light.
SECOND: Council Member Smith
VOTE: The motion carried.

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

MOTION: Council Member Scott moved the planning commission conduct a public hearing on the RV Resort chapter in our city code at their September meeting and make recommendations to us on changes in the ordinance for us to consider with a public hearing at our September meeting.
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

D. *Continued discussion to consider approval of Ordinance No. 2024-14, an Ordinance of Ivins City, Utah, amending Purchase Order Authorization Amounts

Bryan Pack reported that the changes presented involve revisions to the code, particularly regarding the definition of "routine expense." The new definition includes both tangible and intangible goods that assist in city operations, such as vehicles, supplies, and software. Items identified in the budget will be listed by type and amount (e.g., one truck, software), rather than a

specific quantity. If an item costs less than the budgeted amount, it will qualify as a routine expense. Routine expenses now encompass services acquired regularly, like road striping and resurfacing, as long as they do not exceed the allocated budget. The definition of routine expenses excludes costs related to new building improvements, capital projects, or professional service contracts until they are formally approved. Once approved, those expenses can be classified as routine. The threshold amounts for routine expenses have been increased from $7,500 to $10,000 and from $15,000 to $25,000 in various categories. Departments approving routine expenses are required to submit a report to the City Council within 30 days. These changes do not exempt the requirement for bidding or quotes as stipulated by existing statutes.

The **Mayor and City Council** discussed a few corrections and suggestions regarding the proposed code changes as follows: on the first page under "Part One: General Provisions," the section number of 3.1.2.1012 should be amended to 3.1.2.102. On page three under "Routine Expenses," they recommended to change the wording from “actually cost less than the specified maximum amount” to “actually cost no more than the specified maximum amount,” allowing for clarity that expenses can meet or fall below the maximum. There was a question raised about whether it would be beneficial to define a "non-routine expense." The Council decided that a definition was unnecessary since anything that doesn't meet the routine criteria would automatically be categorized as non-routine. There was discussion about services that occur at least annually, like utility bills. While services like road resurfacing are bid out, the approval process for routine expenses under $25,000, if included in the budget, requires only department head and city manager approval, not necessarily a bid. There were concerns about budgeting for fluctuating costs in these categories, and it was acknowledged that the council's approval process during budget season ensures proper oversight. Corrections were also noted for a typo in paragraph five, suggesting that it should state “to obtain bids or quotes” instead of “obtained bids.”

MOTION: Council Member Scott moved to approve Ordinance No. 2024-14, an Ordinance of Ivins City, Utah, amending Purchase Order Authorization Amounts with the amendments discussed this evening.

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	AYE

Roll call vote. All Council Members voted in favor.

E. Discussion regarding ladder truck apparatus for the Fire Department

Interim Fire Chief Lance Haynie and the Mayor and City Council discussed acquiring a new fire truck that combines the functions of a ladder truck and an engine, which would be more efficient and cost-effective compared to a previously considered tractor-drawn aerial (TDA) option. The new truck, estimated to cost $1.7 million, is expected to take 2 to 4 years to be delivered and would fit in existing fire stations. Concerns were raised about safety and space, prompting the exploration of alternatives. The new truck would not only provide the necessary ladder capabilities but also serve as a functioning engine, alleviating the need for additional staffing required for the TDA option, which lacks certain functionalities like a water pump and tank. They discussed mutual aid agreements with neighboring cities for emergency support

during the interim period before the new truck arrives. They also explored financing options, including potential leases. While some members emphasized the need for immediate action due to aging equipment and upcoming developments in the area, others highlighted the importance of making informed decisions based on the both cities budgets and resources. The conversation concluded with a desire for a commitment to proceed with the new truck purchase, pending formal approval from both City Councils.

MOTION: Council Member Barton moved to approve the ongoing discussion and commitment to the ladder truck for the Fire Department

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

F. *Discuss and consider approval of assigning 50% Ivins City ownership of Right-of-Way property on Old Highway 91 to secure financing from Council of Governments (COG)

The **Mayor and City Council** discussed the improvements to Old Highway 91, which involved the City acquiring right-of-way land using City funds. Approximately three months ago, the Council of Governments (COG) agreed to reimburse the City for part or all of the costs associated with this acquisition. However, a requirement for the reimbursement is that the COG must have a security interest in the land. The proposed solution involves authorizing quit claim deeds from the City to either the COG or Washington County, granting each entity a 50% ownership interest in the land as a security measure. Alternatively, the City could consider a recorded plat road dedication, which would serve the same purpose. While the COG will have an interest in the land, the City retains the right to maintain and utilize the land for easements without liability. **Mayor Hart** clarified that the reimbursement is for the City's expenditure in acquiring the right-of-way and this process is routine.

MOTION: Council Member Smith moved to approve assigning 50% Ivins City ownership of Right-of-Way property on Old Highway 91 to secure financing from the Council of Governments (COG)

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

G. *Removed from the Agenda: Continued discussion regarding updating the Master Plans, Impact Fee Facilities Plans and Impact Fee Analyses for Sewer and Storm Water

H. Continued discussion regarding updating the General Plan

The **Mayor and City Council** continued their discussion from the Work Meeting. A copy of the complete draft to date is available as an attachment to this agenda. **Council Member Scott** will go through the Action Steps and Policies carefully and identify what those are, since they are confused throughout the document.

6) **CONSENT AGENDA**

A. Approval of City Council Work Meeting Minutes for July 18, 2024

B. Approval of City Council Meeting Minutes for July 18, 2024

MOTION: Council Member Gillespie moved to approve the Consent 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	AYE

7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) **REPORTS**

A. Council

Council Member Gillespie reported that for the Heritage Days parade, plans include a two-seater cart for the Mayor, a six-seater cart for the Council Members, a yellow bus for the Youth Council, and an antique fire truck for the Grand Marshal. She requested assistance in getting two golf carts to the parade. **Council Member Anderson** indicated that he would provide them again like he did last year. **Mayor Hart** requested that there be clear signage of who the Grand Marshal is.

Council Member Barton requested that they discuss the class one use chapter of the City Code at their next City Council meeting. The section is 16.14.101 through 113, which are not clear and create more questions and ambiguity than answers.

Council Member Smith reported that he will not be in town to attend Heritage Days.

There were no other reports.

B. Mayor

Mayor Hart reported that he frequently receives emails and reports from various entities, some of which are less important than others. One notable entity is the Utah Tourism Council, part of the Division of Outdoor Recreation. He noted that Council Member Smith does not have any current council assignments representing the City. **Council Member Smith** indicated that he is on the Utah State Tourism Development Board, representing cultural arts. Mayor Hart commented that he would also be representing Ivins and Council Member Smith agreed.

C. City Attorney Bryan Pack

No report

D. City Manager Dale Coulam

Dale Coulam reported that interviews were held for the Fire Chief and an offer has been given. He will report in the future as to who the new SCI Fire Chief is.

E. Items to be placed on future agendas

Discuss of Ivins City Code 16.14.101 regarding the class one use chapter of that code

9) CLOSED MEETING

10) ADJOURNMENT

MOTION: Council Member Smith moved to adjourn

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

The meeting adjourned at 8:10 p.m.

Respectfully,

Kari D. Jimenez, MMC
Ivins City Recorder