IVINS CITY COUNCIL
MEETING MINUTES
January 16, 2025

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 Mike Scott, Council Member Kevin Smith, Council Member Sharon Barton, Council Member Sharon Gillespie and Council Member Lance Anderson.

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

Audience: Connie Butterfield, Bonnie Kline, Tiffany Wynn, Michele Adams, Eric & Lynn Savage, Barbara Lewis, Becky & Chuck Warren and others who did not sign in.

EXCUSED: None.

A. Acknowledgement of Quorum

Mayor Hart acknowledged there was a quorum present. Council Member Smith was in attendance remotely.

B. Flag Salute

Council Member Barton led the Flag Salute

C. Invocation

Council Member Barton gave the Invocation

D. Disclosures

Council Member Smith referred to agenda items 5)B regarding the Arts Commission's recommendations for distribution of 2024 RAP Tax (Recreation, Arts and Parks) funds and disclosed that Tuacahn is one of the recipients of the RAP Tax. There were no other disclosures or conflicts of interest with items on this meeting's agenda. The conflict disclosure may be accessed at time stamp 00:03:02.

2) REPORTS, PRESENTATIONS AND APPOINTMENTS

A. Ribbon Cutting Ceremony and Demonstration of Self-Service Pet Microchip Scanning Station located in front of the Santa Clara Ivins Public Safety Building

Mayor Hart introduced resident Julie Dean, the individual who brought the Paws for Purpose self-service pet microchip scanning station idea to Ivins City. The **Mayor and City Council** took a short on-site field trip next door to the Public Safety building for a ribbon cutting ceremony and demonstration of the self-service pet microchip scanning station. The Mayor and City Council were back in the City Council Chambers at 5:47 p.m. A copy of the local news article is available as an attachment to this agenda and the introduction may be accessed at time stamp 00:03:35.

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

Electronic reports are available as attachments to this agenda and verbal reports given by Building and Zoning Administrator Mike Haycock, Public Works Director ad City Engineer

Chuck Gillette and Director of Finance Cade Visser, may be accessed at the following time stamps:
Building and Zoning Administrator Mike Haycock: 00:17:52
Public Works Director and City Engineer Chuck Gillette: 00:18:15
Director of Finance Cade Visser: 00:21:10

C. Financial Quarterly Report

A report was provided to the Mayor and City Council. The electronic report is available as an attachment to this agenda and the report provided by Director of Finance Cade Visser may be accessed at time stamp 00:21:30

D. Planning Commission Report

A report was provided to the Mayor and City Council. The report provided by Commissioner Pam Gardiol may be accessed at time stamp 00:30:20

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

4) PUBLIC HEARING AND ACTION ITEMS

A. Public Hearing on the Planning Commission's recommendations on proposed amendments to Chapter 14 Class I Use Permits

BACKGROUND and RECOMMENDATION: A draft of the proposed Ordinance is available as an attachment to this agenda. A Public Hearing was held before the Planning Commission and they recommended that the Zoning Administrator is authorized to approve with requirements necessary for compliance with all applicable land use ordinance provisions, or deny Class I use applications, except Class I use applications that propose ground disturbance of any sensitive lands areas. Before the Zoning Administrator makes a decision, the TRC (Technical Review Committee) shall review the application. The sensitive lands committee is authorized to approve, with requirements necessary for compliance with all applicable land use ordinance provisions or deny Class I use applications that propose disturbance of any sensitive lands areas. Before the Sensitive Lands Committee makes a decision, the TRC (Technical Review Committee) shall review the application. The Planning Commission also addressed temporary structures associated with any Class I use that are larger than 200 square feet or higher than 15 feet being required to comply with the building code. If the structure takes longer than 45 days to construct or longer than 30 days to remove, they will be required to meet the design guidelines of Title 16, Chapter 19 of the code. The introduction may be accessed at time stamp 00:32:46. **Mayor Hart** opened the Public Hearing.

Resident **Greg Cherry** expressed his concerns on behalf of himself and his neighbors who yielded their public hearing speaking time to him. Those concerns included the length of time and location of seating structures and may be accessed at time stamp 00:36:00.

Representatives of Black Desert Resort, including Managing Partner Patrick Manning, Director of Championship Operations John Coolbaugh and Attorney Koko Head made their public hearing comments, expressing feeling aligned with the residents but concerned that they were not brought into this conversation at the Planning Commission level. They requested this be tabled so that they make work with the City before any ordinance is passed. The discussion may be accessed at time stamp 00:41:00.

B. Discuss and consider approval of Ordinance No. 2025-01, an Ordinance of Ivins City, Utah, amending Title 16, Chapter 14 of the Ivins City Code to simplify the Application Process for Class I Use Permits and to clarify the length of time temporary structures are allowed

The **Mayor and City Council**, having heard what was said tonight, felt it was prudent to schedule a Work meeting with the Planning Commission, Black Desert Resort and residents to discuss this. The Motion may be accessed at time stamp 00:52:44.

MOTION: Council Member Lance Anderson moved to table agenda item 4)B, Ordinance No. 2025-01, an Ordinance of Ivins City, Utah, amending Title 16, Chapter 14 of the Ivins City Code to simplify the Application Process for Class I Use Permits and to clarify the length of time temporary structures are allowed, pending a Work Meeting to gather further information
SECOND: Council Member Sharon Barton
VOTE: The motion carried unanimously.

Council Member Mike Scott	AYE
Council Member Kevin Smith	AYE
Council Member Sharon Barton	AYE
Council Member Sharon Gillespie	AYE
Council Member Lance Anderson	AYE

Council Member Anderson indicated that he needed to be excused but referred to agenda item 5)G regarding the speed bump/table at the horse roundabout in front of The Reserve subdivision and commented that he would like that removed. **Council Member Anderson was excused at 6:25 p.m.**

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Arts Commission's Annual Report

A report and presentation were provided to the Mayor and City Council. A copy of the report and presentation are available as attachments to this agenda. The report and presentation may be accessed at time stamp 00:55:26.

B. Discuss and consider Arts Commission's recommendations for distribution of 2024 RAP Tax Arts Funds

BACKGROUND and RECOMMENDATION: Washington County residents chose to establish a RAP Tax with allocation to the County and Cities within the County. Under Resolution 2015-03R, Ivins City reserves the first $5000 of RAP Tax revenue for future RAP Tax purposes, divides the remainder equally between Recreation, Arts and Parks, provides for distribution of RAP Tax funds by agreement of which $10,000 is distributed to Tuacahn, $7,500 is distributed to the Kayenta Arts Foundation and $7,500 is allocated for the Ivins City Arts Corridor. The City requires a competitive process for the RAP funds. Funds available for the Arts under this competitive process are those the City Council has not obligated by agreement from the Arts portion of RAP funds. for this award period, there is a total of $45,011.40 available. A copy of the recommendations are available as an attachment to this agenda. The **Mayor and City Council** discussed the distribution of the 2024 RAP Tax Arts Funds that deviated from the Arts Commission's recommendations, expressing the need to think about what the goals for Ivins City are. They recommended that available RAP Tax Arts Funds in the amount of $45,011.40 be distributed as follows: Kayenta Arts Foundation - $17,000; Tuacahn Center for the Arts - $14,500; and Ivins City - $13,511.40. The discussion may be accessed at time stamp 01:05:16. The Motion may be accessed at time stamp 01:18:22.

MOTION: Council Member Sharon Gillespie moved to approve the Arts Commission's recommendations for distribution of 2024 RAP Tax Arts Funds in the amounts given, with the adjustment of changing Tuacahn's Center for the Arts reduction of $2,500.00,

increasing the City of Ivins $2,500.00, still remaining the total of $45,011.40
SECOND: Council Member Mike Scott
VOTE: The motion carried.

Council Member Mike Scott	AYE
Council Member Sharon Barton	AYE
Council Member Sharon Gillespie	AYE
Council Member Kevin Smith	ABSTAIN
Council Member Lance Anderson	ABSENT

C. Discuss and consider approval of renewal of Audit Contract with Larson & Company PC

BACKGROUND and RECOMMENDATIONS: The City's contract with Larson & Company will end after the audit of Fiscal Year 2025 financial statements. Larson & Company have been excellent to work with during past audits. They are efficient with their fieldwork, testing of documents, and completing the audit in a timely manner. Jon Haderlie, the partner over the audit, has decades of government audit experience servicing other local municipalities and some US entities. Jon is open to responding to emails and calls throughout the year for any accounting or compliance questions that may arise. **City Attorney Bryan Pack** inquired if there is an actual contract that the City signs year to year. **Director of Finance Cade Visser** clarified that the City signs an Engagement Letter. It was determined that there was no timing issue if this was delayed until the next meeting for City Attorney Bryan Pack to review the Engagement Letter. The Motion may be accessed at time stamp 01:25:50.

MOTION: Council Member Mike Scott moved to continue to the next meeting and provide Bryan with the necessary documentation for his review and recommendations
SECOND: Council Member Sharon Barton
VOTE: The motion carried unanimously.

Council Member Mike Scott	AYE
Council Member Kevin Smith	AYE
Council Member Sharon Barton	AYE
Council Member Sharon Gillespie	AYE
Council Member Lance Anderson	ABSENT

D. Discuss and consider approval of Fiscal Year 2025/2026 Budget Preparation calendar

A copy of the Budget Preparation calendar is available as an attachment to this agenda.
The **Mayor and City Council** went through the timeline and discussed the calendar. The discussion may be accessed at time stamp 01:26:42. The Motion may be accessed at time stamp 01:30:34.

MOTION: Council Member Sharon Gillespie moved to approve Fiscal Year 2025/2026 Budget Preparation calendar
SECOND: Council Member Kevin Smith
VOTE: The motion carried unanimously.

Council Member Mike Scott	AYE
Council Member Kevin Smith	AYE
Council Member Sharon Barton	AYE
Council Member Sharon Gillespie	AYE
Council Member Lance Anderson	ABSENT

Council Member Smith was excused at 7:02 p.m.

E. Discuss and consider electing a Mayor Pro Tem for the 2025 calendar year

Council Member Smith was nominated to be the Mayor Pro Tem for the 2025 calendar. The Motion may be accessed at time stamp 01:33:20.

MOTION: Council Member Sharon Gillespie moved to nominate Kevin Smith to be the Mayor Pro Tem for the 2025 calendar year
SECOND: Council Member Mike Scott
VOTE: The motion carried unanimously.

Council Member Mike Scott	AYE
Council Member Sharon Barton	AYE
Council Member Sharon Gillespie	AYE
Council Member Kevin Smith	ABSENT
Council Member Lance Anderson	ABSENT

F. Discuss and consider approval of an amendment to dissolve the Community Education Channel

BACKGROUND and RECOMMENDATION: The Community Education Channel Board decided to terminate their Interlocal Agreement on June 30, 2025 with participating entities. A number of documents relating to the Community Education Channel are available as attachments to this agenda. The discussion may be accessed at time stamp 01:33:40.
The Motion may be accessed at time stamp 01:36:42.

MOTION: Council Member Sharon Barton moved to approve an amendment to dissolve the Community Education Channel
SECOND: Council Member Sharon Gillespie
VOTE: The motion carried unanimously.

Council Member Mike Scott	AYE
Council Member Sharon Barton	AYE
Council Member Sharon Gillespie	AYE
Council Member Kevin Smith	ABSENT
Council Member Lance Anderson	ABSENT

G. Discussion regarding speed bump/table at the horse roundabout in front of The Reserve subdivision

BACKGROUND and RECOMMENDATION: A resident living in The Reserve subdivision communicated that he and others are pleased with the speed bump/table and would like it to remain in place. A Council Member previously objected to it being placed and requested that it be removed. The City Public Works Director/City Engineer preferred that there not be a speedbump at that location, observing sufficient gaps in traffic from the current traffic signal at Pioneer Parkway and Snow Canyon Drive in St. George. The Mayor and majority of the City Council agreed that they should remain in place, with modifications to restripe for the bicyclists, having a more gentle incline, as well as the SUBA (Southern Utah Bicycle Alliance) recommendations for bike sharrows, modifying the landscaping to reduce sight issues, a new way to mark the speedbump so that it is more visible and reduce the speed limit so that the City has the ability to ticket violators. The discussion may be accessed at time stamp 01:37:14.
The Motion may be accessed at time stamp 01:58:02.

MOTION: Council Member Sharon Gillespie moved to approve the recommendations discussed and reiterated by Ivins Public Works Director/City Engineer Chuck Gillette
SECOND: Council Member Mike Scott
VOTE: The motion carried unanimously.

Council Member Mike Scott	AYE
Council Member Sharon Barton	AYE
Council Member Sharon Gillespie	AYE
Council Member Kevin Smith	ABSENT
Council Member Lance Anderson	ABSENT

H. <u>Continued discussion to consider approval of an expenditure for dam rock facing of Ivins Reservoir</u>

BACKGROUND and RECOMMENDATION: The information received back from the Washington County Water Conservancy District is that the purple rock is strong enough to work but they prefer the lava rock because it is stronger and a lot less expensive. There was a question previously by a City Council member inquiring as to what kind of approvals are required . It was determined by the City Attorney that there were no approvals required. If the City were to split the cost for the more expensive purple rock, it would be a cost of approximately $6,500.00. The Mayor and City Council member who were present were not inclined to spend the difference, preferring to see that spent on art, especially because the lava rock is sufficient. Two Council Members were not present so it was suggested that this agenda item be tabled so that they may be in attendance to further discuss this. The discussion may be accessed at time stamp 01:58:33. The Motion may be accessed at time stamp 02:05:12.

MOTION: Council Member Sharon Barton moved to table this discussion to next City Council meeting
SECOND: Council Member Sharon Gillespie
VOTE: The motion carried unanimously.

Council Member Mike Scott	AYE
Council Member Sharon Barton	AYE
Council Member Sharon Gillespie	AYE
Council Member Kevin Smith	ABSENT
Council Member Lance Anderson	ABSENT

I. <u>Discuss and consider approval of Ordinance No. 2025-02, an Ordinance of Ivins City, Utah, amending City Code Provisions governing publication of newly enacted City Ordinances</u>

BACKGROUND and RECOMMENDATION: Utah State Code has changed to no longer require publishing an ordinance in the newspaper. This change will align Ivins City Code with Utah State code. The discussion may be accessed at time stamp 02:05:30.
The Motion may be accessed at time stamp 02:06:20.

MOTION: Council Member Sharon Gillespie moved to approve Ordinance No. 2025-02, an Ordinance of Ivins City, Utah, amending City Code Provisions governing publication of newly enacted City Ordinances
SECOND: Council Member Sharon Barton
VOTE: The motion carried unanimously.

Council Member Mike Scott	AYE
Council Member Sharon Barton	AYE

Council Member Sharon Gillespie	AYE
Council Member Kevin Smith	ABSENT
Council Member Lance Anderson	ABSENT

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

J. Continued discussion regarding landscape/irrigation standards for new construction

BACKGROUND and RECOMMENDATION: A contractor or landscape contractor can voluntarily request this certification through Ivins City, abide by the standards and the landscape or irrigation installation would be inspected by Ivins City. The hope would be that this would be something that owners would begin to insist on because not having efficient landscape or irrigation system, those are a major source of water loss. The **Mayor and City Council** agreed that this was something that could be an option and promoted by the City to continue with water conservation measures. The discussion may be accessed at time stamp 02:06:52.

K. Discuss and consider approval of Resolution No. 2025-01R, a Resolution of Ivins City, Utah, approving the Full Municipal Election Services Interlocal Agreement with Washington County

BACKGROUND and RECOMMENDATION: The City contracts with Washington County for Municipal Election services and the City has a Municipal Election this year. The contract is renewed annually. The discussion may be accessed at time stamp 02:18:05.

The Motion may be accessed at time stamp 02:18:36.

MOTION: Council Member Sharon Barton moved to approve Resolution No. 2025-01R, a Resolution of Ivins City, Utah, approving the Full Municipal Election Services Interlocal Agreement with Washington County

SECOND: Council Member Sharon Gillespie

VOTE: The motion carried unanimously.

Council Member Mike Scott	AYE
Council Member Sharon Barton	AYE
Council Member Sharon Gillespie	AYE
Council Member Kevin Smith	ABSENT
Council Member Lance Anderson	ABSENT

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

6) CONSENT AGENDA

A. Approval of City Council Meeting Minutes for December 19, 2024

There was no discussion. The Motion may be accessed at time stamp 02:19:12.

MOTION: Council Member Sharon Gillespie moved to approve the Consent Agenda

SECOND: Council Member Sharon Barton

VOTE: The motion carried unanimously.

Council Member Mike Scott	AYE
Council Member Sharon Barton	AYE
Council Member Sharon Gillespie	AYE
Council Member Kevin Smith	ABSENT
Council Member Lance Anderson	ABSENT

7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) REPORTS

A. Council

The City Council reports may be accessed at time stamp 02:19:22

B. Mayor

The report by the Mayor may be accessed at time stamp 02:22:48

C. City Attorney Bryan Pack

No report

D. City Manager Dale Coulam

The City Manager report may be accessed at time stamp 02:23:50

E. Items to be placed on future agendas

9) CLOSED MEETING - NONE

10) ADJOURNMENT

The Motion may be accessed at time stamp 02:24:52

MOTION: Council Member Sharon Gillespie moved to adjourn

SECOND: Council Member Sharon Barton

VOTE: The motion carried unanimously.

Council Member Mike Scott	AYE
Council Member Sharon Barton	AYE
Council Member Sharon Gillespie	AYE
Council Member Kevin Smith	ABSENT
Council Member Lance Anderson	ABSENT

The meeting adjourned at 7:55 p.m.

Respectfully,

Kari D. Jimenez, MPA, MMC
Ivins City Recorder