IVINS CITY COUNCIL
MEETING MINUTES
February 20, 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 Council Member Mike Scott, Council Member Kevin Smith, Council Member Sharon Barton, Council Member Sharon Gillespie, Council Member Lance Anderson, and Building and Zoning Administrator Mike Haycock.
STAFF: City Manager Dale Coulam, City Attorney Bryan Pack, Director of Finance Cade Visser, and Public Works Director and City Engineer Chuck Gillette.
EXCUSED: None.
Audience: Jim Martinson, James Barden, Barbara Lewis, Neal Miesbach, Koko Head, Kory Jardine, Michele Adams, Jenny & Scott Christiansen, Becky & Chuck Warren, Ronielle Howard, Dave Appel, Judith Kapuscinski, Tiffany Wynn, Floyd Wynn and others who did not sign in.

A. Acknowledgement of Quorum

Mayor Hart acknowledged there was a quorum 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

Electronic reports are available as attachments to this agenda and verbal reports given by Building and Zoning Administrator Mike Haycock, Public Works Director and City Engineer Chuck Gillette and Director of Finance Cade Visser, may be accessed at the following time stamps:
Building and Zoning Administrator Mike Haycock: 00:02:18
Public Works Director and City Engineer Chuck Gillette: 00:02:46
Director of Finance Cade Visser: 00:06:32

B. 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 00:09:10

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

4) PUBLIC HEARING AND ACTION ITEMS

A. Public Hearing on the Planning Commission's recommendation to approve a Zone Amendment from RC (Resort Commercial) to CLM (Commercial Light Manufacturing) on a portion of property located at 1650 East Snow Canyon Parkway

BACKGROUND and RECOMMENDATION: The application is complete and the proposed change is in compliance with Ivins City Ordinances. The Commercial Light Manufacturing Zone is the only zone that allows the gas regulator use. Per Ivins General Plan, planned developments must provide proof that adequate public facilities and resources are available to serve the proposed development. **Mayor Hart** opened the Public Hearing. **Residents** who live adjacent to the area had questions and concerns as to why the location is where it is proposed, access to the station being off of Snow Canyon Parkway, noise, safety, views, aesthetics and visibility/type of screening of the station. They requested that if the zone amendment was approved, that the building be situated as far away from Snow Canyon Parkway as possible, built at an angle, the lava wall that is currently being built, be carried down to the station to assist with reducing visibility. **Representatives of the Owner and Applicant** were amenable to continuing the rock wall down, screening and landscaping as long is the vegetation was not combustible, shifting the site on an angle as long as there was close access off of Snow Canyon Parkway and they would not be opposed to a solid gate for screening. Regarding the question of why this particular location, the high pressure gas line is in Snow Canyon Parkway and the existing facility located a block away that is in the City of St. George, that location is too small for the upsize that is required. There is also a ravine in the proposed location to assist with drainage and concealment. There being no further comments in person or through the Zoom application, **Mayor Hart** closed the Public Hearing. The discussion may be accessed at time stamp 00:11:00.

B. <u>Discuss and consider approval of Ordinance No. 2025-03, an Ordinance of Ivins City, Utah, approving a Zone Amendment from RC (Resort Commercial) to CLM (Commercial Light Manufacturing) on a portion of property located at approximately 1650 East Snow Canyon Parkway</u>

The Mayor and City Council The Mayor and City Council discussed the requirement for a Conditional Use Permit after a zone amendment occurs. The discussion may be accessed at time stamp 00:32:00.

MOTION: Council Member Mike Scott moved to approve Ordinance No. 2025-03, an Ordinance of Ivins City, Utah, approving a Zone Amendment from RC (Resort Commercial) to CLM (Commercial Light Manufacturing) on a portion of property located at approximately 1650 East Snow Canyon Parkway, because of our findings that Enbridge seems very willing to work with us in developing a Conditional Use Permit that will satisfy our design and screening concerns
SECOND: Council Member Lance Anderson
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

Roll call vote. All Council Members voted in favor. The Motion can be accessed at time stamp 00:49:00.

5) <u>DISCUSSION AND POTENTIAL ACTION ITEMS</u>

A. <u>Continued discussion to 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</u>

Application Process for Class I Use Permits and to clarify the length of time temporary structures are allowed

BACKGROUND and RECOMMENDATION: Black Desert Resort's Attorney provided a draft Memorandum of Understanding and Agreement that addressed the residents' concerns regarding the grandstand constructed and used during the PGA Championship between hole 16 and 17. Black Desert Resort's preference was to address the concerns through this means, rather than in an Ordinance. The concerns of the residents included privacy, noise, length of time the grandstand is up, and dust. Previously it was suggested that Black Desert construct the grandstand horizontally rather than vertically. Black Desert constructed the grandstand vertically to minimize the impact on the lava but they are looking at reducing the height for the upcoming LPGA & PGA tournaments. There was discussion regarding how many hours a day employees work to construct the structure. The residents preference was to condense the length of time for constructing/deconstructing the grandstand and suggested 8 a.m. until sunset and even on a Saturday if that would reduce the number of construction days. The Ordinance needs to be addressed separate from the Memorandum of Understanding and Agreement. There was a concern that the Memorandum of Understanding and Agreement could not be easily enforced. It was suggested that the Ordinance be tabled as an agenda item on a future agenda and that the Memorandum of Understanding and Agreement be discussed at the next City Council meeting. The discussion may be accessed at time stamp 00:50:54.

MOTION: Council Member Lance Anderson moved to table Ordinance No. 2025-01 to a future meeting and instruct staff to place on the next City Council agenda, the Memorandum of Understanding and Agreement with Black Desert Resort
SECOND: Council Member Sharon Gillespie
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

The Motion may be accessed at time stamp 01:19:30

B. Discuss and consider recommendation from the Ivins City Arts Commission for the Ivins City Council to sign a Letter of Support for the Ivins Crosswalk Safety Art Project

BACKGROUND and RECOMMENDATION: Ivins City Arts Commission representatives provided a presentation to the Mayor and City Council. A copy of the presentation is available as an attachment to this agenda. The discussion may be accessed at time stamp 01:20:32.

MOTION: Council Member Sharon Gillespie moved move forward with the Letter of Support for the Safety in Art Enhancing Safety and Connecting Generations Grant Application, with the further decisions on location and specifics of art, to be determined.
SECOND: Council Member Lance Anderson
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

The Motion may be accessed at time stamp 01:33:50.

C. <u>Discuss and consider Recommendation from the Ivins City Arts Commission for Ivins City and the Ivins City Arts Commission to purchase the public art sculpture by Lance Ludlow</u>

BACKGROUND and RECOMMENDATION: A decision needed to be made on the art work that was part of the Art-on-Loan program and is located outside on the west side of Ivins City Hall. The Ivins City Arts Commission recommended purchasing the piece by artist Lance Ludlow for the purchase price of $2,500 and to equally split the purchase with funds from Ivins City and the Ivins Arts Commission. Two (2) City Council Members were in favor of the recommendation and three (3) City Council Members were opposed. The discussion may be accessed at time stamp 01:36:20.

MOTION: Council Member Lance Anderson moved to approve the purchase of the Lance Ludlow piece for $2,500 using RAP tax funds

SECOND: Council Member Kevin Smith

VOTE: The motion failed.

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

The Motion failed. The Motion may be accessed at time stamp 01:47:34.

D. <u>*Discussion regarding Washington County Fair Spotlight</u>

BACKGROUND and RECOMMENDATION: Ivins City will be the featured City for the Washington County Fair. Former City Council Member Jenny Christiansen and Historical Society member has agreed to work with the County Fair organizers to provide historical information about Ivins City. Council Member Kevin Smith take the lead from the City Council side. The Mayor and City Council determined that "We The People" will be the theme. The City Council and Jenny Christiansen determined that the Grand Marshal will be current Ivins City Mayor Chris Hart. The discussion may be accessed at time stamp 01:58:52.

MOTION: Council Member Lance Anderson moved appoint Mayor Chris Hart as the Grand Marshal

SECOND: Council Member Mike Scott

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

The Motion may be accessed at time stamp 02:14:20.

E. <u>Discuss and consider approval of an expenditure for engineering professional services for Snow Canyon Parkway and Hamblin Parkway roundabout design</u>

BACKGROUND and RECOMMENDATION: This project is necessary due to the Black Desert Resort and to prevent the need to remove and redo newly completed work. Staff recommended selecting Mainline Engineering and approving a $80,460 expenditure. This

expenditure is not currently budgeted or included in the latest Transportation Master Plan's five-year projection but will be included in the budget amendment process and added in the next Transportation Master Plan amendment or update as fully impact fee eligible. The discussion may be accessed at time stamp 02:21:22.

MOTION: Council Member Kevin Smith moved to approve an expenditure for engineering professional services for Snow Canyon Parkway and Hamblin Parkway roundabout design, selecting for selecting Mainline Engineering in the amount of $80,460.00

SECOND: Council Member Lance Anderson

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

The Motion may be accessed at time stamp 02:26:08.

F. <u>Discuss and consider approval of Ivins City granting a water conservation easement along the Black Stone development frontage</u>

BACKGROUND and RECOMMENDATION: This easement ensures that the designated landscape buffers along roadways remain low-water and those areas that are hardscaped remain as such. This aligns with the City's broader efforts to conserve water resources while maintaining aesthetically pleasing and sustainable streetscapes. The discussion may be accessed at time stamp 02:26:56.

MOTION: Council Member Lance Anderson moved to approve Ivins City granting a water conservation easement along the Black Stone development frontage

SECOND: Council Member Sharon Gillespie

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

The Motion may be accessed at time stamp 02:30:28.

G. <u>*Discuss approval of Quit Claim Deed needed for resolving boundary issues on the Black Stone Subdivision</u>

BACKGROUND and RECOMMENDATION: The right-of-way (ROW) for the future Western Corridor, also known as Hamblin Parkway, was acquired using Council of Governments (COG) funding before the Black Stone Subdivision project. At the time of acquisition, it was unclear how future adjacent subdivisions would align with the ROW, so the boundary was drawn with smoothly curved or relatively straight lines. With the development of the Black Stone Subdivision, the City requires horizontal jogs in the ROW line to break up the subdivision's masonry walls, enhancing the aesthetics of the landscape buffer areas. The developer was instructed to align the subdivision boundary with the original ROW boundary established through the COG purchase. As a result, portions of the ROW are now within several new lots in

the approved plat. This quit-claim deed clarifies that the City does not retain ownership of any part of those lots. The discussion may be accessed at time stamp 02:30:56.

MOTION: Council Member Lance Anderson moved to approve Quit Claim Deed needed for resolving boundary issues on the Black Stone Subdivision
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

The Motion may be accessed at time stamp 02:32:26.

H. Discuss possible job duties for a new City Planner position

BACKGROUND and RECOMMENDATION: The Mayor, City Council and Staff discussed a typical list of duties for a City Planner position. There was some opposition to hiring a City Planner due to the Planner being another level of bureaucracy which slows approvals and the City not being large enough. They agreed that there is a gap in a proactive planning component, as well as a capability and capacity gap. The Mayor, City Council and Staff determined that they need to look at the big picture, look at the Building Department and what they're doing and potentially other departments, to determine where there are deficiencies and if duties can be re-allocated with the current staff. The Mayor and City Council intend to achieve that by creating a committee that consists of Mayor Chris Hart, City Manager Dale Coulam, City Attorney Bryan Pack, Council Member Mike Scott and Council Member Sharon Gillespie. They also agreed that the ordinances need to be reviewed to identify and correct any deficiencies. The discussion may be accessed at time stamp 02:33:20.

6) CONSENT AGENDA

A. Approval of City Council Work Meeting Minutes for February 6, 2025
B. Approval of City Council Meeting Minutes for February 6, 2025

There was a correction to the regular meeting minutes wherein the minutes indicated that the meeting began at 5:20 p.m. but it actually began at 5:30 p.m. That change will be made.

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

The Motion may be accessed at time stamp 03:25:00.

7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) REPORTS

A. Council

The City Council reports may be accessed at time stamp 03:25:10

B. Mayor

The report by the Mayor may be accessed at time stamp 03:28:26.

C. City Attorney Bryan Pack

The report by City Attorney Bryan Pack may be accessed at time stamp 03:29:00.

D. City Manager Dale Coulam

The City Manager report may be accessed at time stamp 03:29:30.

E. Items to be placed on future agendas

Items to be placed on future agendas may be accessed at time stamp 03:31:00.

9) CLOSED MEETING

There was no cause to adjourn to a Closed Meeting.

10) ADJOURNMENT

MOTION: Council Member Lance Anderson moved to adjourn

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	AYE

The Motion may be accessed at time stamp 03:31:58.

The meeting adjourned at 9:01 p.m.

Respectfully,
Kari D. Jimenez, MPA, MMC
Ivins City Recorder