IVINS CITY COUNCIL
MEETING MINUTES
March 6, 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, Police Chief Jaron Studley, Fire Chief Dan Cazier, Parks and Recreation Director Marc Christensen, and City Recorder Kari D. Jimenez.
EXCUSED: None.
Audience: Gail Fulde, James Barden, David Hodges, Clark Colledge, John Coolbaugh, Evelyn Kosidowski, Koko Head, Wayne Pennington, Jenny Christiansen, Brandee Walker, Becky & Chuck Warren, Dave & Suzy Appel and others who did not sign in.

A. Acknowledgement of Quorum

Mayor Hart acknowledged there was a quorum present.

B. Flag Salute

Council Member Scott led 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. Introduction of Ivins Princess Pageant Royalty

Mayor Hart introduced and thanked the Miss Ivins Pageant Director, Jennifer Horne. **Jennifer Horne** introduced the 2025 Ms. Ivins Princess Pageant Royalty as follows: Miss Ivins – Ashley Petersen, 1st Attendant – Kailo Klc, 2nd Attendant – Sadie Williams, 3rd Attendant – Maliyah McDonald and Miss Congeniality – Olivia Maughan. The discussion may be accessed at time stamp 00:02:40.

B. Department Reports: Parks and Recreation and Public Safety

Electronic reports are available as attachments to this agenda and verbal reports given by Parks and Recreation Director Marc Christensen, Police Chief Jaron Studley and Fire Chief Dan Cazier, may be accessed at the following time stamps:
Parks and Recreation Director Marc Christensen: 00:13:00
Police Chief Jaron Studley: 00:19:35
Fire Chief Dan Cazier: 00:23:18

C. 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 00:33:26.

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 RA-1 (Residential Agricultural 1 acre) to R-1-7.5 (Residential Single Family 7500 square feet) on approximately 9.21 acres

BACKGROUND and RECOMMENDATION: The application is complete and the proposed change is in compliance with Ivins City Ordinances. **Mayor Hart** opened the Public Hearing. Residents who live adjacent to the area had questions and concerns regarding obstruction of their views, the homes being low income housing, the homes being more than one-story in height, the availability of water and schooling resources.. They suggested a zone amendment compromise of R-1-10, which is minimum lot sizes of 10,000 feet so that there would be more open space between the houses. It was clarified that the applicant was entitled to build up to the allowed height of 25', which could be one or two-story homes. The Washington County School District governs schooling resources and the Washington County Water Conservancy District determines water availability. 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 00:35:40.

B. Discuss and consider approval of Ordinance No. 2025-04, an Ordinance of Ivins City, Utah, approving a Zone Amendment from RA-1 (Residential Agricultural 1 acre) to R-1-7.5 (Residential Single Family 7500 square feet) on approximately 9.21 acres

The **Mayor, City Council and Staff** discussed this Zone Amendment. They did not have an issue with an amendment to R-1-7.5, although one City Council Member requested that there be conditions placed on the property and listed out eight (8) suggested conditions. The current City Manager and former City Attorney, as well as the current City Attorney, indicated that would be conditional zoning and equate to an exaction or taking due to the applicants request being within the designated zoning density, this is a standard subdivision and the applicant was not asking the City for any considerations. The Council Member requesting the conditions suggested that this agenda item be continued to give the Mayor, the other City Council Members and staff time to review his suggested conditions and then made that motion. The Motion failed. The discussion may be accessed at time stamp 00:46:02. The Motion may be accessed at time stamp 01:28:08. A Motion to approve the Zone Amendment was made and passed. The Motion may be accessed at time stamp 01:47:28.

MOTION: Council Member Mike Scott moved to continue this discussion to the next City Council meeting to give the Council time to look over the information he submitted
SECOND: Council Member Sharon Barton
VOTE: The motion failed.

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

MOTION: Council Member Sharon Gillespie moved to approve Ordinance No. 2025-04, an Ordinance of Ivins City, Utah, approving a Zone Amendment from RA-1 (Residential Agricultural 1 acre) to R-1-7.5 (Residential Single Family 7500 square feet) on approximately 9.21 acres
SECOND: Council Member Lance Anderson
VOTE: The motion carried.

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

Roll call vote. All Council Members were present. Four (4) Council Members voted in favor and one (1) Council Member voted in opposition.

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

A. <u>Continued discussion regarding a Memorandum of Understanding and Agreement regarding a grandstand at Black Desert Resort</u>

BACKGROUND and RECOMMENDATION: Black Desert Resorts 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. This draft includes the City's and one Council Members suggestions with the goal of having the shortest construction time for that grandstand. There was discussion of the option to start construction earlier in the morning to shorten the construction time. It was determined, and Black Desert Resort agreed, to the total duration of construction, use, and removal of the Grandstand between hole 16 and 17, would be 90 days total for the PGA Championship and 60 days total for the LPGA Championship. Regarding construction and removal, that will take place Monday through Saturday from 7:00 A.M. to 30 minutes after sunset, subject to weather conditions and required inspections. The discussion may be accessed at time stamp 01:52:40.
MOTION: Council Member Sharon Gillespie moved to approve the Memorandum of Understanding and Agreement between Black Desert Resort Center, LLC, a Delaware limited liability company located at 1500 East Black Desert Drive, Ivins, Utah and Ivins City, a Utah, a Utah municipality ("Ivins") located at 85 N. Main St., Ivins, Utah 84738 with the altered condition that construction start at 7:00 a.m. and finish one-half hour after sunset, with the maximums being 90 days for the PGA and 60 days for the LPGA
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 02:13:08.

B. <u>Discuss and consider approval of Second Addendum to Memorandum of Understanding with Rocky Vista University to allow Talk-Abouts in 2025</u>

There was minimal discussion regarding this agenda item. The discussion may be accessed at time stamp 02:14:16.

MOTION: Council Member Lance Anderson moved to approve a Second Addendum to Memorandum of Understanding with Rocky Vista University to allow Talk-Abouts in 2025
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 02:15:30.

C. Discuss and consider approval of an expenditure for engineering professional services for Anasazi Sewer Lift Station

BACKGROUND and RECOMMENDATION: A sewer lift station is needed near the intersection of Old Highway 91 and Anasazi Road, expanding the sewer service area and preventing future capacity issues in the system. This expenditure is not currently budgeted but will be included in the budget amendment process. The **City Council** had concerns with seeing more expenditures that are not in the budget and then budgeting through temporary funding. The **Director of Finance** clarified that the bigger issue are projects down the pipeline because there isn't enough cash to do them all. The discussion may be accessed at time stamp 02:18:10.

MOTION: Council Member Lance Anderson moved to approve an expenditure for engineering professional services for Anasazi Sewer Lift Station
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 02:23:34.

6) CONSENT AGENDA

A. Approval of City Council Meeting Minutes for February 20, 2025

There was no discussion. The Motion may be accessed at time stamp 02:23:58.

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

7) CONSENT AGENDA ITEMS FOR DISCUSSION - None

8) REPORTS

A. Council

The City Council reports may be accessed at time stamp 02:24:14.

B. Mayor

The report by the Mayor may be accessed at time stamp 02:29:30.

C. City Attorney Bryan Pack

No report.

D. City Manager Dale Coulam

The City Manager report may be accessed at time stamp 02:32:30.

E. Items to be placed on future agendas

Items to be placed on future agendas may be accessed at time stamp 02:34:00.

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 02:34:06.

The meeting adjourned at 8:04 p.m.

Respectfully,

Kari D. Jimenez, MPA, MMC
Ivins City Recorder