IVINS CITY COUNCIL
MEETING MINUTES
AUGUST 7, 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, and Council Member Lance Anderson.
STAFF: Parks and Recreation Director Marc Christensen, Fire Marshal Con Fulde, Police Chief Jaron Studley, Building and Zoning Administrator Rob Dalley, Public Works Director and City Engineer Chuck Gillette, Director of Finance Cade Visser, City Attorney Bryan Pack and City Recorder Kari D. Jimenez.
EXCUSED: None.

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

Council Member Anderson referred to agenda item 5)D and disclosed a conflict. There were no other disclosures or conflicts of interest with items on this meeting's agenda.

2) REPORTS AND PRESENTATIONS

A. Department Reports: Parks and Recreation; Public Safety

Electronic reports are available as attachments to this agenda and verbal reports given by Parks and Recreation Director Marc Christensen, Fire Marshal Con Fulde, and Police Chief Jaron Studley, may be accessed at the following time stamps:
Parks and Recreation Director Marc Christensen: 00:03:12
Fire Marshal Con Fulde: 00:13:28
Police Chief Jaron Studley: 00:18:20

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 00:22:10.

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 RA-1 (Residential Agricultural 1 acre) to R-1-7.5 (Residential Single Family 7,500 square feet) on approximately 9.87 acres located at approximately 400 East and 200 South. Wilford Leon Hafen Trust-Owner/Applicant

BACKGROUND and RECOMMENDATION: This is a proposed zoning map amendment for the property located at approximately 400 East and 200 South in Ivins. The Owner and Applicant Wilford Leon Hafen Trust would like to rezone the parcel from RA-1 (Residential Agriculture, minimum lot size 1 acre), to R-1-7.5 (Residential Single Family, minimum lot size 7,500 sq ft) on approximately 9.87 acres. The land is currently a Medium Density Residential use. The application is complete and in compliance with City Code as well as the Land Use Plan. Mayor Hart opened the Public Hearing. There being no comments in person or through the Zoom application, Mayor Hart closed the Public Hearing. The explanation of this agenda item may be accessed at time stamp 00:36:42.

B. <u>Discuss and consider approval of Ordinance No. 2025-16, an Ordinance of Ivins City, Utah, approving a Zone Amendment from RA-1 (Residential Agricultural 1 acre) to R-1-7.5 (Residential Single Family7500 square feet) on approximately 9.87 acres</u>

BACKGROUND and RECOMMENDATION: A few of the Council Members commented that the applicant has indicated previously that this is needed to financially support his children and that the request fits into the Land Use Plan, as well as three other subdivisions around this property are similar and this request is appropriate. The discussion may be accessed at time stamp 00:39:00.

MOTION: Council Member Kevin Smith moved to approve Ordinance No. 2025-16, an Ordinance of Ivins City, Utah, approving a Zone Amendment from RA-1 (Residential Agricultural 1 acre) to R-1-7.5 (Residential Single Family7500 square feet) on approximately 9.87 acres

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

Roll call vote. All Council Members were present and voted in favor. The Motion may be accessed at time stamp 00:39:58.

C. <u>Public Hearing on the Planning Commission's recommendation regarding Amendments to the Code for Ultra Water Efficiency Standards. Ivin City-Applicant</u>

BACKGROUND and RECOMMENDATION: The origins of this is that the Water District has come out with a new standard for ultra water efficient homes where there is no grass, no pools unless it is a spa less than 100 sq ft, limited landscaping and similar. Ivins does not require this but encourages it and there are financial incentives for developers. A Council Member commented that Ivins City Code in Chapter 11 deals with things similar to this and was concerned about ambiguities. Mayor Hart opened the Public Hearing. There being no comments in person or through the Zoom application, Mayor Hart closed the Public Hearing. The explanation of this agenda item may be accessed at time stamp 00:41:02.

D. <u>Discuss and consider approval of Ordinance No. 2025-17, an Ordinance of Ivins City, Utah, enacting Ivins City Code Section 14.11.801 for the purpose of encouraging Ultra Water Efficiency Standards</u>

BACKGROUND and RECOMMENDATION: One **City Council Member** indicated that Ivins current requirements are stricter than the Water Conservancy Districts ultra efficiency standards. The **City Attorney** inquired if there were other places in Ivins City code that would

conflict with what the District was requesting and it was clarified that there were none that was known. The **City Attorney** suggested that a statement could be made that to the extent the standards conflict, the stricter standard would apply. One **Council Member** inquired if the City could not enforce this, why was the City approving this by Ordinance? **Mayor Hart** clarified that if it part of the building plan and the developer agrees, then it could be enforced. One **Council Member** indicated that the agreed to requirement(s) would need to be on the plat of the development and recorded against the property. **Mayor Hart** requested that this be continued to find out what the practical application is and why it is being approved by Ordinance.

MOTION: Council Member Lance Anderson moved to table Ordinance No. 2025-17 until the City has more information
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 00:58:36.

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and consider approval of Memorandum of Understanding between Ivins City and Century Link regarding utility box painting/wrapping

BACKGROUND and RECOMMENDATION: This is a formality. There was a question by a **City Council Member** as to why this was even coming before the City Council and it was clarified by the **City Attorney** that whenever there is an agreement that assigns partial liability to the City, it comes before the City Council. The discussion may be accessed at time stamp 00:59:30.

MOTION: Council Member Kevin Smith moved to approve the Memorandum of Understanding between Ivins City and Century Link regarding utility box painting/wrapping
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

B. Discuss and consider approval of artwork to wrap a utility box in the Copper Canyon subdivision

BACKGROUND and RECOMMENDATION: This is a new one for the Copper Canyon subdivision where a resident in the subdivision previously painted the utility box and there has been some wear and tear and this would replace that art work. The discussion may be accessed at time stamp 01:02:08.

MOTION: Council Member Lance Anderson moved to approve the artwork to wrap a utility box in the Copper Canyon subdivision
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 01:02:30.

C. <u>Discuss and consider approval of a contract regarding the 911 cell phone bank program</u>

BACKGROUND and RECOMMENDATION: The Public Safety Victims Advocate found this program. The City Attorney suggested that a waiver be signed when the phone is donated and include Ivins City in the agreement. The discussion may be accessed at time stamp 01:03:40.

MOTION: Council Member Mike Scott moved to approve a contract regarding the 911 cell phone bank program with the additions suggested by the City Attorney and to include Ivins on an agreement
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 01:09:28.

D. <u>Discuss and consider uses and development standards appropriate for parcel numbers I-6-2-6-337 and I-6-2-6-3311</u>

BACKGROUND and RECOMMENDATION: Council Member Anderson recused himself and sat in the audience. The **City Attorney** indicated that this is follow-up from the last City Council meeting regarding the Mohave commercial parcel that is contemplated by Lance Anderson to potentially be traded to SITLA for high density housing. **Lance Anderson** has requested interpretation and the City Attorney provided the interpretation, which is available as an attachment to this agenda. One **Council Member** inquired what is the ask and what is the intent? **Lance Anderson** stated that it is to make sure that it is very clear to SITLA what is allowed on that property, which is attainable housing. The **City Attorney** clarified that they are trying to simplify this process and SITLA is looking for the entitlement but the City can't say that because it is a mixed-use overlay. One **Council Member** referred to the Development Agreement that is already in place for this property and commented that it still applies and has a height limit against the adjoining properties. The discussion may be accessed at time stamp 01:10:14.

E. <u>Discuss and consider approval of a Development Agreement for the Hafen Farms Subdivision</u>

BACKGROUND and RECOMMENDATION: This development is located at 400 South and 400 East. There is a storm drain line that runs down the easement and the City looking at replacing that line. The City is looking at transferring a strip of land to the developer, as part of the compensation of the developer paying to upsize the line, which would be advantageous to the

City. One Council Member referred to giving the developer 10 feet of property and in exchange the Council Member would like that to be extra property and not bringing the setbacks closer to the adjoining properties. Mayor Hart commented that it was not necessarily fair. It was clarified that the City would be selling that property to the developer. Clark College was present and represented the developer and indicated that they would be paying for that property and it seemed unfair to place the restriction on the setbacks. The City Attorney clarified that the City could request that but not mandate it. He also clarified that there is a process of selling City property that has not been followed, which includes a Public Hearing and that would need to occur before the Council could address this agenda item. The discussion may be accessed at time stamp 01:22:14.

MOTION: Council Member Mike Scott moved to continue this discussion and potential approval of a Development Agreement for the Hafen Farms 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 01:41:02.

F. Discuss and consider approval of Resolution No. 2025-13R, a Resolution of Ivins City, Utah, adopting Sewer Rate Study and Rates

BACKGROUND and RECOMMENDATION: A presentation was provided by Aaron Anderson with Bowen Collins regarding adopting the Sewer Rate Study and Rates. A copy of the presentations are available as an attachments to this agenda and the discussion may be accessed at time stamp 01:42:08.

MOTION: Council Member Sharon Gillespie moved to approve Resolution No. 2025-13R, a Resolution of Ivins City, Utah, adopting Sewer Rate Study and Rates
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 were present and voted in favor. The Motion may be accessed at time stamp 01:48:00.

G. Continued discussion regarding Fiscal Year Ending 2026 Budgets and Truth in Taxation

BACKGROUND and RECOMMENDATION: The City is one (1) week away from the Truth in Taxation Public Hearing. The Mayor and City Council had questions and the Director of Finance responded. The discussion may be accessed at time stamp 01:48:40.

6) CONSENT AGENDA

A. Approval of City Council and Planning Commission Joint Work Meeting Minutes for July 10, 2025

B. Approval of City Council Work Meeting Minutes for July 17, 2025

C. Approval of City Council Meeting Minutes for July 17, 2025

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

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 02:07:12.

7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) REPORTS

A. Council

The City Council reports may be accessed at time stamp 02:07:22.

B. Mayor

The report by the Mayor may be accessed at time stamp 02:15:30.

C. City Attorney Bryan Pack

No report

D. Items to be placed on future agendas

Items to be placed on future agendas are identified throughout the meeting and will be included on upcoming City Council agendas.

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 meeting adjourned at 7:47 p.m.

Respectfully,

Kari D. Jimenez, MPA, MMC
Ivins City Recorder