IVINS CITY COUNCIL
MEETING MINUTES
OCTOBER 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 Council Member Mike Scott, Council Member Kevin Smith, Council Member Sharon Barton, Council Member Sharon Gillespie, and Council Member Lance Anderson.

STAFF: City Manager Chuck Gillette, City Attorney Bryan Pack, Public Works Director and City Engineer Tom Jorgensen, Director of Finance Cade Visser, Building and Zoning Administrator Rob Dalley, Parks and Recreation Director Marc Christensen, and City Recorder Kari D. Jimenez.

Audience: Chris Haddad, Don & Lynn Swanson, James Barden, Liz Fortney, Jerry Nostadt, Tony Cost, Kathy Foster, Barb Lewis, Mark Moeller, Holly Nunn, Daphne Schroth, Bonnie Kline, Mary Jones, John & Phyllis Yetsko, Rich & Connie Lewis, Mike & Pam Grimes, Paula Garver, Christian J. Sahosky, Becky & Chuck Warren, David & Deonne Krill, Shad Johnsen, Dr. Nancy Alexander & David Stant, Jane & Jared Long, Lisa German, Peter & Michelle Morgan, Kathy & Norm Frable and others who did not sign in.

EXCUSED: None.

A. Acknowledgement of Quorum

Mayor Chris Hart acknowledged there was a quorum present. All Council Members were in attendance.

B. Flag Salute

Council Member Gillespie led the Flag Salute

C. Invocation

Council Member Gillespie gave the Invocation

D. Disclosures

There were no disclosures or conflicts of interest with items on this meeting's agenda.

2) REPORTS AND PRESENTATIONS

A. Arts Commission presentation of Featured Student Artist Aspen Blake

Mayor Hart introduced student artist Aspen Blake, whose artwork is currently displayed in the Council Chambers. He highlighted the City Council's tradition of featuring exceptional youth artists and praised winning piece which was selected by the Ivins Arts Commission during the Heritage Days art competition. **Aspen Blake** explained the inspiration behind her artwork. The **Mayor and City Council** commended her creativity and acknowledged her family for supporting her artistic journey. The discussion may be accessed at time stamp 00:03:32.

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 Rob Dalley, Public Works Director and City Engineer Tom Jorgensen and Director of Finance Cade Visser, may be accessed at the following time stamps:

Building and Zoning Administrator Rob Dalley: 00:06:45
Public Works Director and City Engineer Tom Jorgensen: 00:10:50
Director of Finance Cade Visser: 00:18:47

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 00:19:36

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

There was a request to suspend the rules. The discussion may be accessed at time stamp 00:25:18. The Motion may be accessed at time stamp 00:25:46.

MOTION: Council Member Sharon Gillespie moved to suspend the rules and bring agenda items 5)A and 5)M forward to this point in the agenda
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

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and consider approval of a Proclamation regarding the 2025-2026 School Year as an Alcohol-Free School Year for Youth

A prevention specialist with Southwest Behavioral Health Center and a coordinator of the Washington County Youth Coalition presented the proclamation. They highlighted the coalition's efforts to prevent underage substance use through evidence-based strategies, community education, and legislative advocacy. The proclamation emphasized the risks of underage drinking, including its negative impacts on health, brain development, and mental well-being, as well as its contribution to addiction and risky behaviors. The proclamation commended youth who remain drug- and alcohol-free and invited community members, families, schools, and organizations to support efforts to discourage underage drinking. The **Mayor and City Council** praised the initiative, emphasizing the importance of raising awareness about the long-term harm of substance abuse and the need to support preventive measures. The discussion may be accessed at time stamp 00:26:18. The Motion may be accessed at time stamp 00:33:42.

MOTION: Council Member Lance Anderson moved to approve a Proclamation regarding the 2025-2026 School Year as an Alcohol-Free School Year for Youth
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

M. * Discussion regarding whether Ivins City should send a letter of support for the Northern Corridor

A representative from Conserve Southwest Utah and representatives on behalf of the Habitat Conservation Plan, including a Biologist, were present. Conserve Southwest Utah opposes the Northern Corridor because they feel there are other alternatives and representatives on behalf of the Habitat Conservation Plan support the Northern Corridor because the displacement of tortoises is minimal at 40 to 50 tortoises, as opposed to the displacement of 450 to 500 tortoises in zone 6. The question for the City Council was if they were in favor of the Northern Corridor being built and if so, would they manifest that in a letter of support? The majority of the City Council had not researched this issue because the Northern Corridor would be outside of Ivins border and felt that support or non-support of the Northern Corridor was a personal decision for the residents to make through the comment period process that is open until November 3, 2025. No letter of support from Ivins City would be provided. The discussion may be accessed at time stamp 00:34:20.

MOTION: Council Member Lance Anderson moved send a letter of support for the Northern Corridor

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 may be accessed at time stamp 00:56:56.

4) PUBLIC HEARING AND ACTION ITEMS

A. Public Hearing on Ivins City proposed adoption of Joint Agency Water Conservation Plan

BACKGROUND and RECOMMENDATION: This is a formality where a Public Hearing is required. **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 00:57:32.

B. Discuss and consider approval of Resolution No. 2025-17R, a Resolution of Ivins City, Utah, adopting a Water Conservation Plan

BACKGROUND and RECOMMENDATION: This is required by State statute. The discussion may be accessed at time stamp 00:59:08.

MOTION: Council Member Kevin Smith moved to approve Resolution No. 2025-17R, a Resolution of Ivins City, Utah, adopting a Water Conservation Plan

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 01:01:02. Roll call vote. All Council Members were present and voted in favor.

5) DISCUSSION AND POTENTIAL ACTION ITEMS

B. Discuss and consider approval of Resolution No. 2025-18R, a Resolution of Ivins City, Utah, approving the Ivins City Utah 250 Community Committee

BACKGROUND and RECOMMENDATION: This is a requirement because the City is seeking a grant. The discussion may be accessed at time stamp 01:03:14.

MOTION: Council Member Lance Anderson moved to approve Resolution No. 2025-18R, a Resolution of Ivins City, Utah, approving the Ivins City Utah 250 Community Committee
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

Roll call vote. All Council Members were present and voted in favor. The Motion may be accessed at time stamp 01:03:56.

C. Continued discussion regarding approval of Ordinance No. 2025-18, an Ordinance of Ivins City, Utah, approving a Concurrent Map Amendment from a land use of MDR (Medium-Density Residential) and Neighborhood Commercial to HDR (High-Density Residential) and a Zone Amendment from RA-1 (Residential Agriculture, minimum lot size 1 acre) to R-1-5 (Residential Single-Family minimum lot size 5,000 square feet) on Approximately 13.02 acres; also known as the Solterra development

BACKGROUND and RECOMMENDATION: The Mayor and City Council discussed this agenda item at length. Some City Council Members were in favor of the map amendment and zone amendment, with the developers willingness to work with the City and having made significant modifications to the plans at the request of the City. A majority of the City Council Members felt there was a need to be flexible on a case-by-case basis. A few City Council Members were not in favor of the map and zone amendment due to the higher densities and existing homes that are adjacent to the property. One Council Member wanted the homes to be deed restricted as owner-occupied to avoid large corporations buying up the project and limited to one story in height or approximately 15 feet. It was clarified that 15 feet was unrealistic and would be difficult if families wanted to build a walkout basement for additional space.
The Mayor and City Council were discussing agenda items 5)C and 5)D interchangeably and determined to combine the two into one agenda item for discussion.

MOTION: Council Member Kevin Smith moved combine agenda items 5)C and 5)D for discussion
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 01:22:34.

One Council Member appreciated the developers price point of $525,000 but there was no guarantee that would happen and wanted to see in the development agreement that 20% of the homes would be deed restricted at $425,000, although the Council Member was still not in favor of the higher densities. Another City Council Member agreed, commenting that the City would not be doing the right thing because it would not be including the missing middle. The majority of the other Council Members disagreed, commenting that the market should drive the pricing of the homes. The developers were present and would agree to a height restriction of 20 feet but would not agree to price or deed restrictions. The City Council members were fine with the 20' height restriction. One Council Member requested that the development agreement include the requirement for ultra water conservancy standards. It was also suggested that no parking being allowed in the detention basin.

MOTION: Council Member Sharon Gillespie moved to approve to approve the Development Agreement for the Solterra subdivision, Ivins City, Washington County, Utah, with the following identified stipulations: adding a height restriction to 20'; the detention basin be adjusted based on the hydrology in the southwest corner; there will be no parking in that southwest corner; the developer agrees to implement ultra efficiency water standards in the development and along with that, the Ordinance No. 2025-18 of Ivins City, Utah, approving a Concurrent Map Amendment from a land use of MDR (Medium-Density Residential) and Neighborhood Commercial to HDR (High-Density Residential) and a Zone Amendment from RA-1 (Residential Agriculture, minimum lot size 1 acre) to R-1-5 (Residential Single-Family minimum lot size 5,000 square feet) on Approximately 13.02 acres. The land use and zone change are conditioned upon approval of the development agreement by the developer.
SECOND: Council Member Lance Anderson
A Council Member requested discussion and commented to the City Attorney that the land use and the zone change should be conditioned on the approval of the Development Agreement.
Council Member Gillespie amended her motion to include that the land use and zone change are conditioned upon approval of the development agreement by the developer. The Motion may be accessed at time stamp 01:54:54.
VOTE: The motion carried.

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

D. Continued discussion regarding approval of a Development Agreement for the Solterra development

BACKGROUND and RECOMMENDATION: This agenda item discussion and approval was combined with agenda item 5)C above.

E. <u>Discuss and consider approval of Resolution No. 2025-19R, a Resolution of Ivins City, Utah, appointing Tom Jorgensen as the Public Works Director</u>

BACKGROUND and RECOMMENDATION: Tom Jorgensen has been promoted to the Public Works Director position, which was vacated by Chuck Gillette becoming the City Manager.

MOTION: Council Member Lance Anderson moved to approve Resolution No. 2025-19R, a Resolution of Ivins City, Utah, appointing Tom Jorgensen as the Public Works Director
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 02:01:00. Roll call vote. All Council Members were present and voted in favor.

F. <u>Discuss and consider approval of Resolution No. 2025-20R, a Resolution of Ivins City, Utah, appointing Tom Jorgensen to the Sensitive Lands Committee</u>

BACKGROUND and RECOMMENDATION: This position was held by the City Engineer and now that Tom Jorgensen is the City Engineer, he will be a member of this committee and group.

MOTION: Council Member Lance Anderson moved to approve Resolution No. 2025-20R, a Resolution of Ivins City, Utah, appointing Tom Jorgensen to the Sensitive Lands Committee
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 02:02:50. Roll call vote. All Council Members were present and voted in favor.

G. <u>Discussion regarding the current modifications to the water shortage contingency plan</u>

BACKGROUND and RECOMMENDATION: The draft plan shifts to a board-governed framework where the District Board is the only body that can declare, advance or repeal a shortage. The drought tool/model is advisory and informs stage determinations. The framework emphasizes accountability without shutoffs. If a City exceeds its annual budget, a year-end wholesale true-up applies punitive rates based on the percent overage, making excess consumption more expensive rather than interrupting supply. Each City would be accountable for ensuring that reduction goals are met based on each stage of drought, rather than have every City being forced to implement the same water reduction measures. Early stages won't affect low-demand cities, which is favorable to Ivins City. The budget structure and monthly tracking enable targeted local actions. There are several tools Ivins could implement to reduce usage, some might include more aggressive tiered rates, irrigation management or ornamental-lawn irrigation limits and outreach to high users who account for 20-30% of demand.

H. <u>Discuss and consider adopting the updated Storm Water Management Plan 2025</u>

BACKGROUND and RECOMMENDATION: The City Manager suggested a Public Hearing be scheduled for the next City Council meeting on November 6, 2025. Gillespie motion; Smith second

MOTION: Council Member Sharon Gillespie moved to continue item 5)H discussion and adoption of the updated Storm Water Management Plan 2025 until the November 6, 2025 City Council meeting where a Public Hearing will be held

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 02:16:06.

I. <u>Continued discussion regarding approval of a Development Agreement for Red Mountain Resort</u>

BACKGROUND and RECOMMENDATION: Attorney Damon Georgelas representing Red Mountain Resort and Black Desert Resort was present, as were other representatives for the resorts. There has been community outreach and representatives from the HOAs were present and previously met with Ivins City and Black Desert Resort. The name of the community group is Ivins Good Neighbor Alliance. Comments from the Ivins Good Neighbor Alliance were provided and are available as an attachment to this agenda. There were several concerns that a City Council member previously had and those were addressed at the meeting that was held with the City on September 4th. That Council Member wanted to add something regarding the meetings into the Development Agreement in a Whereas statement that reads "The Developer and the City share a mutual interest in maintaining open communication with nearby neighbors and the developer agrees to work collaboratively with the City to hold periodic update meetings to provide construction progress information, discuss upcoming activities and address community questions in a timely and transparent manner." The Council Member also requested that a reference to a Construction Management Plan be included and provided the following language: "A City Construction Management Plan shall be required prior to building permit issuance. The plan shall address key issues such as noise, dust, work hours, construction traffic, haul routes, blasting, rock excavation procedures and night time lighting. It shall also include provisions for ongoing updates to the community." The City Attorney clarified that a conditional use permit process and public hearings will be required. Another Council Member referred to there being a central communication contact. The developer clarified that an email is being set up, that being community@blackdesertresort.com. The representative of the HOA's commented that they felt that there has been great collaboration and listening, which is reflected in the comments tonight. The discussion may be accessed at time stamp 02:17:12.

MOTION: Council Member Mike Scott moved to approve the Development Agreement as revised, this red-lined agreement for Red Mountain Resort with the addition of the "Whereas" clause that was mentioned earlier; the addition of a definition of Units in Exhibit B and the addition of a Construction Management to be included.

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 02:38:38.

J. <u>Discussion regarding Ivins Disaster Response Plan to determine inclusion in the General Plan, Policies and Procedures, Ordinance or Manual</u>

BACKGROUND and RECOMMENDATION: This has been developing over a period of time. The draft is available as an attachment to this agenda. The **Mayor and City Council** discussed where this information should be located. The discussion may be accessed at time stamp 02:40:32.

MOTION: Council Member Kevin Smith moved to approve the Ivins Disaster Response Plan as has been submitted, as a guideline for policies and procedures going forward, that will be placed in a prominent or easily found location on Ivins City website so that citizens, employees, staff and Council can find it to refer to so we are all on the same page.

SECOND: Council Member Mike Scott

There was a request for a discussion after the Motion and second. The Mayor and City Council continued to discuss this agenda item. The continued discussion may be accessed at time stamp 02:55:06. After the discussion, the Mayor called for a vote on the current Motion. **All Council Members voted in opposition to the Motion. The Motion failed.**

VOTE: The motion failed unanimously.

Council Member Mike Scott	NAY
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 adopt the Ivins Disaster Response Plan as an addendum to the Public Safety and City's Emergency Management Plan

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 03:00:56.

K. <u>Discussion regarding potential changes to our Land Use and Development Ordinances</u>

BACKGROUND and RECOMMENDATION: A compiled list of suggested changes is available as an attachment to this agenda. There will be a Work Meeting scheduled for November 6, 2025 to discuss these and to give direction to the Planning Commission.

L. <u>Discuss and consider approval of Resolution No. 2025-21R, a Resolution of Ivins City, Utah, approving employee core benefits</u>

BACKGROUND and RECOMMENDATION: Ivins City employees have not abused their healthcare programs and the increase came in at 3.1% overall. The discussion may be accessed at time stamp 03:21:56.

MOTION: Council Member Sharon Gillespie moved to approve Resolution No. 2025-21R, a Resolution of Ivins City, Utah, approving employee core benefits

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 03:24:20. Roll call vote. All Council Members were present and voted in favor.

N. Discussion of valuable take-aways from the Utah League of Cities and Towns Annual Convention

BACKGROUND and RECOMMENDATION: The Mayor and City Council discussed take-aways that were valuable to them. The discussion may be accessed at time stamp 03:24:44.

6) CONSENT AGENDA

A. Approval of City Council Meeting Minutes for September 18, 2025

There was no discussion. The Motion may be accessed at time stamp 03:37:00.

MOTION: Council Member Sharon Barton 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

7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) REPORTS

A. Council

The City Council reports may be accessed at time stamp 03:37:14.

B. Mayor

The report by the Mayor may be accessed at time stamp 03:46:14.

C. City Attorney Bryan Pack

No report.

D. City Manager Chuck Gillette

The City Manager report may be accessed at time stamp 03:52:40.

E. 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 Motion may be accessed at time stamp 04:09:04

The meeting adjourned at 9:40 p.m.

Respectfully,

Kari D. Jimenez, MPA, MMC
Ivins City Recorder