IVINS CITY COUNCIL
MEETING MINUTES
DECEMBER 18, 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: Building and Zoning Administrator Rob Dalley, Public Works Director and City Engineer Tom Jorgensen, Director of Finance Cade Visser, and City Recorder Kari D. Jimenez.
EXCUSED: City Manager Chuck Gillette
Audience: Koko Head, Graham Larson, Michele & Dale Adams, Chris Haddad, Christy Lueders, Geoff Schmidt, Laurel Bryant, Shad Johnsen, Jason Howard, Jerry Armstrong, Gail Fulde, Dillon Hurt, Patty Dupre, Larry & Val Cazier, Floyd Wynn, Wayne & Laura Pennington, Liz Fortney, Eric & Lynn Savage, Chad & Jennifer Petersen, Judith Kapuscinski, Becky & Chuck Warren and others who did not sign in.

A. Acknowledgement of Quorum

Mayor Chris Hart acknowledged there was a quorum present. Council Member Anderson was not in attendance at the time of the acknowledgement. All other Council Members were in attendance.

B. Flag Salute

Council Member Smith led the Flag Salute

C. Invocation

Council Member Smith gave the Invocation

D. Disclosures

Mayor Chris Hart referred to agenda items 4)A and 4)B and disclosed that those agenda items relate to him. Council Member Lance Anderson was not present when this agenda item was addressed. There were no other disclosures or conflicts of interest with items on this meeting's agenda.

2) REPORTS AND PRESENTATIONS

A. Department Reports: Building & Zoning; 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: 00:03:08
Public Works Director and City Engineer Tom Jorgensen: 00:04:34
Director of Finance Cade Visser: 00:19:34
Council Member Lance Anderson arrived at 5:46 p.m. and disclosed he had a conflict with agenda item 5)G, as he is the applicant on that project. He had no other disclosures or conflicts of interest with items on this meeting's agenda.

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 00:21:10.

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

Mayor Chris Hart suggested that the rules be suspended to bring forward agenda items 5)A and 5)H.

MOTION: Council Member Sharon Gillespie moved suspend the rules and advance discussion items 5)A and 5)H 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 Resolution No. 2025-25R, a Resolution of Ivins City, Utah, honoring a recipient with the Mayor's Award for Community Service

Mayor Chris Hart awarded **Tiffany Wynn** the Mayor's Award for Community Service. The presentation and discussion may be accessed at time stamp 00:28:34.

MOTION: Council Member Sharon Gillespie moved to approve Resolution No. 2025-25R, a Resolution of Ivins City, Utah, honoring Tiffany Wynn, the recipient of the 2025 Mayor's Award for Community Service
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 00:37:08. Roll call vote. All Council Members were present and voted in favor.

H. Continued discussion regarding Fire/EMS facilities

Mayor Chris Hart reported that resident Jeff Schmidt has a family foundation and has pledged a donation of $2 million dollars to be used to leverage additional funding partly of matching funds for the remodel of the fire station on Center Street in Ivins. Mr. Schmidt and his foundation have donated generously in the past in support of public safety. There will be a plaque in the remodeled fire station building for all who make donations for the remodel and the donation can be leveraged to seek every kind of grant out there for public safety facilities funding. On behalf of the community, the City expressed gratitude for the donations. Mr. Schmidt is fascinated in construction and is going to shadow Mayor Chris Hart on the project and has suggested naming the building Ivins City Community Fire Station or something similar. The discussion may be accessed at time stamp 00:38:00.

4) PUBLIC HEARING AND ACTION ITEMS

A. Public Hearing to rename 100 North between Main Street and 100 West to Chris Hart Drive

BACKGROUND and RECOMMENDATION: This is a formality where a Public Hearing is required. **Mayor Chris Hart** opened the Public Hearing. There were several residents that spoke in favor renaming 100 North between Main Street and 100 West to Chris Hart Drive and one resident who suggested other options. There being no other comments in person or through the Zoom application, **Mayor Chris Hart** closed the Public Hearing. The explanation of this agenda item and public comments may be accessed at time stamp 00:52:42.

B. Discuss and consider approval of renaming 100 North between Main Street and 100 West to Chris Hart Drive

BACKGROUND and RECOMMENDATION: The City Council supported renaming 100 North between Main Street and 100 West to Chris Hart Drive. The discussion may be accessed at time stamp 00:00:00.

MOTION: Council Member Mike Scott moved to rename 100 North between Main Street and 100 West to Chris Hart Drive

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 01:08:24.

C. Public Hearing to receive input and consider approval and adoption of the proposed First Amendment to the May 2023 Parks and Trails Impact Fee Facilities Plan, Parks and Trails Impact Fee Analysis and Ordinance

BACKGROUND and RECOMMENDATION: This is an amendment to the Parks and Trails Impact Fee Facilities Plan and Analysis. **Mayor Chris Hart** opened the Public Hearing. There being no comments in person or through the Zoom application, **Mayor Chris Hart** closed the Public Hearing. The explanation of this agenda item may be accessed at time stamp 01:14:04.

D. Discuss and consider approval of Ordinance No. 2025-25, an Ordinance of Ivins City, Utah, amending the approved and adopted Parks and Trails Impact Fee Facilities Plan and Analysis, also known as a Parks and Trails Master Plan and establishing and adopting a Parks and Trails Impact Fee to meet the demands of new growth

The discussion may be accessed at time stamp 01:17:24.

MOTION: Council Member Sharon Barton moved to approve Ordinance No. 2025-25, an Ordinance of Ivins City, Utah, amending the approved and adopted Parks and Trails Impact Fee Facilities Plan and Analysis, also known as a Parks and Trails Master Plan and establishing and adopting a Parks and Trails Impact Fee to meet the demands of new growth

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 01:20:12. Roll call vote. All Council Members were present and voted in favor.

E. Public Hearing on the Planning Commission's recommendations on a proposed amendment to the Lighting Ordinance regarding Sports Facilities

BACKGROUND and RECOMMENDATION: Staff recommends approval. The Parks Department has initiated this draft to help with lighting at the Unity Skate Park, as well as future park growth, specifically regulating sports facility lighting which will allow sporting events without materially impacting the night sky. **Mayor Chris Hart** opened the Public Hearing. The managing Attorney for Black Desert Resort provided comments in support of the amendments. The explanation of this agenda item and public comments may be accessed at time stamp 01:21:10. There being no other comments in person or through the Zoom application, **Mayor Chris Hart** closed the Public Hearing.

F. Discuss and consider approval of Ordinance No. 2025-26, an Ordinance of Ivins City, Utah, amending Section 16.23.105(3)(A) and (18) of the Ivins City Code to more specifically regulate lighting for sports facilities

BACKGROUND and RECOMMENDATION: One Council Member submitted recommended changes and the City Attorney was clear on the changed that needed to be made. The discussion may be accessed at time stamp 01:28:50.

MOTION: Council Member Mike Scott moved to approve Ordinance No. 2025-26, an Ordinance of Ivins City, Utah, amending Section 16.23.105(3)(A) and (18) of the Ivins City Code to more specifically regulate lighting for sports facilities, with the change that the memo called "Amendment to the Lighting Ordinance Regarding Sports Facilities" dated December 16, 2025 that he submitted regarding changes to code sections and in that document under the definition of "Professional Sports Facility", clarify that that also means a City owned park outdoor sports lighting and in the "General Sports Facility" section where it addresses pole height, indicate that in no case shall sports lighting poles for a general sports facility exceed 22 feet in height.

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 01:39:54.

5) DISCUSSION AND POTENTIAL ACTION ITEMS

B. Discuss and consider approval of installation of the section 5 fence at the Ivins City Cemetery

BACKGROUND and RECOMMENDATION: As part of the plan for installing Section 5 of the Ivins City Cemetery, a matching fence is to be constructed along the south side of the new section, consistent with the existing fencing on the south side of the current cemetery. The area is prepared and ready for this improvement, which is funded in the fiscal year ending 2026 budget.

This is a new capital improvement that is not a routine purchase and requires City Council approval. The discussion may be accessed at time stamp 01:41:38.

MOTION: Council Member Kevin Smith moved to approve installation of the section 5 fence at the Ivins City Cemetery

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 01:43:13.

C. <u>Continued discussion to consider approval of expenditure to purchase Verkada security system</u>

BACKGROUND and RECOMMENDATION: This agenda item was moved to a future City Council agenda.

D. <u>Discuss and consider approval of the updated Consolidated Fee Schedule</u>

BACKGROUND and RECOMMENDATION: This is updated every year or two based on costs. The discussion may be accessed at time stamp 01:44:44.

MOTION: Council Member Sharon Gillespie moved to approve the 2025 Consolidated Fee Schedule with the potential amendment of the identical plan check being made so that it will reflect state law and lower the hot water change out and the mechanical change out from $100 to $50

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 01:56:08.

E. <u>Discuss and consider approval of an expenditure for construction of 400 East Storm Drain Replacement project 2026</u>

BACKGROUND and RECOMMENDATION: Along 400 East in Ivins City, there is a storm drain trunk line located along the centerline of the roadway. The road section is inverted with a concrete valley gutter running down the middle. The existing storm drain pipe was installed in the early 1990's and the City has experienced issues with this pipeline for many years. The city's most recent Storm Drain Master Plan identified this trunk line as deficient in capacity and due to a combination of structural issues, maintenance history and capacity deficiency, it has been planned to replace and upsize the storm drain line along 400 East. The discussion may be accessed at time stamp 01:57:24.

MOTION: Council Member Sharon Barton moved to approve an expenditure for construction of 400 East Storm Drain Replacement project 2026 for a total of $342,270.00

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 02:04:12.

F. <u>Discuss and consider approval of surplus of clean dirt fill from Dam #6 of the Red Mountain Dams on the north side of Ivins City</u>

BACKGROUND and RECOMMENDATION: The Red Mountain Dams are located on the north side of Ivins City along Red Mountain. They were constructed in the 1970s as sediment and debris basins to protect Ivins City from flooding and from the sediment and debris that accompany flooding. The City is responsible for maintaining the dams, which includes periodic removal of accumulated sediment. On occasion developers working with contractors require fill material for development projects and in most cases contractors are willing to purchase the sediment and remove it from the basins at their own expense in exchange for the clean fill material and that is the case here. There was discussion regarding the need of the City for this fill dirt material in the future. The discussion may be accessed at time stamp 02:04:48.

MOTION: Council Member Kevin Smith moved to approve a surplus of clean dirt fill from Dam #6 of the Red Mountain Dams on the north side of Ivins City up to 50,000 yards
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 02:19:48.

The meeting was in recess for 5 minutes from 7:52 p.m. to 7:57 p.m.

G. <u>Discuss and consider approval of a Conditional Use Permit and Development Agreement for the Mojave Village Development</u>

BACKGROUND and RECOMMENDATION: This agenda item related to a combined Class V Conditional Use Permit (CUP) and Development Agreement for the Mojave Village Development. The owner and applicant, Lance Anderson and AnA Enterprises, LLC, is requesting approval of short-term rental resort-style project. The application is complete and compliant with City Code and the General Plan. The Planning Commission held a Public Hearing and recommended approval. Council Member Lance Anderson recused himself and sat in the audience. The discussion focused on short-term rentals, occupancy limits, density, parking, amenities, on-site management, enforcement mechanisms, ADA compliance, phasing, and water conservation. Concerns were raised about investor ownership, impacts of tourism, lack of amenities, and the practical enforceability of occupancy and management requirements. Important compromises and conditions discussed included limiting the project to a mix of 3- and 4-bedroom units; establishing occupancy limits of 8 people for the 3-bedroom units and 10 people for the 4-bedroom units for short-term rentals and no requirement for an on-site

management company. There were clarifications and modifications related to accessibility requirements, signage, liability applied to the owner, water conservation standards, and licensing each unit individually for enforcement purposes, with suspension of short-term rental privileges for up to 90 days after repeated violations. Two City Council Members recognized that the developer had the legal right to build this project and had great respect for Lance Anderson but based on principle, could not vote for any short-term rental project. Two City Council Members supported approval with strong conditions, noting the project's legal entitlement and negotiated concessions. The discussion may be accessed at time stamp 02:21:52.

MOTION: Council Member Mike Scott moved to approve Conditional Use Permit and Development Agreement for the Mojave Village Development with all of the additions, changes and everything that he put into his memorandum dated December 17th titled "Mojave Village Conditional Use Permit and Development Agreement Issues" except that on page 3 the item labeled "Page 2 #M" delete that because that has been clarified. On page 4 item labeled "Page 2 #11" modify that to say the project shall meet accessibility ADA requirements instead of Resort hotel shall meet. On page 5 item labeled "P4 #2.b.iv" delete that. Below that in "ADDITIONAL REQUIREMENTS" 1) CONSTRUCTION AND PHASING REQUIREMENTS" that can be deleted. On the next page they can delete the phasing information because that has been provided. On page 6 under "ADDITIONAL DEVELOPMENT AND SITE REQUIREMENTS" F) Water Conservation, the developer to just work with Ivins requirements and not the Ultra Water Efficiency Standards. On page 7 D) Signage and Contact Information on signage and contact information say to put that by the mailboxes. On page 8 F) Joint Liability and Enforcement just clarify that the penalties only apply to the owner, not the management company. Add 4) F) on page 8 "In addition to civil penalties the City may suspend short term rental operations for individual units for repeated or material violations. For the purpose of enforcement, repeated violations may include 3 or more substantiated violations within a rolling 12 month period or a pattern of violations demonstrating ineffective management. The length of time suspending rental rights will be for 90 days. Occupancy is as is drafted in the memo. On page 8 "OTHER ISSUES" limit it to a mix of 3 and 4 bedrooms with a limit of 560 bedrooms and no unit having more than 4 bedrooms. Each unit will have its own license that can be acted on individually.

SECOND: Council Member Kevin Smith

The City Attorney suggested that each unit will have its own license that can be acted on individually. That was added to the motion. **Council Member Mike Scott** requested a discussion and clarified that he hates short-term rentals. He voted against the rezone of this in 2022, he voted against the Preliminary Plan in 2023, in 2022 he voted against the rezone on the SITLA 113 acres to Resort Commercial, also in 2022 on a 31 acre rezone on Hamblin Parkway he voted against that, In 2023 he voted against the SITLA 113 acre Preliminary Plan short-term rentals. In 2023 he voted against a rezone of 31 acres on Kwavasa to Resort Commercial short-term rentals. In 2024 he voted for a zone change to Resort Commercial on 4.8 acres kiddie corner from this property, but with the condition that short-term rentals would not be allowed. He hates short-term rentals because they are a bad product but the problem is a Preliminary Plan for this development has been approved, the property is Resort Commercial and the owner is entitled to that and he wants strong conditions on the development. He appreciated the negotiations with Lance Anderson and his acceptance of the conditions. **Mayor Chris Hart**

broke the tie vote and voted in favor of approving the Conditional Use Permit and Development Agreement for the Mojave Village Development.

VOTE: The motion carried.

Mayor Chris Hart	AYE
Council Member Mike Scott	AYE
Council Member Kevin Smith	AYE
Council Member Sharon Barton	NAY
Council Member Sharon Gillespie	NAY
Council Member Lance Anderson	ABSTAIN

The Motion may be accessed at time stamp 03:40:18.

Council Member Lance Anderson sat on the dais, rejoining the City Council Members.

6) CONSENT AGENDA

A. Approval of City Council Special Meeting Minutes for November 17, 2025
B. Approval of City Council Work Meeting Minutes for November 20, 2025
C. Approval of City Council Meeting Minutes for November 20, 2025
D. Approval of City Council Work Meeting Minutes for December 4, 2025
E. Approval of City Council Meeting Minutes for December 4, 2025

MOTION: Council Member Mike Scott 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 03:52:18.

7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) REPORTS

A. Council

The City Council reports may be accessed at time stamp 03:52:42.

B. Mayor

The report by the Mayor may be accessed at time stamp 03:55:52.

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) <u>ADJOURNMENT</u>

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 03:56:52.

The meeting adjourned at 9:33 p.m.

Respectfully,

Kari D. Jimenez, MPA, MMC
Ivins City Recorder