IVINS CITY COUNCIL
MEETING MINUTES
JANUARY 15, 2026

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 Kevin Smith, Council Member Mike Scott, Council Member Sharon Gillespie, Council Member Sharon Barton, Council Member Dillon Hurt, and Council Member Wayne Pennington.

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

Audience: Deborah Clarkson, Dave Adams, Tiffany Wynn, Chris Haddad, Jenny Christiansen, Wayne and Laura Pennington, Koko Head, Kathy Barten, Kirk Grant L., Jerry Nostadt, Susan C., Steve Lee, Becky and Chuck Warren, John and Carol Lee Hawkins, Liz Fortney, Shad Johnsen, Bonnie Kline, Gail Fulde and others who did not sign in.

EXCUSED: None.

A. Acknowledgement of Quorum

Mayor Kevin Smith acknowledged there was a quorum present. All Council Members were in attendance.

B. Flag Salute

Council Member Sharon Gillespie led the Flag Salute

C. Invocation

Council Member Sharon Gillespie gave the Invocation

D. Disclosures

Council Member Sharon Gillespie referred to agenda item 5)B and disclosed a conflict, indicating that she is on the board of one of the applicants. **Mayor Kevin Smith** referred to the same agenda item and disclosed a conflict, indicating that he is the CEO of Tuacahn, one of the applicants.

2) REPORTS, PRESENTATIONS AND APPOINTMENTS

A. Award presented by the Breathe Care Resource Center

Tanya Wambold was presented with the Angel Award. "Breathe" is an acronym for Bringing Relief Especially At The Home Environment. The Breathe Care Resource Center is a food pantry in Santa Clara that also assists with childcare. They are a valuable community resource. The Breathe Care Resource Center voted to present Tanya Wambold with the award, recognizing individuals for extraordinary services and impact for the community in 2025. The discussion may be accessed at time stamp 00:04:40.

B. Presentation regarding the Washington County Fair

A presentation was provided by representatives of the Washington County Fair regarding the 2026 fair that will be held April 10th through April 18th at Legacy Park in Hurricane. Additional

information is available on their website at washcofair.net. The discussion may be accessed at time stamp 00:07:00.

C. Presentation regarding proper battery disposal

A presentation was provided by a representative of Republic Services regarding property battery disposal. Additional information is available on their website at https://www.republicservices.com/residents/recycling-and-solid-waste/bulbs-and-batteries. The discussion may be accessed at time stamp 00:15:08.

D. *Discuss and consider approval of Resolution No. 2026-02R, a Resolution of Ivins City, Utah, appointing a City Council Member to fill a Mid-Term Vacancy and swearing in of appointed City Council Member

BACKGROUND and RECOMMENDATION: The applicants were interviewed in depth at a Work Meeting held on Tuesday, January 13th. The City Attorney explained the process. A ballot will be handed out by the City Recorder to the Mayor and City Council members after their discussion. The Mayor and City Council will cast their vote on the ballot and hand it to the City Recorder, who will then read each ballot and tally the votes. There will be a motion on the Resolution and a roll call vote. An "aye" or "yes" vote of the Resolution does not signify who the Mayor and City Council voted for. What the Mayor and City Council are signifying is that that person is duly appointed by the Mayor and City Council to fill that seat and that this process was transparent, thorough, fair and by law. The **Mayor and City Council** expressed that the City is fortunate to have three (3) stellar candidates and extended their "thank you" to all three (3) candidates. The City Recorder provided the Mayor and City Council members with a ballot, the Mayor and City Council cast their vote by secret ballot, the City Recorder read each ballot and tallied the votes. There were two (2) votes for Shad Johnsen and three (3) votes for Wayne Pennington. The discussion may be accessed at time stamp 00:20:18.

MOTION: Council Member Mike Scott moved to approve Resolution No. 2026-02R, a Resolution of Ivins City, Utah, appointing a City Council Member to fill the Mid-Term Vacancy, that member being Wayne Pennington

SECOND: Council Member Sharon Barton

VOTE: The motion carried unanimously.

Council Member Mike Scott	AYE
Council Member Sharon Gillespie	AYE
Council Member Sharon Barton	AYE
Council Member Dillon Hurt	AYE

Roll call vote. The City Council Members were present and voted in favor. The City Recorder gave Wayne Pennington the Oath of Office and he was sworn in as the appointed City Council Member for the Mid-Term Vacancy

E. 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: 00:38:14
Public Works Director and City Engineer Tom Jorgensen: 00:39:14
Director of Finance Cade Visser: 01:03:00

F. Planning Commission Report

A report was provided to the Mayor and City Council. The report provided by Building and Zoning Administrator Rob Dalley may be accessed at time stamp 01:04:14.

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 remove Arundo Donax as an allowed screen for storage of personal property

BACKGROUND and RECOMMENDATION: Arundo Donax is most commonly known as bamboo, is designated by the State of Utah as noxious and is listed on the Utah Noxious Weed List. The Washington County Noxious Weed Control has sent information to property owners who have this on their property, requiring them to remove it. **Mayor Kevin Smith** opened the Public Hearing. **Mayor Kevin Smith** opened the Public Hearing. There being no comments in person or through the Zoom application, **Mayor Kevin Smith** closed the Public Hearing. The explanation of this agenda item may be accessed at time stamp 01:08:28.

B. Discuss and consider approval of Ordinance No. 2026-01, an Ordinance of Ivins City, Utah, removing Arundo Donax as an allowed screen for storage of personal property

BACKGROUND and RECOMMENDATION: Exhibit A to the Ordinance outlines the changes. The City Council recommended additional changes that the City Attorney will incorporate into the final Ordinance.

MOTION: Council Member Sharon Barton moved to approve Ordinance No. 2026-01, an Ordinance of Ivins City, Utah, removing Arundo Donax as an allowed screen for storage of personal property, with the recommended amendments

SECOND: Council Member Sharon Gillespie

VOTE: The motion carried unanimously.

Council Member Mike Scott	AYE
Council Member Sharon Gillespie	AYE
Council Member Sharon Barton	AYE
Council Member Dillon Hurt	AYE
Council Member Wayne Pennington	AYE

The Motion may be accessed at time stamp 01:15:24. Roll call vote. All Council Members were present and voted in favor.

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Arts Commission's Annual Report

BACKGROUND and RECOMMENDATION: An Ivins City Arts Commission representative provided an annual report to the Mayor and City Council. A copy of the report is available as an attachment to this agenda. The discussion may be accessed at time stamp 01:16:32.

B. Discuss and consider Arts Commission's recommendations for distribution of RAP Tax Arts Funds

Mayor Kevin Smith and Council Member Sharon Gillespie recused themselves and sat in the audience during this discussion, having disclosed a conflict with this agenda item.

BACKGROUND and RECOMMENDATION: The Arts Commission provided a written recommendation and explanation for their recommendations, a copy of which is available as an attachment to this agenda. The Arts Commission recommended the following award of funds: Ivins Inspired: $10,000; Kayenta Arts Foundation: $6,005.45 and Tuacahn Center for the Arts: $6,005.45. The City Council agreed with the Arts Commission's recommendations. The discussion may be accessed at time stamp 01:21:40.

MOTION: Council Member Mike Scott moved to approve the Arts Commission's recommendations for funding $6,005.45 to Kayenta Arts Foundation, $6,005.45 to Tuacahn

Center for the Arts and $10,000 to Ivins Inspired
SECOND: Council Member Sharon Barton
VOTE: The motion carried.

Council Member Mike Scott	AYE
Council Member Sharon Barton	AYE
Council Member Dillon Hurt	AYE
Council Member Wayne Pennington	ABSTAIN
Council Member Sharon Gillespie	RECUSE

The Motion may be accessed at time stamp 01:42:06.

C. <u>Discuss and consider the Planning Commission's recommendation on a Proposed Class V Conditional Use Permit Application for Enbridge Energy Gas Regulator Station. Located at approximately 1650 E Snow Canyon Drive. Enlaw, LLC-Owner. Enbridge Gas Utah, LLC-Applicant</u>

BACKGROUND and RECOMMENDATION: The owner and applicant is requesting a gas regulator station to service development. The Planning Commission and Staff have recommended approval. The **Mayor and City Council** thanked Enbridge Gas for them doing everything the Council asked for as it relates to potential issues. The discussion may be accessed at time stamp 01:45:30.

MOTION: Council Member Sharon Gillespie moved to approve Conditional Use Permit Application for Enbridge Energy Black Desert Gas Regulator Station
SECOND: Council Member Mike Scott
VOTE: The motion carried unanimously.

Council Member Mike Scott	AYE
Council Member Sharon Gillespie	AYE
Council Member Sharon Barton	AYE
Council Member Dillon Hurt	AYE
Council Member Wayne Pennington	AYE

The Motion may be accessed at time stamp 01:48:04.

D. <u>*Discuss and consider approval of Fiscal Year 2026/2027 Budget Preparation calendar</u>

BACKGROUND and RECOMMENDATION: The Director of Finance summarized the Budget Preparation Schedule for Fiscal Year 2026-2027. A copy of the schedule is available as an attachment to this agenda. The discussion may be accessed at time stamp 01:48:42.

MOTION: Council Member Sharon Gillespie moved to approve the Fiscal Year 2026/2027 Budget Preparation calendar
SECOND: Council Member Dillon Hurt
VOTE: The motion carried unanimously.

Council Member Mike Scott	AYE
Council Member Sharon Gillespie	AYE
Council Member Sharon Barton	AYE
Council Member Dillon Hurt	AYE
Council Member Wayne Pennington	AYE

The Motion may be accessed at time stamp 01:57:36.

E. <u>*Preliminary discussion of an Ordinance regarding adoption of the 2006 Wildland-Urban Interface Code</u>

BACKGROUND and RECOMMENDATION: House Bill 48 was passed by the Utah Legislature during the 2025 General Session and became law effective January 1, 2026. Its main purpose is to reduce wildfire risk in areas where development meets wildland vegetation, commonly known as the Wildland-Urban Interface (WUI). The law establishes statewide frameworks for risk assessment, mitigation responsibilities, insurance transparency, and building safety in wildland-fire-prone areas. There will be an incentive for existing owners to create defensible space around their property to lower their wildfire risk score or rating. The **Mayor and City Council** suggested that the City hold a Talk-About with residents sooner rather than later. The Ordinance is a land use ordinance which requires a Public Hearing before the Planning Commission and a Public Hearing before the City Council. The discussion of this agenda item was continued to the next City Council meeting. This discussion may be accessed at time stamp 01:58:02.

F. <u>*Discuss and consider approval of Ordinance No. 2026-03, an Ordinance of Ivins City, Utah, amending the Purchasing Policy to adjust limits on purchase amounts for building improvements, public works projects and professional services</u>

BACKGROUND and RECOMMENDATION: The current ordinance was put into place years ago and aligned with the State purchasing limits but the State has increased the purchasing limits substantially and updating this ordinance would align with the State, as well as assist in moving projects along quicker and would be more efficient. The discussion may be accessed at time stamp 02:33:08.

MOTION: Council Member Sharon Gillespie moved to approve Ordinance No. 2026-03, an Ordinance of Ivins City, Utah, amending the Purchasing Policy to adjust limits on purchase amounts for building improvements, public works projects and professional services

SECOND: Council Member Sharon Barton

VOTE: The motion carried unanimously.

Council Member Mike Scott	AYE
Council Member Sharon Gillespie	AYE
Council Member Sharon Barton	AYE
Council Member Dillon Hurt	AYE
Council Member Wayne Pennington	AYE

The Motion may be accessed at time stamp 02:37:16. Roll call vote. All Council Members were present and voted in favor.

G. <u>Continued discussion to consider approval of Ordinance No. 2025-24, an Ordinance of Ivins City, Utah, amending Section 16.19.102 of the Ivins City Code to require the installation of bike racks in all new commercial developments and make technical changes</u>

BACKGROUND and RECOMMENDATION: Changes were recommended at a prior City Council meeting and this is the finalized Ordinance. The Mayor and City Council made additional changes. The discussion may be accessed at time stamp 02:38:08.

MOTION: Council Member Sharon Gillespie moved to approve Ordinance No. 2025-24, an Ordinance of Ivins City, Utah, amending Section 16.19.102 of the Ivins City Code to require the installation of bike racks in all new commercial developments and make technical changes, with the changes the Council notified referring to bike spaces and not bike racks and as read tonight

SECOND: Council Member Sharon Barton

VOTE: The motion carried unanimously.

Council Member Mike Scott	AYE
Council Member Sharon Gillespie	AYE
Council Member Sharon Barton	AYE
Council Member Dillon Hurt	AYE
Council Member Wayne Pennington	AYE

The Motion may be accessed at time stamp 02:42:52. Roll call vote. All Council Members were present and voted in favor.

H. Discuss and consider electing a Mayor Pro Tem for the 2026 calendar year

BACKGROUND and RECOMMENDATION: Council Member Sharon Gillespie was nominated as the Mayor Pro Tem for the 2026 calendar year. The discussion may be accessed at time stamp 02:44:00.

MOTION: Council Member Mike Scott moved nominate Sharon Gillespie as Mayor Pro Tem for the 2026 calendar year

SECOND: Council Member Dillon Hurt

VOTE: The motion carried unanimously.

Council Member Mike Scott	AYE
Council Member Sharon Gillespie	AYE
Council Member Sharon Barton	AYE
Council Member Dillon Hurt	AYE
Council Member Wayne Pennington	AYE

The Motion may be accessed at time stamp 02:44:02.

I. Training on Open Meetings and requirements for disclosure of conflicts

BACKGROUND and RECOMMENDATION: A training presentation was provided by City Attorney Bryan Pack regarding Utah Open and Public Meetings. A copy of the presentation is available as an attachment to this agenda and the discussion may be accessed at time stamp 02:46:18.

6) CONSENT AGENDA

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

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

SECOND: Council Member Dillon Hurt

VOTE: The motion carried unanimously.

Council Member Mike Scott	AYE
Council Member Sharon Gillespie	AYE
Council Member Sharon Barton	AYE
Council Member Dillon Hurt	AYE
Council Member Wayne Pennington	AYE

The Motion may be accessed at time stamp 03:09:38.

7) CONSENT AGENDA ITEMS FOR DISCUSSION - None

8) REPORTS

A. *Legislative Policy Committee report

The Legislative Policy Committee report may be accessed at time stamp 03:11:02.

B. Council

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

C. Mayor

The report by the Mayor may be accessed at time stamp 03:10:28.

D. City Manager Chuck Gillette

The City Manager report may be accessed at time stamp 03:22:30.

E. City Attorney Bryan Pack

No report.

F. 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 Dillon Hurt moved to adjourn

SECOND: Council Member Mike Scott

VOTE: The motion carried unanimously.

Council Member Mike Scott	AYE
Council Member Sharon Gillespie	AYE
Council Member Sharon Barton	AYE
Council Member Dillon Hurt	AYE
Council Member Wayne Pennington	AYE

The Motion may be accessed at time stamp 03:30:42. The meeting adjourned at 9:00 p.m.

Respectfully,

Kari D. Jimenez, MPA, MMC
Ivins City Recorder