IVINS CITY COUNCIL
MEETING MINUTES
APRIL 2, 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 Pro Tem Sharon Gillespie, Council Member Mike Scott, Council Member Sharon Barton, Council Member Dillon Hurt, and Council Member Wayne Pennington.
STAFF: City Manager Chuck Gillette, City Attorney Bryan Pack, Parks and Recreation Director Marc Christensen, Police Captain Rich Rodgers, Division Chief/Fire Marshal Con Fulde, Director of Finance Cade Visser, and City Recorder Kari D. Jimenez.
EXCUSED: Mayor Kevin Smith
Audience: Wayne & Cheryl Sietz, Bonnie Kline, James Barden, Debi Clarkson, Gail Fulde, Justin & Sandy Bennett, Randon Lessing, Shad Johnsen, Tara Carter, Lance & Lynn Brady, Jenny Christiansen, Matt & Kirra Dixon, Cody & Nikki Mitchell, Jerry Nostadt and others who did not sign in.

A. Acknowledgement of Quorum

Mayor Pro Tem Sharon Gillespie acknowledged there was a quorum present. All Council Members were in attendance. Mayor Kevin Smith was excused.

B. Flag Salute

Council Member Mike Scott led the Flag Salute

C. Invocation

Council Member Mike Scott gave the Invocation

D. Disclosures

Council Member Dillon Hurt referred to agenda item 5)A regarding the Special Height Exception for The Church of Jesus Christ of Latter-Day Saints and disclosed that he is a member of that church but not monetarily compensated and should not preclude him from voting on that agenda item. There were no other disclosures or conflicts of interest with items on this meeting's agenda.

2) REPORTS, PRESENTATIONS AND APPOINTMENTS

A. Proclamation regarding Child Abuse Awareness Month

BACKGROUND and RECOMMENDATION: Representatives Melissa Webb and Geraldine Petrosa with Prevent Child Abuse Utah were present and provided information about the organization they represent. Additional information may be accessed on the Prevent Child Abuse Utah website at https://pcautah.org/. Mayor Pro Tem Sharon Gillespie read the Proclamation. The discussion may be accessed at time stamp 00:04:02.

B. Department Reports: Parks and Recreation; Public Safety

Electronic reports are available as attachments to this agenda. Verbal reports given by Parks and Recreation Director Marc Christensen, Division Chief/Fire Marshal Con Fulde, and Police Captain Rich Rodgers, may be accessed at the following time stamps:
Parks and Recreation Director Marc Christensen: 00:13:32

Police Captain Rich Rodgers reporting on behalf of Police Chief Jaron Studley: 00:22:36
Division Chief/Fire Marshal Con Fulde reporting on behalf of Fire Chief Dan Cazier: 00:26:32

C. Planning Commission Report

A report was provided to the Mayor Pro Tem and City Council. The report provided by Chairperson/Commissioner Perry Brown may be accessed at time stamp 00:31:08.

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 the termination of an easement by release between Ivins City and Enclave Red Mountain Row LLC, a Utah Limited Liability Company regarding easements originally granted by Document #0376429 and #0376421 recorded with the Office of the County Recorder Washington County, Utah

BACKGROUND and RECOMMENDATION: Staff recommends abandoning Ivins City's interest in an existing sewer easement due to the relocation and upsizing of the sewer line as part of the Vera/Cole West development. The current easement is no longer needed and its removal will eliminate an unnecessary encumbrance and align with the updated utility layout. Staff recommended approval with conditions to ensure no lapse in the City's access and maintenance rights, including securing a replacement easement and coordinating related actions with Santa Clara.

Mayor Pro Tem Sharon Gillespie opened the Public Hearing. There being no comments in person or through the Zoom application, **Mayor Pro Tem Sharon Gillespie** closed the Public Hearing. The explanation of this agenda item may be accessed at time stamp 00:36:24.

B. Discuss and consider approval of Ordinance No. 2026-12, an Ordinance of Ivins City, Utah, terminating an easement by release between Ivins City and Enclave Red Mountain Row, LLC a Utah Limited Liability Company regarding easements originally granted by Document #0376429 and #0376421 Recorded with the Office of County Recorder for Washington County, Utah.

BACKGROUND and RECOMMENDATION: One Council Member had a question with regard to actions referenced in the Finding and Analysis as it relates to Ivins City's abandonment does not become effective until the related actions necessary to protect the City's sewer interests have occurred. Those conditions include the City of Santa Clara vacating its corresponding easement interest and Ivins City receiving a replacement easement, whether by separate document or on the recorded final plat for the new subdivision, and inquired if that had occurred. The City Attorney clarified that the Ordinance makes it expressly conditioned upon recording of a plat or some other document that provides Ivins City with the new easement. He suggested that when a Motion is made to approve this, that the Council authorize the Mayor to sign any documents that might be necessary coming forward as it relates to this agenda item, as long as it does not contradict what the Council has addressed here. The discussion may be accessed at time stamp 00:37:28.

MOTION: Council Member Sharon Barton moved to approve Ordinance No. 2026-12, an Ordinance of Ivins City, Utah, terminating an easement by release between Ivins City and Enclave Red Mountain Row, LLC a Utah Limited Liability Company regarding easements originally granted by Document #0376429 and #0376421 Recorded with the Office of County Recorder for Washington County, Utah, and that they include any further documents that may need to be signed by the Mayor

SECOND: Council Member Dillon Hurt

Mayor Pro Tem Sharon Gillespie added that this is an Ordinance vacating Ivins Municipal Utility Easement located in Lava Flow Wash, generally between Rachel Drive and Pioneer Parkway in Santa Clara, Utah

VOTE: The motion carried unanimously.

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

The Motion may be accessed at time stamp 00:39:10. Roll call vote. All Council Members were present and voted in favor.

C. <u>Public Hearing on the Planning Commission's recommendation to deny a Concurrent Map Amendment from MDR (Medium-Density Residential) to HDR (High-Density Residential) Land Use, and R-1-10 (Residential Single Family minimum lot size 10,000 sq ft) Zone to R-2-10 (Residential Two-Family District, minimum lot size 10,000 sq ft) on approximately .23 acres – Justin Bennett Applicant/Owner – 320 North Main Street</u>

BACKGROUND and RECOMMENDATION: Staff explained that the applicant is requesting a zone change to allow construction of a twinhome (two attached residential units) for rental purposes, noting that R-2-10 zoning permits two residences but not condominiums. There are no laws that would preclude any homeowner from turning their single-family home into a long-term rental. **Mayor Pro Tem Sharon Gillespie** opened the Public Hearing.

Many of the residents who spoke were opposed to this change, citing concerns regarding increased traffic, strain on infrastructure, increased density, incompatibility with the existing single-family neighborhood character, potential declines in property values and quality of life, and the potential for setting a precedent that could lead to additional similar requests on nearby vacant lots. These residents emphasized alignment with the General Plan's preference for low-density development, expressed concerns about spot zoning, and noted that existing options such as ADUs (Accessory Dwelling Units) already provide rental opportunities without changing zoning. Additional concerns included impacts from rentals based on personal experiences like noise, property maintenance, and public safety issues, lack of guarantees for true housing affordability, water supply concerns, and the perception that the proposal primarily serves investment purposes rather than community benefit.

Other residents, including the applicant, spoke in support of this change, highlighting the need for attainable housing and rental opportunities in Ivins. One resident noted that renting is necessary for some individuals to live in the community, while the applicant emphasized responsible property management, the high cost of homeownership in Ivins, and the limited availability of attainable housing options. The applicant also stated it was his intent to contribute positively to the community and provide well-managed rental housing.

There being no other comments in person or through the Zoom application, **Mayor Pro Tem Sharon Gillespie** closed the Public Hearing. The discussion may be accessed at time stamp 00:41:10.

D. <u>Discuss and consider the Planning Commission's recommendation to deny a Concurrent Map Amendment from MDR (Medium-Density Residential) to HDR (High-Density Residential) Land Use, and R-1-10 (Residential Single Family minimum lot size 10,000 sq ft) Zone to R-2-10 (Residential Two-Family District, minimum lot size</u>

10,000 sq ft) on approximately .23 acres – Justin Bennett Applicant/Owner – 320 North Main Street

BACKGROUND and RECOMMENDATION: The City Council held a divided discussion on a proposed duplex and zone change, weighing the need for "missing middle" housing against preserving the character of a single-family neighborhood. Council Members Dillon Hurt, Wayne Pennington, and Sharon Gillespie generally supported the proposal, emphasizing the lack of attainable, middle-density housing in Ivins, the opportunity for younger residents to enter the housing market, and the suitability of the location for walkable, balanced growth. They acknowledged concerns about setting precedent but suggested such requests could be evaluated on a case-by-case basis, particularly given the City's outdated Land Use Plan and increasing pressure to address housing diversity. In contrast, Council Members Sharon Barton and Mike Scott opposed the change, citing concerns about spot zoning, inconsistency with the General Plan, and the importance of maintaining neighborhood stability and predictability. They advocated for alternatives such as accessory dwelling units (ADUs) and a more comprehensive, citywide approach to land use changes rather than parcel-by-parcel decisions. Ultimately, the Concurrent Map Amendment Land Use and Zone change was approved by a 3 to 2 vote. The discussion may be accessed at time stamp 01:20:02.

MOTION: Council Member Wayne Pennington moved to approve application for a Concurrent Map Amendment from MDR (Medium-Density Residential) to HDR (High-Density Residential) Land Use, and R-1-10 to R-2-10 at 320 North Main Street

SECOND: Council Member Dillon Hurt

VOTE: The motion carried.

Mayor Pro Tem Sharon Gillespie	AYE
Council Member Dillon Hurt	AYE
Council Member Wayne Pennington	AYE
Council Member Mike Scott	NAY
Council Member Sharon Barton	NAY

The Motion may be accessed at time stamp 01:49:42. Roll call vote. Three Council Members voted in favor and two Council Members voted in opposition. The motion passed.

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and consider the Planning Commission's recommendation of a Special Height Exception for The Church of Jesus Christ of Latter-Day Saints, located at approximately 300 East and 200 South

BACKGROUND and RECOMMENDATION: This is request for a Special Height Exception for a new meetinghouse for The Church of Jesus Christ of Latter-day Saints located at approximately 300 East and 200 South. The application was reviewed by City staff and determined to be complete and consistent with City Code and the General Plan, with the primary consideration being whether the proposed height exception would create any adverse impacts. This exception is being requested to accommodate the specific building type. Staff worked with the applicant to reduce grading by approximately five feet, resulting in a total height exception of 38 feet. Staff recommended approval of the request. The Mayor and City Council agreed that the only potential issue was the steeple, which would not be obstructive. The discussion may be accessed at time stamp 01:50:44.

MOTION: Council Member Sharon Barton moved to approve the Planning Commission's recommendation of a Special Height Exception for The Church of Jesus Christ of Latter-

Day Saints, located at approximately 300 East and 200 South
SECOND: Council Member Mike Scott
VOTE: The motion carried unanimously.

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

The Motion may be accessed at time stamp 01:57:00.

B. <u>Continued discussion to consider approval of selection of vendor for the Water Advanced Metering Infrastructure (AMI) System Implementation project</u>

BACKGROUND and RECOMMENDATION: This agenda item was continued from the last City Council meeting so that Council Member Mike Scott could be present to discuss this. Staff is recommending the selection of the Hydro Specialties/Badger Meter BEACON cellular system as the preferred vendor for the City's Advanced Metering Infrastructure (AMI) water system upgrade, following a competitive RFP process that identified Hydro and Sensus as qualified finalists. While both systems meet the City's objectives, staff determined the Hydro solution is the better long-term fit due to its infrastructure-free cellular design, which eliminates the need for City-owned towers or network equipment, reduces complexity and risk, and allows for faster, more flexible phased implementation. The Hydro system also enables the City to retrofit many existing meters, preserving assets and lowering upfront costs, while providing a strong customer interface through the BEACON and EyeOnWater platforms for real-time usage data, leak detection, and improved customer communication. Although the Sensus system offers advantages such as on-demand reads, strong local support, and longer full warranty periods, it requires significant fixed-network infrastructure, higher initial costs and a more complex operational model. Funding sources include state funding, Washington County Water Conservancy District contributions, and the City's water enterprise fund. Council Member Mike Scott suggested some language in the agreement that provides for some guardrails that the .90 cents per month does jump significantly and includes the Washington County Water Conservancy District's suggestion to try and include the opportunity for Kayenta Water Users Association, Black Desert or anyone within Ivins to piggyback on this. The discussion may be accessed at time stamp 01:57:58.

MOTION: Council Member Mike Scott moved to approve the agreement with direction to the Public Works Director to work with the vendor to incorporate reasonable guardrails on future increases in the annual service costs per end point and establish a framework for potential participation by other water providers within Ivins. The Director is authorized to finalize the agreement with such refinements as he determines appropriate consistent with these objectives
SECOND: Council Member Sharon Barton
VOTE: The motion carried unanimously.

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

The Motion may be accessed at time stamp 02:01:32.

C. Continued discussion to consider approval of the Restated Interlocal Agreement Governing Law Enforcement and Fire/EMS Services

BACKGROUND and RECOMMENDATION: The restated interlocal agreement between Ivins City and Santa Clara City formalizes their continued partnership in providing consolidated law enforcement and Fire/EMS services, replacing prior agreements and establishing updated terms effective July 1, 2026. Under the agreement, Ivins will continue to operate the Police Department and Santa Clara will continue to operate the Fire Department, with both cities sharing costs based on a formula weighted 67% by population and 33% by five-year averaged call volume, subject to a cap limiting annual cost share changes to 1%. The agreement establishes a six-year term with automatic renewals, outlines clear procedures for termination, both for cause and without cause at the end of a term, and provides detailed processes for asset division if the agreement ends. Annual budgets are required, with limits on increases, and fixed facilities remain the responsibility of the city in which they are located. The agreement also creates a Public Safety Work Group and requires an annual joint council meeting to ensure communication and oversight. Exhibits further define the services, staffing expectations, and operational authority for each department, including reporting structures and resource responsibilities. The agreement is intended to provide long-term stability, equitable cost sharing, and clear governance for the joint public safety services between the two cities. One Council Member would like a chart of accounts included as an addendum to the agreement that outlines paragraph added to the agreement that outlines items that the cities are sharing and not sharing. One Council Member would like a paragraph added to the agreement that includes animal services. Ivins City will go back to the City of Santa Clara regarding the requested additions to the agreement. This agenda item was continued to the next City Council meeting. The discussion may be accessed at time stamp 02:03:02.

D. Discussion of fire station remodel and expansion fundraising

BACKGROUND and RECOMMENDATION: The Mayor and City Council discussed issues addressed in a memo, a copy of which is available as an attachment to this agenda. The memo outlined the financial, policy, and governance considerations for a potential fundraising campaign to support the renovation and expansion of the Center Street Fire Station. Although the project was not originally prioritized in the City's five-year capital plan, a recent study and growth have made the project more urgent. The memo presents a preliminary $5 million funding scenario that relies on a mix of a $2 million leadership donation, impact fees, major donors, grants, and contributions from the capital projects fund, while noting that funding gaps and cost increases remain key uncertainties. There are several decisions the City Council needs to make. Council oversight is essential to ensure transparency, fiscal responsibility, and alignment with City priorities. The discussion may be accessed at time stamp 03:10:52.

6) CONSENT AGENDA

A. Approval of City Council Work Meeting Minutes for March 5, 2026
B. Approval of City Council Meeting Minutes for March 5, 2026

MOTION: Council Member Mike Scott moved to approve the Consent Agenda
SECOND: Council Member Wayne Pennington
VOTE: The motion carried unanimously.

Mayor Pro Tem Sharon Gillespie	AYE
Council Member Mike Scott	AYE
Council Member Sharon Barton	AYE

Council Member Dillon Hurt	AYE
Council Member Wayne Pennington	AYE

The Motion may be accessed at time stamp 03:33:20.

7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) REPORTS

A. Council

The City Council reports may be accessed at time stamp 03:33:36.

B. Mayor

Mayor Kevin Smith was excused. No report.

C. City Manager Chuck Gillette

The City Manager report may be accessed at time stamp 03:37:00.

D. City Attorney Bryan Pack

No report

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 Dillon Hurt moved to adjourn

SECOND: Council Member Wayne Pennington

VOTE: The motion carried unanimously.

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

The Motion may be accessed at time stamp 03:45:10. The meeting adjourned at 9:15 p.m.

Respectfully,

Kari D. Jimenez, MPA, MMC
Ivins City Recorder