IVINS
CITY COUNCIL
MINUTES
October 1, 2026

NOTICE: This meeting will be held in person. You may listen to the live audio feed by going to www.ivinsutah.gov under "Upcoming Events". When the meeting is live, it will reflect "In Progress" - click on the "In Progress" link to listen to the meeting live.

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 Sharon Gillespie, Council Member Sharon Barton, Council Member Dillon Hurt and Council Member Wayne Pennington

STAFF: City Manager Chuck Gillette, City Attorney Bryan Pack, Fire Chief Dan Cazier, Chief of Police Jaron Studley and City Recorder Kari D. Jimenez.

EXCUSED: None.

A. Acknowledgement of Quorum

Mayor Kevin Smith acknowledged there was a quorum present. All Council Members were in attendance, with Council Member Mike Scott being in attendance via the Zoom application.

B. Flag Salute

Council Member Sharon Barton led the Flag Salute

C. Invocation

Council Member Sharon Barton gave the Invocation

D. Disclosures

Mayor Kevin Smith referred to agenda item 5)B regarding deed restrictions at Sage Villas and disclosed that his son lives in Sage Villas. There were no other disclosures or conflicts of interest with items on this meeting's agenda.

2) REPORTS, PRESENTATIONS AND APPOINTMENTS

A. Introduction of Miss Ivins Royalty

BACKGROUND and RECOMMENDATION: The following were introduced and thanked for their participation: Directors Sandra Petersen and Amber Williams; Miss Ivins: Emma Paz; 1st attendant: Kailo Klc; 2nd attendant: Jenna Gillette; Miss Congeniality: Belle Andes.

B. Discuss and consider approval of a Proclamation Declaring October as Domestic Violence Awareness Month

BACKGROUND and RECOMMENDATION: Mayor Kevin Smith read a Proclamation declaring October as Domestic Violence Awareness Month and recognizing the importance of awareness, prevention and community support in addressing domestic violence. The Proclamation recognized the Dove Center and encouraged residents to learn how to help break the silence and end domestic violence in the community. The discussion may be accessed at time stamp 00:00:02.

MOTION: Council Member Sharon Gillespie moved to approve a Proclamation Declaring October as Domestic Violence Awareness Month

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

C. Department Reports: Parks and Recreation; Public Safety

Parks and Recreation Director Marc Christensen was excused. Electronic reports are available as attachments to this agenda. Verbal reports given by Fire Chief Dan Cazier, and Police Chief Jaron Studley, may be accessed at the following time stamps:
Fire Chief Dan Cazier: 00:04:00
Police Chief Jaron Studley: 00:05:36

D. Planning Commission Report

A report was provided to the Mayor and City Council. The report provided by Chairperson Perry Brown may be accessed at time stamp 00:08:58.

Mayor Kevin Smith requested that agenda item 5)C regarding an appointment to the Sensitive Lands Committee, moving that agenda item up to be addressed after Citizen Comment.

MOTION: Council Member Sharon Gillespie moved to suspend the rules and move item 5)C forward on the agenda, after the Citizen Comment part of the agenda
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

Mayor Kevin Smith requested that right after that, he would like agenda item 5)B to follow agenda item 5)C that will be brought forward on the agenda that it is before the Public Hearing. Agenda item 5)B is a discussion on deed restrictions for Sage Villas.

MOTION: Council Member Sharon Barton moved to suspend the rules and move agenda item 5)B to just after Citizen Comments and after 5)C
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

3) CITIZEN COMMENT & REQUEST FOR FUTURE AGENDA ITEMS

Christopher Welcker commented regarding an Accessory Dwelling Unit under construction on his property and the application of City Code to a fully subterranean basement. His attorney also addressed the City regarding the previously issued building permit and interpretation of the applicable Code provisions. It was clarified that the code interpretation made by the City was affirmed by an Administrative Law Judge. The options are to consider changing the code, which

would require going through the public process, beginning at the Planning Commission. The **Mayor and City Council** indicated that additional information could be obtained from staff before determining whether the matter should be forwarded to the Planning Commission. The Citizen Comment and discussion may be accessed at time stamp 00:18:30.

5) DISCUSSION AND POTENTIAL ACTION ITEMS

C. Discuss and consider approval of Resolution No. 2026-08R, a Resolution of Ivins City, Utah, appointing an individual to the Sensitive Lands Committee

BACKGROUND and RECOMMENDATION: Mayor Kevin Smith recommended the appointment of Jamy Dahle to fill the at-large position on the Sensitive Lands Committee. Ms. Dahle introduced herself and provided information regarding her involvement in the community. The discussion may be accessed at time stamp 00:28:42.

MOTION: Council Member Sharon Gillespie moved to approve Resolution No. 2026-08R, a Resolution of Ivins City, Utah, appointing an individual to the Sensitive Lands Committee

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 00:30:22. Roll call vote. All Council Members were present and voted in favor.

5) DISCUSSION AND POTENTIAL ACTION ITEMS

B. Discuss and consider policy regarding deed restrictions at Sage Villas

BACKGROUND and RECOMMENDATION: Existing deed restrictions on certain Sage Villas units were reviewed. The City did not provide a financial subsidy toward the original purchase of the homes; however, the recorded restrictions require City consent before they may be modified or released. Discussion included current housing prices and interest rates, affordability, the purpose and effectiveness of deed restrictions, owner occupancy and whether homeowners should continue to bear responsibility for maintaining affordability. **Sharlene Wilde**, Executive Director of Mountain Country Home Solutions and the original developer of Sage Villas, provided background information regarding the development and the deed restrictions. The **Mayor and City Council** discussed whether to modify individual provisions or consent to removal of the restrictions in their entirety. The discussion may be accessed beginning at time stamp 00:31:24.

MOTION: Council Member Dillon Hurt moved for the City to consent to removal of the full deed restriction

SECOND: Council Member Wayne Pennington

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 01:00:10. Roll call vote. All Council Members were present and voted in favor.

4) PUBLIC HEARING AND ACTION ITEMS

A. Continued Public Hearing on the Planning Commission's recommendation regarding a Concurrent Land Use Zone/Map Amendment from LDR (Low-Density Residential) Land Use to MDR (Medium-Density Residential) and HDR (High-Density Residential); and RC (Resort Commercial) and RE-25 (Residential Estates, minimum lot size 25,000 sq ft) with PD Overlay (Planned Development) to RE-12.5 (Residential Estates, minimum lot size 12,500 sq ft) and R-1-3 (Residential, minimum lot size 3,000 sq ft) and RC (Resort Commercial) zone on approximately 63.94 acres for Mojave Village, located at approximately Guy Lane and Fitness Way, Ivins, Utah; ANA Enterprises, LLC-Owner. Lance Anderson-Applicant/Owner

BACKGROUND and RECOMMENDATION: A revised concept for the approximately 63.94-acre Mojave Village development was presented. Changes included relocating the previously approved Resort Commercial units, adding additional larger residential lots adjacent to surrounding properties and modifying portions of the smaller-lot residential area. The proposal continued to include a mixture of estate lots, smaller single-family detached residential lots and Resort Commercial units, with provisions addressing limits of disturbance, building heights, buffering and potential amenities. **Mayor Kevin Smith** opened the continued Public Hearing. **Public comments** addressed the pace and density of development, preservation of Ivins' community character and natural environment, traffic and access, compatibility with surrounding neighborhoods, infrastructure, housing affordability, short-term rentals, hillside disturbance and the proposed mixture of lot sizes. **Applicant Lance Anderson** responded to comments and provided additional information regarding the proposed development, landscaping, limits of disturbance and changes made to address concerns raised during previous discussions. There being no other comments in person or through the Zoom application, **Mayor Kevin Smith** closed the Public Hearing. The explanation of this agenda item and public comments may be accessed at time stamp 01:01:34.

B. Continued discussion to consider approval Discuss and consider approval of Ordinance No. 2026-24, an Ordinance of Ivins City, Utah, approving a Concurrent Land Use/Zone Amendment

BACKGROUND and RECOMMENDATION: The **Mayor and City Council** continued reviewing the proposed Mojave Village Land Use and Zone Map Amendments and revised development concept. Discussion focused on compatibility with the General Plan and surrounding neighborhoods, housing affordability, the proposed mixture of lot and home sizes, owner-occupancy requirements, hillside disturbance, building heights, traffic and access, infrastructure, buffering and provisions of the proposed Development Agreement. The applicant agreed to several additional provisions, including a two-year owner-occupancy requirement on eight homes and a 25-foot height limitation on specified lots. Several Council Members indicated that additional information and consideration were needed before final action but other Council Members wanted this to be approved tonight. A motion was made to the effect but failed. That motion may be accessed at time stamp 02:45:08. The discussion for this agenda item may be accessed beginning at time stamp 01:51:36.

MOTION: Council Member Dillon Hurt moved to approve Ordinance No. 2026-24, an Ordinance of Ivins City, Utah, approving a Concurrent Land Use/Zone Amendment conditioned upon the Development Agreement and the additional provisions

discussed, including a two-year owner-occupancy requirement on eight lots, the 25-foot height limitation on 16 specified lots and 1200 sq ft homes on those lots.
SECOND: Council Member Wayne Pennington
VOTE: The motion failed.

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

A previously made motion to continue the discussion remained before the Council and was addressed.

MOTION: Council Member Mike Scott moved to continue this agenda item
SECOND: Council Member Sharon Gillespie
VOTE: The motion carried.

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

5) <u>DISCUSSION AND POTENTIAL ACTION ITEMS</u>

A. Continued discussion to consider approval of a Conditional Use Permit/Development Agreement for Mojave Village, located at approximately Guy Lane and Fitness Way

BACKGROUND and RECOMMENDATION: Due to the discussion regarding Ordinance No. 2026-24 being continued, the related Conditional Use Permit/Development Agreement was also continued.
MOTION: Council Member Mike Scott moved to continue this agenda item
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 02:55:38.

D. <u>Continued discussion regarding the fire station remodel and expansion</u>

BACKGROUND and RECOMMENDATION: A fundraising event is scheduled for October 17th in Kayenta, and additional outreach is underway. The discussion may be accessed at time stamp 02:56:12.

E. <u>Discussion regarding progress of updating the Land Use Plan Map</u>

BACKGROUND and RECOMMENDATION: Work continues with Matt Loo regarding the next phase of the Land Use Plan Map update. A presentation and focused discussion are anticipated at an upcoming Planning Commission meeting. The discussion may be accessed at time stamp 02:57:26.

6) CONSENT AGENDA

A. Approval of City Council Meeting Minutes for September 17, 2026

MOTION: Council Member Sharon Gillespie moved to approve the Consent Agenda
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 02:58:24.

7) CONSENT AGENDA ITEMS FOR DISCUSSION - NONE

8) REPORTS

A. Council

The City Council reports may be accessed at time stamp 02:58:36.

B. Mayor

No report

C. City Manager Chuck Gillette

The City Manager report may be accessed at time stamp 03:05:18.

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.

Council Member Mike Scott was excused at 8:45 p.m.

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.

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

The Motion may be accessed at time stamp 03:07:08. The meeting adjourned at 8:48 p.m.

Respectfully,

Kari D. Jimenez, MPA, MMC
Ivins City Recorder