IVINS CITY COUNCIL
MEETING MINUTES
OCTOBER 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.

Audience: Robert Bolar, James Barden, Bonnie Kline, Barb Ervin, Alan & Sherry Kent, Carol Newsom, Gail Fulde, Randy & Sandy Catron, Jerry Nostadt, Debbie Breinholt, Neil Breinholt, Dennis Slack, Irene White, Marque Ball, Dennis Danahy, Linda Danahy and others who did not sign in.

A. Acknowledgement of Quorum

Mayor Pro Tem Sharon Gillespie acknowledged there was a quorum present and all Council Members were in attendance. Mayor Kevin Smith was traveling and would be in attendance shortly.

B. Flag Salute

Council Member Dillon Hurt led the Flag Salute

C. Invocation

Council Member Dillon Hurt gave the Invocation

D. Disclosures

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

2) REPORTS, PRESENTATIONS AND APPOINTMENTS

A. Youth City Council report

BACKGROUND and RECOMMENDATION: Youth Council members reported on participation in the Easter Egg Hunt, foam party and Heritage Days. The Youth Council is planning improvements to the basketball courts at Unity Park and will assist with the City Halloween event. The report may be accessed at time stamp 00:03:06.

B. Arts Commission presentation of Featured Student Artist

BACKGROUND and RECOMMENDATION: An Arts Commission representative introduced Rydek Dahle, a fourth-grade student at Red Mountain Elementary School, whose artwork was selected at Heritage Days and is displayed at City Hall. The presentation may be accessed at time stamp 00:07:10.

C. Department Reports: Building & Zoning; Public Works & Engineering; Finance

Building and Zoning Administrator Rob Dalley was excused. Electronic reports are available as attachments to this agenda and verbal reports given by Deputy Recorder/Subdivision Coordinator Sharon Allen on behalf of Building and Zoning Administrator Rob Dalley, Assistant City Engineer Austin Johnson and Director of Finance Cade Visser, may be accessed at the following time stamps:

Deputy Recorder/Subdivision Coordinator Sharon Allen on behalf of Building and Zoning Administrator Rob Dalley: 00:10:30

Assistant City Engineer Austin Johnson: 00:11:40

Director of Finance Cade Visser: 00:18:48

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 00:20:06.

Mayor Kevin Smith arrived at 5:53 p.m. He had no disclosures or conflicts of interest with items on this meeting's agenda.

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

City Manager Chuck Gillette referred to a flyer that residents received regarding the Anasazi Commons annexation. He made it clear that the Anasazi Commons annexation is not on the agenda tonight and will not be discussed.

4) PUBLIC HEARING AND ACTION ITEMS

A. Public Hearing on the Planning Commission's recommendation regarding updating references in the Ivins City Code to the Utah Municipal Land Use Development and Management Act

BACKGROUND and RECOMMENDATION: The proposed changes update statutory references to comply with Utah law. **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 00:28:54.

B. Discuss and consider approval of Ordinance No. 2026-15, an Ordinance of Ivins City, Utah, updating references in Ivins City Code to the Utah Municipal Land Use, Development and Management Act

MOTION: Council Member Sharon Barton moved to approve Ordinance No. 2026-15, an Ordinance of Ivins City, Utah, updating references in Ivins City Code to the Utah Municipal Land Use, Development and Management Act
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 00:30:44. Roll call vote. All Council Members were present and voted in favor.

C. Public Hearing on the Planning Commission's recommendation regarding amending the definition of a "Model Home" to ensure model home is regulated the same as a residential use

BACKGROUND and RECOMMENDATION: The proposed amendment responds to Senate Bill 284 by requiring model homes to be regulated the same as residential uses. **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 00:31:36.

D. <u>Discuss and consider approval of Ordinance No. 2026-19, an Ordinance of Ivins City, Utah, amending the definition of a "Model Home" to ensure model home is regulated the same as a residential use</u>

BACKGROUND and RECOMMENDATION: The Council discussed adopting the State definition of a model home and removing model homes from the City's Table of Uses. The discussion may be accessed at time stamp 00:32:36.

MOTION: Council Member Mike Scott moved to approve approval of Ordinance No. 2026-19, an Ordinance of Ivins City, Utah, amending the definition of a "Model Home" to ensure model home is regulated the same as a residential use, with the two changes he suggested, one being to adopt the States definition of a Model Home and the second it to eliminate Model Homes from the Table of Uses

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 00:35:38. Roll call vote. All Council Members were present and voted in favor.

E. <u>Public Hearing on the Planning Commission's recommendation regarding a Zoning Text Amendment to a Proposed Use that is not included on the Table of Uses in Title 16, Chapter 33 of the Ivins City Code</u>

BACKGROUND and RECOMMENDATION: The proposed amendment responds to Senate Bill 284 to establish a process for evaluating uses not listed in the Table of Uses. **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 00:36:38.

F. <u>Discuss and consider approval of Ordinance No. 2026-20, an Ordinance of Ivins City, Utah, establishing a process to evaluate a Proposed Use that is not included on the Table of Uses in Title 16, Chapter 33 of the Ivins City Code</u>

BACKGROUND and RECOMMENDATION: The Council supported a wording correction to Section 16.11.105(3)(b) to read "If the city council approves this request, it shall determine which zoning districts will allow the new or unlisted use as a permitted or conditional use, and the conditions upon which it can be implemented." It is replacing the word "for" with "will allow". The discussion may be accessed at time stamp 00:37:32.

MOTION: Council Member Wayne Pennington moved to approve Ordinance No. 2026-20, an Ordinance of Ivins City, Utah, establishing a process to evaluate a Proposed Use that is not included on the Table of Uses in Title 16, Chapter 33 of the Ivins City Code, with the change of one word from "for" to "will allow"

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 00:38:24. Roll call vote. All Council Members were present and voted in favor.

G. Public Hearing on the Planning Commission's recommendation regarding amending regulations governing the Ivins City Planning Commission to describe the causes for which a Member may be removed and to provide requirements for recusal

BACKGROUND and RECOMMENDATION: The proposed amendment responds to Senate Bill 284, addressing grounds for removing Planning Commission members and requirements for recusal. **Mayor Kevin Smith** opened the Public Hearing. One resident inquired as to the process for reporting potential conflicts and seeking removal of a member. The applicable procedures were explained. 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 comment may be accessed at time stamp 00:39:36.

H. Discuss and consider approval of Ordinance No. 2026-21, an Ordinance of Ivins City, Utah, amending the regulations governing the Ivins City Planning Commission to describe the causes for which a Member may be removed and to provide requirements for recusal

BACKGROUND and RECOMMENDATION: The point of Senate Bill 284 is requiring the City to identify what the process is.

MOTION: Council Member Dillon Hurt moved to approve Ordinance No. 2026-21, an Ordinance of Ivins City, Utah, amending the regulations governing the Ivins City Planning Commission to describe the causes for which a Member may be removed and to provide requirements for recusal

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 00:43:52. Roll call vote. All Council Members were present and voted in favor.

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and consider approval of expenditure for the SCADA system upgrade

BACKGROUND and RECOMMENDATION: The proposed upgrade replaces outdated monitoring and notification software for the City's water and wastewater systems, restores operational alerts and provides compatibility with future equipment. The discussion may be accessed at time stamp 00:44:52.

MOTION: Council Member Sharon Gillespie moved to approve the expenditure for the SCADA system upgrade as indicated for $38,707, including a 10% contingency and monthly licensing and cellular service

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 00:48:02.

B. <u>Discuss and consider approval of right-of-way dedication for City-owned property along 300 South and authorization for the Mayor to execute the necessary documents</u>

BACKGROUND and RECOMMENDATION: The City owns the subject property and proposes dedicating it as public right-of-way in connection with future improvements and plat recording. The discussion may be accessed at time stamp 00:49:02.

MOTION: Council Member Sharon Barton moved to approve the right-of-way dedication for City-owned property along 300 South and authorization for the Mayor to execute the necessary documents

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 00:51:02.

C. <u>Discuss and consider award of construction contract and approval of expenditure for the Trail Gap Fill project between Black Desert Resort North Village and Docena Drive</u>

BACKGROUND and RECOMMENDATION: The project will complete approximately 460 feet of trail along the south side of Snow Canyon Parkway between Black Desert Resort North Village and Docena Drive. Work includes fill near a retaining wall and conduit for potential future bollards. The discussion may be accessed at time stamp 00:51:38.

MOTION: Council Member Wayne Pennington moved to approve the award of construction contract to Suncore Construction in the amount of $45,900 plus an additional $4,590 for contingency, for a total expenditure authorization of $50,490 to complete the Trail Gap between Black Desert Resort North Village and Docena Drive

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 00:53:12.

D. <u>Discuss and consider approval of the Memorandum of Understanding to be signed by the Mayor, memorializing the City's right to use property owned by Steven L. Camp for the use of a Community Garden located behind the Main Street Mojave Estates Park</u>

BACKGROUND and RECOMMENDATION: This agreement would allow the City to use property owned by Stephen L. Camp behind Mojave Estates Park for a community garden.

Discussion addressed a movable greenhouse, future relocation, and funding through available RAP tax revenues or a future budget. The discussion may be accessed at time stamp 00:54:08.

MOTION: Council Member Sharon Gillespie moved to approve the Mayor to sign a Memorandum of Understanding to memorialize the City's right to use property owned by Steven L. Camp for the use of a Community Garden located behind the Main Street Mojave Estates Park and if the project does go forward this year, that it is using RAP tax or if not, then it is put on the 2028 budget

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 00:58:48.

E. <u>Continued discussion to consider approval of Ordinance No. 2026-24, an Ordinance of Ivins City, Utah, approving a Concurrent Land Use/Zone Amendment</u>

BACKGROUND and RECOMMENDATION: The Mayor and City Council reviewed revised Mojave Village layouts, including Options A and B, with applicant representative C.J. Davis. Discussion addressed residential lot sizes, the location of Resort Commercial units, buffers, affordability and first-time homebuyer opportunities, owner-occupancy restrictions, building sizes, traffic, infrastructure, wildland-urban-interface requirements and proposed Development Agreement amendments. Option B was supported, with 312 total units including an amenity unit, and affordable housing measures applicable to 23 homes. These measures include a maximum average home size of 1,300 square feet, an initial 90-day marketing period for first-time homebuyers, a subsequent 90-day period for primary-residence buyers, and a two-year owner-occupancy requirement, together with the conditions and revisions referenced in the City Manager's memorandum and Council Member Scott's October 14 memorandum. The discussion may be accessed beginning at time stamp 01:00:24.

The City Attorney clarified that there are 4 things the City is doing, those being 1) a Zone Change with an Ordinance; 2) a Land Use Change; 3) a Development Agreement; and 4) a Conditional Use Permit. The Development Agreement and Conditional Use Permit are combined into one document but both processes need to be approved and they all need to be conditioned upon each other. The Council has selected Option B, which is the 312 units. The Council will likely discuss affordable housing based on the memo that the City Manager Chuck Gillette has provided to the City Council.

MOTION: Council Member Mike Scott moved to approve Ordinance No. 2026-24, an Ordinance of Ivins City, Utah, approving a Concurrent Land Use/Zone Amendment based on Option B which would total 312 units, subject to approval of the Conditional Use Permit/Development Agreement, including the Summary of Affordable Housing Conditions that was delivered to the City Council members last night by Chuck (Gillette) with one change in that document that the average home size is changed from 1400 square feet to 1300 square feet and it would include the changes that appear to be in the Conditional Use Permit and Development Agreement now that he had suggested in his memo of October 14th "proposed changes to Mojave Village Development Agreement" and the two-year requirement that is currently in the Summary of Affordable Housing

Conditions and Plan B
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 02:05:16. Roll call vote. All Council Members were present and voted in favor.

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

BACKGROUND and RECOMMENDATION: The Council addressed this item jointly with item 5)E. A combined motion was made addressing both items and may be accessed at time stamp 02:05:16. The combined discussion may be accessed at time stamp 01:00:24.

G. Discuss and consider approval of Resolution No. 2026-16R, a Resolution of Ivins City, Utah, approving Employee Core Benefits

BACKGROUND and RECOMMENDATION: It was reported that although the City budgeted a 6% increase in medical benefit costs, the actual increase was 4.9%, compared to increases of up to 9% experienced by other municipalities. The proposed changes include a $500 monthly health insurance opt-out incentive for employees who waive City medical coverage because they have group coverage through a spouse's or parent's employer; an additional $100 HSA match for employees enrolled in Employee +1 and Family high-deductible plans; and implementation of a benefits consolidation application that replaces the City's existing employee assistance and telehealth platforms at no additional cost. The discussion may be accessed at time stamp 02:10:26.

MOTION: Council Member Sharon Gillespie moved to approve Resolution No. 2026-16R, a Resolution of Ivins City, Utah, approving Employee Core Benefits, with all benefits remaining approximately the same cost with health insurance increasing at only about 4.9% per year, with the options stated in the City Manager's memo dated October 9th
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 02:21:34. Roll call vote. All Council Members were present and voted in favor.

H. Continued discussion of the fire station remodel and expansion

BACKGROUND and RECOMMENDATION: The project remains in a holding pattern. A fundraising event is scheduled for Saturday, October 17, at 2:00 p.m. The discussion may be accessed at time stamp 02:22:30.

I. Continued discussion regarding progress of updating the Land Use Plan Map

BACKGROUND and RECOMMENDATION: Work continues with Matt Loo on a presentation for the Planning Commission, anticipated for its November 17th meeting. The discussion may be accessed at time stamp 02:23:08.

6) CONSENT AGENDA

A. Approval of City Council Meeting Minutes for October 1, 2026

MOTION: Council Member Wayne Pennington moved to approve the Consent Agenda
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 02:23:34.

7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) REPORTS

A. Council

The City Council reports may be accessed at time stamp 02:23:50.

B. Mayor

The report by the Mayor may be accessed at time stamp 02:41:30.

C. City Manager Chuck Gillette

The City Manager report may be accessed at time stamp 02:32:40.

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) ADJOURNMENT

MOTION: Council Member Mike Scott moved to adjourn
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 02:43:04. The meeting adjourned at 8:13 p.m.

Respectfully,

Kari D. Jimenez, MPA, MMC
Ivins City Recorder