IVINS CITY COUNCIL
MEETING MINUTES
NOVEMBER 5, 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 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, Director of Finance Cade Visser, Parks and Recreation Director Marc Christensen, Chief of Police Jaron Studley, SCI Fire Division Chief-Support/Fire Marshal Con Fulde, and City Recorder Kari D. Jimenez.

EXCUSED: City Attorney Bryan Pack

Audience: Shad Johnsen, Gail Fulde, Jerry Nostadt, Becky & Chuck Warren, Karen Robinson, Robert Bolar, Dan Witt and others who did not sign in.

A. Acknowledgement of Quorum

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

B. Flag Salute

Council Member Wayne Pennington led the Flag Salute

C. Invocation

Council Member Wayne Pennington 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. Fiscal Year Ending 2026 Audit Report – Larson and Company

BACKGROUND and RECOMMENDATION: Jon Haderlie of Larson & Company presented the annual audit remotely via the Zoom application. The City received unmodified opinions on its financial statements and state compliance, with no financial statement or state compliance findings. The presentation reviewed internal controls, state requirements, and the treatment of the Black Desert Public Infrastructure District (PID). The auditor explained the basis for excluding the PID as a component unit of the City and responded to questions about debt and PID boundaries. The discussion may be accessed at time stamp 00:03:30.

B. Discuss and consider approval of Resolution No. 2026-17R, a Resolution of Ivins City, Utah, appointing an individual to the Sensitive Lands Committee

BACKGROUND and RECOMMENDATION: Mayor Kevin Smith recommended appointing Brett Henke to the Sensitive Lands Committee and the Council expressed support for his appointment. Mr. Henke introduced himself and described his civil engineering background and interest in protecting the City's sensitive lands.

MOTION: Council Member Sharon Gillespie moved to approve Resolution No. 2026-17R, a Resolution of Ivins City, Utah, appointing an individual to the Sensitive Lands

Committee
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 00:28:52. Roll call vote. All Council Members were present and voted in favor.

C. 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, Police Chief Jaron Studley and SCI Fire Division Chief-Support/Fire Marshal Con Fulde, may be accessed at the following time stamps:
Parks and Recreation Director Marc Christensen: 00:29:26
Police Chief Jaron Studley: 00:37:28
SCI Fire Division Chief-Support/Fire Marshal Con Fulde: 00:41:10

D. Planning Commission Report

No Report. There was no Planning Commission meeting on Tuesday, November 3, 2026 due to Election Day.

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 amending sections of the Accessory Dwelling Unit regulations regarding ADU's, garages, carports, accessory units for agriculture and manufactured homes to comply with State Code

BACKGROUND and RECOMMENDATION: Proposed amendments addressed state code changes through Senate Bill 284 for accessory dwelling units (ADUs), garages, carports, agricultural accessory units, and manufactured homes. **Mayor Kevin Smith** opened the Public Hearing. One resident recommended reviewing off-street parking requirements based on bedrooms and existing parking rather than ADU square footage. That resident also raised concerns regarding setbacks. 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 00:48:42.

B. Discuss and consider approval of Ordinance No. 2026-22, an Ordinance of Ivins City, Utah, amending the Ivins City Code to clarify regulations governing Accessory Dwelling Units, Garages, Carports, Accessory Units for Agriculture and Manufactured Dwelling Units

BACKGROUND and RECOMMENDATION: The Council discussed parking thresholds, conflicting provisions on the number of ADUs per lot, minimum and maximum unit sizes, HOA restrictions, internal and external ADUs, ADUs with basements, setbacks, and corrections to text and illustrations. Additional clarification from the Building and Zoning Administrator who was not present, was requested before proceeding. The discussion may be accessed at time stamp 00:55:18.

MOTION: Council Member Mike Scott moved to continue the discussion and consider approval of Ordinance No. 2026-22, an Ordinance of Ivins City, Utah, amending the Ivins City Code to clarify regulations governing Accessory Dwelling Units, Garages, Carports,

Accessory Units for Agriculture and Manufactured Dwelling Units
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

C. Public Hearing on the Planning Commission's recommendation to approve adopting updated State of Utah adopted Building Codes

BACKGROUND and RECOMMENDATION: Proposed updates incorporated the 2024 editions of applicable building codes and related language changes. **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 01:10:22.

D. Discuss and consider approval of Ordinance No. 2026-23, an Ordinance of Ivins City, Utah, adopting updated State of Utah adopted Building Codes

The Council identified references to the International Pool and Spa Code that needed to be corrected to reflect the official title, as well as a few other changes as reflected in the motion to approve. The discussion may be accessed at time stamp 01:11:34.

MOTION: Council Member Wayne Pennington moved to approve Ordinance No. 2026-23, an Ordinance of Ivins City, Utah, adopting updated State of Utah adopted Building Codes with the modification that we add the words "swimming" in front of the word "pool" where appropriate
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 01:12:36. Roll call vote. All Council Members were present and voted in favor.

E. Public Hearing on the Planning Commission's recommendation to approve amending requirements for Building Permits and Certificates of Occupancy

BACKGROUND and RECOMMENDATION: Proposed subdivision ordinance changes were presented to align building permit and certificate of occupancy requirements with state law, including the use of bonding for unfinished improvements. **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 01:13:18.

F. Discuss and consider approval of Ordinance No. 2026-26, an Ordinance of Ivins City, Utah, amending requirements for Building Permits and Certificates of Occupancy

BACKGROUND and RECOMMENDATION: The Council reviewed enforcement and subdivision improvement requirements and proposed a clarification to the sidewalk language in Exhibit A. The discussion may be accessed at time stamp 01:16:40.

MOTION: Council Member Wayne Pennington moved to approve Ordinance No. 2026-26, an Ordinance of Ivins City, Utah, amending requirements for Building Permits and Certificates of Occupancy with the addition of some verbiage on line 53 of Exhibit A, the first few words would read "Any public sidewalk required to be located immediately…"

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 01:19:40. Roll call vote. All Council Members were present and voted in favor.

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and consider approval of Ordinance No. 2026-25, an Ordinance of Ivins City, Utah, adopting the City Council Meeting Schedule for the Calendar Year of 2027

BACKGROUND and RECOMMENDATION: The proposed calendar generally retained the current meeting pattern with adjustments for scheduling conflicts. The discussion may be accessed at time stamp 01:20:38.

MOTION: Council Member Sharon Gillespie moved to approve Ordinance No. 2026-25, an Ordinance of Ivins City, Utah, adopting the City Council Meeting Schedule for the Calendar Year of 2027

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 01:25:02. Roll call vote. All Council Members were present and voted in favor.

B. Continued discussion regarding the fire station remodel and expansion

BACKGROUND and RECOMMENDATION: The Council received an update on the Kayenta fundraising event, which had raised approximately $12,000, with additional contributions anticipated. The discussion may be accessed at time stamp 01:25:52.

C. Discussion regarding progress of updating the Land Use Plan Map

BACKGROUND and RECOMMENDATION: An update was provided on coordination with the consultant, a projected approximately 11-month process, and outreach to property owners. The Council discussed how existing vacant parcels and long-term family ownership may affect planning. The discussion may be accessed at time stamp 01:26:38.

6) CONSENT AGENDA

A. Approval of City Council Meeting Minutes for October 15, 2026

MOTION: Council Member Mike Scott 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 01:31:02.

7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) REPORTS

A. Council

The City Council reports may be accessed at time stamp 01:31:16.

B. Mayor

The report by the Mayor may be accessed at time stamp 01:36:18.

C. City Manager Chuck Gillette

The City Manager report may be accessed at time stamp 01:40:36.

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 Dillon Hurt 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 01:49:04.

The meeting adjourned at 7:19 p.m.

Respectfully,

Kari D. Jimenez, MPA, MMC
Ivins City Recorder