

**IVINS CITY COUNCIL
MEETING MINUTES
MARCH 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 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, Parks and Recreation Director Marc Christensen, Chief of Police Jaron Studley, Fire Chief Dan Cazier, and City Recorder Kari D. Jimenez.

EXCUSED: None.

Audience: Bonnie Kline, Cindy Rupert, Ruth & Connie Lewis, Gail Fulde, Steve Sullivan, Michele Adams, James Barden, Geoff W., Barbara Lewis, Koko Head, Scott Nielsen, Kathy Smith 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 AND PRESENTATIONS

A. 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 Fire Chief Dan Cazier, may be accessed at the following time stamps:

Parks and Recreation Director Marc Christensen: 00:02:50

Police Chief Jaron Studley: 00:09:42

Fire Chief Dan Cazier: 00:11:52

B. Planning Commission Report

A report was provided to the Mayor and City Council. The report provided by Commissioner Brandon Weight may be accessed at time stamp 00:15:04.

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

4) PUBLIC HEARING AND ACTION ITEMS - None

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discussion regarding updating the Arts Commission Ordinance to reflect a flexible membership of 5 to 9 members rather than the established 7 member body

BACKGROUND and RECOMMENDATION: Arts Commission Members would like to update the original ordinance for a flexible membership and provided an explanation. The Mayor and City Council discussed proposed changes. The explanation and discussion may be accessed at time stamp 00:17:28.

B. Discuss and consider approval of a Memorandum of Understanding and Agreement between ENLAW LLC as the developer of Black Desert Resort and Ivins City regarding the Western Corridor

BACKGROUND and RECOMMENDATION: This Memorandum of Understanding establishes a temporary framework, through July 31, 2026, allowing Ivins City to approve the North Village subdivision and issue Certificates of Occupancy (COs) once required punch list items are completed, without requiring immediate completion of Hamblin Parkway improvements. The agreement separates subdivision completion from broader roadway obligations, while maintaining that all existing Development Agreement requirements remain unchanged. During this time, the City and developers (Black Desert and EWD) are expected to coordinate and negotiate in good faith toward a long-term solution clarifying responsibilities for roadway construction and right-of-way, particularly along the magenta and green corridor areas shown in the attached exhibit map. The City maintains financial safeguards through retained bond funds sufficient to complete the required improvements if necessary, and warranty periods will be phased based on completion timing. After the agreement expires, no additional COs may be issued unless roadway obligations are satisfied or a new agreement is in place, ensuring continued City control while allowing occupancy in the near future and project progress. The discussion may be accessed at time stamp 00:28:38.

MOTION: Council Member Mike Scott moved to approve a Memorandum of Understanding and Agreement between ENLAW LLC as the developer of Black Desert Resort and Ivins City regarding the Western Corridor with the additions recommended by Ivins City Attorney and Council Member Sharon Gillespie

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 00:51:34.

C. Discuss and consider approval of a Class V Conditional Use Permit for The Icebox Grill using the outdoor stage

BACKGROUND and RECOMMENDATION: The owner is proposing a new use on the outdoor stage as indicated on the attached narrative. The Technical Review Committee has reviewed the application and recommends approval and the Planning commission held a Public Hearing on February 17, 2026 and recommended approval as amended, including performances limited to between 10:00 am and 10:00 p.m., the stage shall remain incidental supporting the dining environment, and stage lighting shielded towards the stage and dining area. The discussion may be accessed at time stamp 00:52:20.

MOTION: Council Member Sharon Gillespie moved to approve a Class V Conditional Use Permit for The Icebox Grill using the outdoor stage, with the clarifications that Council

Member Mike Scott provided

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 00:59:36.

D. Discuss and consider approval of amending the Hafen Farms Development Agreement

BACKGROUND and RECOMMENDATION: The owner is proposing to change the agreement that they currently have with the City. That agreement requires the City to sign the final plat when all of the improvements are complete prior to recording. The owners have the subdivision under contract to sell to Fieldstone Homes and for tax purposes, they have agreed to close prior to the final plat being recorded. The owner would like to modify the agreement and have the City sign a Quit Claim deed transferring the 10' strip of property owned by the City to Hafen Farms LLC once the improvements are complete, instead of signing the final plat. The discussion may be accessed at time stamp 01:00:30.

MOTION: Council Member Sharon Barton moved to approve amending the Hafen Farms Development Agreement with the added verbiage offered by Council Member Mike Scott

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 01:02:12.

E. Presentation and discussion regarding secondary water system

BACKGROUND and RECOMMENDATION: There were concerns regarding the secondary water system, noting that as available secondary water continues to decline, the system becomes less practical and increasingly costly. Ivins City had previously been allocated approximately 600 acre-feet of secondary water by the Washington County Water Conservancy District; however, through discussions with consultants and the District, that obligation has now been reduced to zero. The City is evaluating additional modifications to its culinary water system, as the former 600 acre-feet allocation would have supported roughly 3,000 homes, primarily on the west side. When there was an inquiry about costs, it was clarified that a secondary system would require an estimated \$30 million investment. The Mayor and City Council agreed that pursuing a secondary water system is no longer a practical or cost-effective option. The discussion may be accessed at time stamp 01:03:34.

F. Continued discussion to consider approval of Ordinance No. 2026-06, an Ordinance of Ivins City, Utah, adopting new residential zoning districts (R-1-3 and R-2-5) allowing 3,000 square foot lots and Two-Family Dwellings on 5,000 square foot lots. Classifying the existing R-1-5 and the new R-1-3 zones as being appropriate for a new HDR (High Density Residential) single family land use designation and the existing R-2-10, RM and

R-TH and the new R-2-5 zones as being appropriate for HDR multi-family land use designation and to be included in the Table of Uses

BACKGROUND and RECOMMENDATION: This is the finalized version after the conversation from the last meeting. The Mayor and City Council discussed this further and made additional changes. The discussion may be accessed at time stamp 01:12:34.

MOTION: Council Member Mike Scott moved to approve item 5)F as stated by the Mayor with the changes made

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 01:15:48. Roll call vote. All Council Members were present and voted in favor.

G. *Discuss and consider approval of Resolution No. 2026-04R, a Resolution of Ivins City, Utah, supporting Community Project Funding for the expansion and remodel of the Ivins City Fire Station

BACKGROUND and RECOMMENDATION: The City has put together a grant application and this Resolution is in support of that grant application, which will be submitted tomorrow. The discussion may be accessed at time stamp 01:17:26.

MOTION: Council Member Sharon Gillespie moved to approve Resolution No. 2026-04R, a Resolution of Ivins City, Utah, supporting Community Project Funding for the expansion and remodel of the Ivins City Fire Station

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 01:18:50. Roll call vote. All Council Members were present and voted in favor.

H. Continued discussion of an Ordinance regarding adoption of the 2006 Utah Wildland-Urban Interface Code and set a Public Hearing

BACKGROUND and RECOMMENDATION: The maps are for Ivins and the map to eventually be adopted is different than the map that the State of Utah has shown. The Mayor and City Council recommended setting a Public Hearing before the Planning Commission on March 17, 2026 and before the City Council on March 19, 2026. The discussion may be accessed at time stamp 01:19:46.

MOTION: Council Member Mike Scott moved to suspend the rules to allow the City Manager and City Attorney reports to move forward

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 01:30:10.

8) REPORTS

Electronic presentations are available as attachments to this agenda. Verbal presentations given by City Attorney Bryan Pack and City Manager Chuck Gillette may be accessed at the following time stamps:

Bryan Pack - City Attorney: 01:30:34

Chuck Gillette - City Manager: 01:49:38

E. City Attorney Bryan Pack

D. City Manager Chuck Gillette

6) CONSENT AGENDA - Agenda items removed - to be included on the March 19th City Council agenda

A. * REMOVED FROM THE AGENDA: Approval of City Council Meeting Minutes for February 19, 2026

B. * REMOVED FROM THE AGENDA: Approval of City Council Work Meeting Minutes for February 26, 2026

7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) REPORTS

A. Legislative Policy Committee report

The Legislative Policy Committee report may be accessed at time stamp 01:52:24.

B. Council

The City Council reports may be accessed at time stamp 02:08:34.

C. Mayor

The report by the Mayor may be accessed at time stamp 02:17:18.

D. City Manager Chuck Gillette

The City Manager report may be accessed at time stamp 02:14:04.

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 Sharon Gillespie moved to adjourn

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 02:20:48

The meeting adjourned at 7:51 p.m.

Respectfully,

Kari D. Jimenez, MPA, MMC
Ivins City Recorder