IVINS CITY COUNCIL
MEETING MINUTES
AUGUST 6, 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, Director of Finance Cade Visser, Parks and Recreation Director Marc Christensen, Chief of Police Jaron Studley, Fire Chief Dan Cazier, Building and Zoning Administrator Rob Dalley, Public Works Director and City Engineer Tom Jorgensen, City Attorney Bryan Pack, and City Recorder Kari D. Jimenez.

EXCUSED: None.

Audience: Gail Fulde, Aaron Olsen, Bonnie Kline, Kathy Foster, Jerry Nostadt, Tiffany Wynn, James Barden and others who did not sign in.

A. <u>Acknowledgement of Quorum</u>

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

B. Flag Salute

Council Member Wayne Pennington led the Flag Salute

C. Invocation

Council Member Wayne Pennington gave the Invocation

D. <u>Disclosures</u>

Council Member Sharon Barton referred to agenda items 4)A and 4)B and disclosed that she resides in Padre Canyon Estates on the northeast corner of Mesa Vista Drive and Puerto Drive. There were no other disclosures or conflicts of interest with items on this meeting's agenda.

2) <u>REPORTS, PRESENTATIONS AND APPOINTMENTS</u>

A. <u>Update on Black Desert Resort</u>

Representatives from Black Desert Resort provided an update regarding current and future development. Updates included the PGA Tour and professional pickleball events, convention center activity, culinary offerings, concerts and arts programming, completion of Black Desert Drive, the south parking structure, the future Nature Center and water park, and continued development of the Boardwalk area. Black Desert Resort currently has approximately 600 available lodging units, with additional units anticipated as development continues. Representatives responded to questions regarding parking, public access to pickleball and water park amenities, the Boardwalk, future plans for the Red Mountain property and the relationship between Black Desert Resort and the Retreat at Snow Canyon. It was reported that the Retreat has entered into an agreement with Black Desert Resort and that Retreat owners will have access to Black Desert amenities. A representative for the Black Desert Public Infrastructure District

(PID) explained that a PID is a special district used to finance public infrastructure through bonds repaid by property taxes and/or special assessments imposed only upon properties within the district. The PID does not create an additional financial obligation for Ivins City or properties outside the district. Disclosure requirements, the duration of the PID and ownership and maintenance of certain infrastructure were also reviewed. The report and discussion may be accessed at time stamp 00:03:32.

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, Police Chief Jaron Studley, and Fire Chief Dan Cazier, may be accessed at the following time stamps:

Parks and Recreation Director Marc Christensen: 00:33:16
Police Chief Jaron Studley: 00:39:18
Fire Chief Dan Cazier: 00:42:32

C. Quarterly Finance Report

An electronic report is available as an attachment to this agenda. The verbal report given by Director of Finance Cade Visser, may be accessed at the following time stamp: 00:50:28.

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 01:02:12.

3) CITIZEN COMMENT & REQUEST FOR FUTURE AGENDA ITEMS

One Citizen Comment form was submitted; however, the individual was not present when the agenda item was called, and the comment was not addressed.

4) PUBLIC HEARING AND ACTION ITEMS

A. Public Hearing on the Planning Commission's recommendation regarding amending the Retreat at Snow Canyon Development Agreement

BACKGROUND and RECOMMENDATION: Representatives from the Retreat at Snow Canyon requested amendments to the project's Development Agreement relating to front-yard setbacks and building heights within portions of the residential development west of Hamblin Parkway. The proposed setback modifications would maintain required garage setbacks while allowing portions of living areas, turned garages and porches to extend further into the front setback to create greater architectural variation. The applicant also requested an increase in maximum building height from 25 feet to 30 feet for certain lots to accommodate pitched roofs on two-story homes. **Mayor Kevin Smith** opened the Public Hearing. One individual spoke in support of the proposed setback changes. 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 01:07:20.

B. Discuss and consider the Planning Commission's recommendation regarding amending the Retreat at Snow Canyon Development Agreement

BACKGROUND and RECOMMENDATION: The Mayor and City Council discussed the proposed setback and height amendments. There was general support for the varied front-yard setbacks and architectural articulation; however, several Council Members expressed concern regarding approving a project-specific increase from the City's existing 25-foot residential height limitation. Discussion included protection of viewsheds, the original purpose of the City's height restrictions, two-story housing and whether the City's height standards should be reviewed comprehensively rather than through individual development agreements. The applicant agreed to proceed with the setback amendments and defer the requested height modification. The Mayor and City Council supported approving the Development Agreement amendment with all language regarding the proposed height increase removed. Future discussion regarding residential height standards will occur separately. There was a question regarding how a motion would be made. The City Attorney suggested that there be a motion to approve the Amended Development Agreement, subject to a change to eliminate anything talking about the height restriction and limiting it to the setback restriction. The discussion may be accessed at time stamp 01:25:04.

MOTION: Council Member Wayne Pennington moved to approve the Amended Development Agreement, subject to a change to eliminate anything talking about the height restriction and limiting it to the setback restriction - so moved

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

Roll call vote. All Council Members were present and voted in favor. The Motion may be accessed at time stamp 01:45:46.

C. Public Hearing on the Planning Commission's recommendation regarding amending the Neighborhood Commercial Zone

BACKGROUND and RECOMMENDATION: The proposed revisions were intended to clarify and modernize permitted uses and better reflect the intended scale and character of neighborhood-serving commercial activities. **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 01:46:24.

D. Discuss and consider approval of Ordinance No. 2026-17, an Ordinance of Ivins City, Utah, amending the Neighborhood Commercial Table of Uses

BACKGROUND and RECOMMENDATION: The Mayor and City Council reviewed proposed changes to the Neighborhood Commercial Table of Uses. Discussion included commercial daycare, personal services, recreational vehicle storage, light manufacturing, residential dwelling units, restaurants and the original intent of the Neighborhood Commercial Zone. The Mayor and City Council discussed retaining the ability to have residential dwelling units associated with neighborhood commercial development and ensuring that drive-thru restaurants are not permitted within the Neighborhood Commercial Zone. The discussion may be accessed at time stamp 01:48:54.

MOTION: Council Member Sharon Gillespie moved to approve Ordinance No. 2026-17, an Ordinance of Ivins City, Utah, amending the Neighborhood Commercial Table of Uses, with the two exceptions on dwelling units and drive-thru restaurants in commercial neighborhoods

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 02:08:16. Roll call vote. All Council Members were present and voted in favor.

E. <u>Public Hearing on the Planning Commission's recommendations regarding changes to the Ivins City Standard Specifications for Design and Construction</u>

BACKGROUND and RECOMMENDATION: The Public Works Director explained that the Planning Commission had not completed its review of the proposed Standard Specifications because the final version of the materials had not been provided to the Commission in sufficient time for review. The Public Hearing and proposed ordinance were continued until the Planning Commission completes its review and recommendation.

F. Discuss and consider approval of Ordinance No. 2026-18, an Ordinance of Ivins City, Utah, adopting Construction Specifications

MOTION: Council Member Mike Scott moved to table agenda items 4)E and 4)F

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

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

A. <u>Discuss and consider approval of the updated Consolidated Fee Schedule, clarifying building permit fees</u>

BACKGROUND and RECOMMENDATION: The updated Consolidated Fee Schedule clarifying how building permit fees are calculated. Appendix AL of the International Residential Code was incorporated to provide greater transparency and allow applicants to better understand the calculation of building permit fees. The revised approach addressed the City Attorneys previous concerns. The discussion may be accessed at time stamp 02:17:34.

MOTION: Council Member Mike Scott moved to approve the updated Consolidated Fee Schedule, clarifying building permit fees

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 02:19:42.

B. <u>Discuss and consider approval of the construction contract award and expenditure for the permanent speed hump project</u>

BACKGROUND and RECOMMENDATION: Project costs, removal of the existing pedestrian crossing and ADA ramps, bicycle access to the multi-use trail, the remaining useful life of the existing speed hump and other City funding priorities, including the Fire Station

Remodel and Expansion were discussed. The Mayor and City Council expressed support for delaying the permanent speed hump project and retaining the existing improvement for approximately another year. They directed the Public Works Director to move forward with evaluating and completing the bicycle connection from the bike lane to the multi-use trail. The discussion may be accessed at time stamp 02:20:10.

C. <u>Discussion regarding the updated Transportation Utility Fee (TUF) memorandum and direction on next steps</u>

BACKGROUND and RECOMMENDATION: The updated analysis estimated approximately $8.68 million in pavement maintenance costs over ten years, compared with approximately $11 million under the consultant's earlier analysis. Based on current dedicated transportation revenues, the City was estimated to have approximately 95 percent of the funding necessary to maintain road conditions at approximately their current pavement condition level. The Mayor and City Council discussed the potential Transportation Utility Fee, the City's recently established transportation reserve, the previous property tax increase, impacts to residents and businesses and the benefit of collecting additional financial data before implementing a new fee. Council Members expressed a preference to continue monitoring transportation revenues and expenses for another year before proceeding with public outreach or formal consideration of a TUF. The Public Works Director will continue refining the pavement maintenance plan as the Transportation Master Plan and impact fee studies are completed. The discussion may be accessed at time stamp 02:27:42.

D. <u>Continued discussion to approve Ordinance No. 2026-05, an Ordinance of Ivins City, Utah amending Chapters 1 and 2 of Title 5 of the Ivins City Code requiring Business License Applicants, including renewal applicants, to allow inspections as a condition of issuance of the business license</u>

BACKGROUND and RECOMMENDATION: Revised language was provided to the Mayor and City Council that would allow the Fire Department to conduct inspections of businesses where appropriate, while clarifying when home occupation businesses are required to obtain a business license. The proposed language generally exempts home occupations that do not create hazardous conditions or identifiable off-site impacts while continuing to require licensing and inspections for businesses involving hazardous or flammable materials, fabrication, certain daycare or preschool activities and other activities that warrant inspection. Commercial establishments would continue to require business licenses and appropriate Fire Department inspections. The Mayor and City Council discussed regulating impacts, hazardous and flammable material storage, customer and employee traffic, noise, parking impacts, daycare uses and ensuring nonprofit organizations are subject to the same safety inspection requirements as for-profit businesses. The discussion may be accessed at time stamp 02:48:36.

MOTION: Council Member Mike Scott moved to approve Ordinance No. 2026-05, an Ordinance of Ivins City, Utah amending Chapters 1 and 2 of Title 5 of the Ivins City Code requiring Business License Applicants, including renewal applicants, to allow inspections as a condition of issuance of the business license with the changes in the document we received tonight and additionally to add in 5.01.101 under BUSINESS change to include all activities of for profit and non-profit businesses engaged etc. and to change in 5.02.102(2) to this wording "No license is required for a home occupation business unless the business creates hazardous conditions or other objectively identifiable off site impacts such as customer or employee traffic, noise, or parking demand beyond those normally associated

with residential use." Under 5.02.106(1) add "storage".
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 03:00:38. Roll call vote. All Council Members were present and voted in favor.

E. <u>Continued discussion and consider approval of Ordinance No. 2026-11, an Ordinance of Ivins City, Utah, amending Section 16 of the Ivins City Code regarding the resort Commercial Zone</u>

BACKGROUND and RECOMMENDATION: Proposed cleanup amendments to the Resort Commercial Zone were provided to the Mayor and City Council. Changes included removing outdated introductory language, revising the classification for swimming pools, updating references to the City's lighting regulations and eliminating the maximum building size requirement because building size is otherwise controlled through applicable setback, height and other development standards. The discussion may be accessed at time stamp 03:08:44.

MOTION: Council Member Wayne Pennington moved to approve Ordinance No. 2026-11, an Ordinance of Ivins City, Utah, amending Section 16 of the Ivins City Code regarding the resort Commercial Zone, with the minor addition of eliminating maximum building size words in that table
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 03:11:02. Roll call vote. All Council Members were present and voted in favor.

F. <u>Continued discussion regarding the Interlocal Agreement governing Animal Control Services</u>

BACKGROUND and RECOMMENDATION: The City of Santa Clara City continues to evaluate options and costs associated with the proposed Animal Control Services Interlocal Agreement. Santa Clara requested additional time through the end of September while completing its audit and preparing cost estimates. The discussion may be accessed at time stamp 03:11:44.

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

BACKGROUND and RECOMMENDATION: The project team had finalized a floor plan and was prepared to proceed with mechanical, electrical, plumbing and structural engineering. The design consultant provided several recommendations that resulted in revisions to the floor plan. The City's $2.5 million federal grant funding request had advanced out of committee at the full requested amount and was included in legislation moving forward for consideration. The

City was also preparing a request for letters of interest from potential contractors to obtain feedback regarding constructability and opportunities for cost savings. A fundraising update was provided. Heritage Days will serve as a significant public launch for the fundraising campaign and will include project renderings, promotional materials and fundraising merchandise. Major donor outreach and sponsorship opportunities, including opportunities to sponsor individual rooms within the facility, are also being developed. The discussion may be accessed at time stamp 03:12:34.

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

BACKGROUND and RECOMMENDATION: Council Members Dillon Hurt and Sharon Barton developed questions intended to obtain feedback from Ivins businesses regarding their experiences, needs and suggestions. Council Member Hurt will work with Planning Commissioner Dave Robinson as the outreach process proceeds. The Mayor and City Council discussed methods for obtaining business feedback, including email surveys, telephone follow-up and in-person visits. They supported initially distributing questions electronically to obtain broad feedback, followed by targeted telephone calls or in-person meetings with businesses where additional information would be helpful. Storefront businesses may receive additional direct outreach. The information gathered will be incorporated into the Land Use Plan Map update process. The discussion may be accessed at time stamp 03:17:44.

6) CONSENT AGENDA

A. Approval of City Council Meeting Minutes for July 16, 2026

B. Approval of Joint Work Meeting Minutes for July 28, 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 03:23:44.

7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) REPORTS

A. Council

The City Council reports may be accessed at time stamp 03:24:08.

B. Mayor

The report by the Mayor may be accessed at time stamp 03:27:14.

C. City Manager Chuck Gillette

The City Manager report may be accessed at time stamp 03:28:28.

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 Wayne Pennington moved to adjourn

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 03:39:44.

The meeting adjourned at 9:10 p.m.

Respectfully,

Kari D. Jimenez, MPA, MMC
Ivins City Recorder