

**IVINS
CITY COUNCIL
MINUTES
November 19, 2015**

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 Hart, Council Member Elwell, Council Member McDonald, Council Member Mendenhall, Council Member Roberts, and Council Member Densley.

STAFF: City Manager/Attorney Dale Coulam, Director of Finance Wally Ritchie, Public Works Director/City Engineer Chuck Gillette, Building and Zoning Administrator Kevin Rudd, and Deputy City Recorder Sharon Allen.

EXCUSED: None.

Audience: Rob Roush, Claudette Larsen, Jenny Johnson, Lisa Rutherford, Lance Anderson, Dara Tancredi, Kenneth Anderson, Tim Anderson, David Park, Chuck Flood, Jeff Loris, Rob Reid and others who did not sign in.

A. [Acknowledgement of Quorum.](#)

Mayor Hart acknowledged that there was a quorum present and indicated that Council Member Mendenhall would be in attendance later.

B. Flag Salute

Council Member Densley led the Flag Salute

C. Invocation

Council Member Densley 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. Department Reports: Public Works/Engineering, Building Department and Finance

Chuck Gillette referred to the Highway 91 project and reported that they will be accepting bids for that project until December 15, 2015 and that should be under construction in February, 2016. Bids have been received on the Center Street wall project and, as an alternative, he is looking into a roundabout at Center Street and Puerto Drive. He will provide that information to the Mayor and City Council in the future. Requests for proposals were sent out for irrigation and sewer master plans. Work started this week on the 200 South sidewalk and that will likely be finished by the first week of December. Ridership on the bus continues to increase.

Kevin Rudd reported that he has issued nine (9) single family building permits thus far for the month of November, with a couple more expected to be issued next week and before the end of the month. There will be an Administrative Code Enforcement hearing the week of November 23, 2015 regarding short-term rentals. He complimented Dennis Murphy and Cody Mitchell for their diligence in working with residents regarding code enforcement. He reported that a Preliminary Plan for Sentierre has been received.

Wally Ritchie provided his monthly report to the Mayor and City Council. A copy of the report is available by request through Ivins City Hall. He reported that the Auditors will report to the Mayor and City Council in December and everything appears to have gone smoothly. He referred to the OpenGov software and indicated that the City has been looking at ways to provide financial transparency to the public and the OpenGov software will accomplish that. **Council**

Member Roberts inquired if that was a recommendation from the Auditors. **Wally Ritchie** clarified that it was not and that it is a general movement to be more transparent. **Council Member Roberts** inquired what the difference was between that software and what the City is already doing. **Wally Ritchie** indicated that the City currently manually prepares and uploads the quarterly reports and financial trend analyses to the website. **Dale Coulam** clarified that the analyses take a long time to prepare and the software will assist with that as well as let the viewer see it in whatever format they prefer. It also continually updates the information instead of staff having to manually prepare the reports. **Council Member Roberts** inquired if in the long run it will save the City the cost of labor to manually prepare these reports. **Dale Coulam** stated yes. **Mayor Hart** inquired how the City can track how many people review the information on Ivins website because although it's good information to have, he wasn't sure the cost of the program was justified. **Council Member McDonald** indicated that he liked the idea of being ahead of the curve instead of waiting until someone complains. **Wally Ritchie** clarified that staff puts in a lot of time to prepare the reports and the software will help a lot. **Council Member Densley** inquired if the Auditor's thought the software would be helpful. **Wally Ritchie** indicated "yes" and commented that the software will help the Auditors to see things throughout the year. The information will be a good thing for staff and residents.

B. [Planning Commission Report](#)

Jeff Loris reported that representatives for Rocky Vista University and Sentierre Resort provided presentations to the Planning Commission. The Planning Commission held Public Hearings on a proposed Concept Master Plan and Class IV Conditional Use Permit for Rocky Vista University as well as a Public Hearing on a proposed Preliminary Plan for 4 single family villas for the Sentierre resort. The Planning Commission recommended approval on those. The Planning Commission recommended approval for a special exception for a height increase for an architectural feature of Rocky Vista University and approved two (2) Final Plat plats for the Taviawk subdivision.

3) CITIZEN COMMENT & REQUEST FOR FUTURE AGENDA ITEMS

None

4) PUBLIC HEARING AND ACTION ITEMS

None

5) DISCUSSION AND POTENTIAL ACTION ITEMS

Council Member Mendenhall arrived at 6:03 p.m. and stated that she had no disclosures or conflicts of interest with items on this meeting's agenda.

A. [Discuss and consider approval of the Planning Commission's recommendation on a Concept Master Plan for Rocky Vista University](#)

Kevin Rudd stated that the plan consists of a Medical University building located on the southwest ten (10) acres, which would be the first phase. The second phase consists of future commercial buildings on the southeast ten (10) acres and student housing on the north ten (10) acres. Future phases will require conditional use permit applications and approvals and the north ten (10) acres could require a Mixed Use Development Overlay, depending on the proposed uses of the student housing. Staff and the Technical Review Committee recommend approval of the Concept Master Plan for the Rocky Vista University educational facility. **Dale Coulam** clarified that the whole 30 acres is being approved as far as a concept master plan that will be built in

phases. **Council Member McDonald** inquired as to what the time frame was for phase two. **Dale Coulam** indicated that is unknown as of this time.

MOTION: Council Member Densley moved to approve the Planning Commission's recommendation on the Concept Master Plan for the Rocky Vista University

SECOND: Council Member Roberts

VOTE: The motion carried.

Council Member Elwell	AYE
Council Member McDonald	AYE
Council Member Mendenhall	AYE
Council Member Roberts	AYE
Council Member Densley	AYE

B. [Discuss and consider approval of a Special Exception for a height increase to an architectural feature for the Rocky Vista University building](#)

Dale Coulam stated that the City received a comment regarding the City previously not considering a church steeple on the church on Center Street but it's now considering this. He clarified that laws have changed since that time that would allow a steeple. Regarding this request, the Planning determined that the entrance feature compared to the size of the whole building was relatively insignificant in size and that it helped break up the mass of the building itself. The building has visual relief as required by City's ordinances. **Mayor Hart** indicated that he agreed with the recommendations of the Planning Commission.

MOTION: Council Member Densley moved to approve the Special Exception for the height increase to an architectural feature of the Rocky Vista University building based on the findings of the Planning Commission

SECOND: Council Member McDonald

VOTE: The motion carried.

Council Member Elwell	AYE
Council Member McDonald	AYE
Council Member Mendenhall	AYE
Council Member Roberts	AYE
Council Member Densley	AYE

C. [Discuss and consider approval of a Development Agreement for Rocky Vista University](#)

Mayor Hart stated that Tim Anderson and Dale Coulam worked feverishly on this. **Dale Coulam** indicated that it is pretty straightforward. The developers will receive an impact fee credit for streets and storm drain. The developers have also requested to defer the other impact fees over the four years it will take to reach its enrollment capacity so the developers have suggested a deferral of 25% for each year. Staff believes that is a reasonable request. He stated that the developers' attorney, Tim Anderson, helped draft the agreement and both attorneys believe the agreement is fair.

MOTION: Council Member Elwell moved to approve the Development Agreement as presented to the City Council for the Rocky Vista University

SECOND: Council Member Mendenhall

VOTE: The motion carried.

Council Member Elwell	AYE
Council Member McDonald	AYE
Council Member Mendenhall	AYE
Council Member Roberts	AYE
Council Member Densley	AYE

D. [Discuss and consider approval of Ordinance No. 2015-19, an Ordinance of Ivins City, Utah, adopting the City Council Meeting Schedule for the Calendar Year of 2016](#)

Mayor Hart indicated that the only issue he saw was potentially the meeting on September 15, 2015 which is in conflict with the Utah League of Cities and Towns annual conference in Salt Lake City. He suggested that the Council approve the schedule and cancel meetings if needed.

MOTION: Council Member McDonald moved to approve Ordinance No. 2015-19, an Ordinance of Ivins City, Utah, adopting the City Council Meeting Schedule for the Calendar Year of 2016

SECOND: Council Member Densley

VOTE: The motion carried.

Council Member Elwell	AYE
Council Member McDonald	AYE
Council Member Mendenhall	AYE
Council Member Roberts	AYE
Council Member Densley	AYE

Roll call vote. All Council Members voted in favor.

E. [Continued discussion and consideration to approve Resolution No. 2015-26R, A Resolution of Ivins City, Utah, appointing an individual to the Sensitive Lands Committee](#)

There were no questions or comments.

MOTION: Council Member Mendenhall moved to approve Resolution No. 2015-26R, A Resolution of Ivins City, Utah, appointing James Barr to the Sensitive Lands Committee.

SECOND: Council Member Elwell

VOTE: The motion carried.

Council Member Elwell	AYE
Council Member McDonald	AYE
Council Member Mendenhall	AYE
Council Member Roberts	AYE
Council Member Densley	AYE

Roll call vote. All Council Members voted in favor.

F. [Discuss and consider approval of Resolution No. 2015-27R, a Resolution of Ivins City, Utah, approving and adopting an Interlocal Agreement between Washington County cities for revenues pledged to Tuacahn](#)

Dale Coulam stated that the City Council previously passed a Memorandum of Understanding to contribute RAP tax funds to Tuacahn that was subsequently approved in the form of a Pledge Agreement for the bond holders. That works well for Ivins City because Tuacahn is located in

Ivins. The separate pledge agreement also worked well for Washington County because Tuacahn is located in Washington County. However the other Cities are not be able to contribute money from their general funds if the RAP tax is not renewed so an interlocal agreement is needed. The interlocal agreement has been thoroughly reviewed by three (3) attorneys and bond council. It protects Ivins and monies that are paid to Ivins are not part of Ivins' formal pledge and Ivins is not on the hook to make those payments. Ivins would only forward funds received from another city. **Council Member Mendenhall** clarified that she was sure the agreement was in order but that she will again be voting against this.

MOTION: Council Member Densley moved to approve Resolution No. 2015-27R, a Resolution of Ivins City, Utah, approving and adopting an Interlocal Agreement between Washington County cities for revenues pledged to Tuacahn

SECOND: Council Member Elwell

VOTE: The motion carried.

Council Member Elwell	AYE
Council Member McDonald	AYE
Council Member Roberts	AYE
Council Member Densley	AYE
Council Member Mendenhall	NAY

Roll call vote. Four Council Members voted in favor and one Council Member voted in opposition.

G. [Continued discussion and consideration prioritizing projects within the Storm Drain Master Plan](#)

Chuck Gillette indicated that Council Member Densley met with him and they discussed the impacts in the Kayenta Wash and with David Hafen's property. The analysis shows that the peak flows are lower than before the City had any detention basins and the City does not feel that the flows are impacting Mr. Hafen's property and therefore no obligation on the City. He clarified that there is a flood plain and it shows that can overflow the banks. **Council Member Roberts** inquired how many projects are Priority 1 projects. **Chuck Gillette** clarified that it would be better to ask how much the projects cost. **Mayor Hart** indicated that the impact fees will be based on scheduled projects. **Chuck Gillette** stated that he will only calculate Priority 1 projects and take them into account. **Dale Coulam** clarified that staff needs to know that the Council agrees with the priorities as Chuck has indicated for Priority 1 projects because those would proceed to an Impact Fee Facilities Plan. When that is completed, an Impact Fee Analysis will be prepared to determine the new Impact Fee. The **Mayor and City Council** agreed.

MOTION: Council Member Roberts moved to approve the Storm Drain Master Plan prioritizing projects

SECOND: Council Member Mendenhall

VOTE: The motion carried.

Council Member Elwell	AYE
Council Member McDonald	AYE
Council Member Mendenhall	AYE
Council Member Roberts	AYE

Council Member Densley	AYE
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H. [Discussion regarding policy for naming parks in Ivins City](#)

Mayor Hart indicated that a resident’s grand-daughter was accidentally killed and they wanted to find out if the City would allow them to pay for the Desert Rose park amenities have the deceased child’s name on the park. He inquired of the Council if there's an inclination to develop a policy so that in exchange for a contribution towards the amenities rather than a donation of land. **Dale Coulam** stated that there is another family in that same neighborhood that also lost a child a few years ago and recently two other young children have also died and it would be difficult to determine which of those children the City names a park after. The policy in the past has been the significant donation of land for a park. An option to naming the entire park would be to say if a family donates a component of the park, such as a playground or pavilion, a plaque could be placed that recognizes the donation in memory of their child. That would allow more families to participate in the parks and have their children possibly share a name. **Council Member Roberts** personally thought that it should be like any other committee where it's the Mayor's decision with the advice and consent of the Council and there should be discretion to do that. **Council Member Densley** referred to families who can't afford to participate and inquired what happens to them. **Council Member McDonald** suggested there be a memorial wall with a plaque that can be added to. **Council Member Densley** liked that idea but suggested that the Council think about the age that the line is drawn. **Mayor Hart** suggested this discussion be continued to another meeting. **Council Member Mendenhall** indicated that it would nice to have a memorial area in a town square or park place that would allow people easy access to gather and visit the memorial.

MOTION: Council Member Mendenhall moved to table the discussion regarding policy for naming parks in Ivins City

SECOND: Council Member McDonald

VOTE: The motion carried.

Council Member Elwell	AYE
Council Member McDonald	AYE
Council Member Mendenhall	AYE
Council Member Roberts	AYE
Council Member Densley	AYE

6) [CONSENT AGENDA](#)

- A. Approval of purchase of OpenGov Software
- B. Approval of City Council Meeting Minutes for November 5, 2015
- C. Approval of City Council Special Meeting Agenda Minutes for November 12, 2015

MOTION: Council Member McDonald moved to approve the Consent Agenda

SECOND: Council Member Mendenhall

VOTE: The motion carried.

Council Member Elwell	AYE
Council Member McDonald	AYE
Council Member Mendenhall	AYE
Council Member Roberts	AYE

Council Member Densley	AYE
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7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) REPORTS

A. Council

Council Member Densley referred to the drive through Snow Canyon State Park to State Route 18 and reported that the recommendations for the road improvements have been sent to Representatives Lowry Snow and Don Ipson for the upcoming legislative session.

Council Member Roberts reported that the Southwest Mosquito Abatement board met a couple of weeks ago and discussed budgeting. They are discussing making a large payment on the loan for the facility to pay that down faster. They may also hire a part-time Administrative Assistant as well so that the Director can spend more time with the mosquito portion of the district and not as much on the administrative side. The West Nile Virus was not bad this year, with the majority of the areas being in the Washington Fields and Hurricane area. There will be a meeting on December 10, 2015 to finalize the budget.

Council Member Mendenhall - no report

Council Member McDonald reported that he attended the Solid Waste District meeting where they discussed recycling. The price of recycled commodities has declined more than anticipated but the market fluctuates and they anticipate that it will go up again. Recycling is still more cost effective than burying. He continues to have concerns about the company that was awarded the contract.

Council Member Elwell reported that the Air Force JROTC was in attendance in their Class A uniforms at the Southern Utah Veterans Home pushing the Veterans in their wheel chairs for the Fun Run, Walk and Roll event. Interaction between the Veterans and the young cadets was inspiring.

B. Mayor

Mayor Hart reported that the CEC (Community Education Channel) is working with DSU (Dixie State University) to broadcast upcoming events. He referred to the proposed transportation tax increase and indicated that 17 counties in Utah placed that on their ballot and voters in 10 of those counties approved the transportation tax increase. Salt Lake and Utah County rejected the tax with the primary objection being that of UTA and their current negative image. Five (5) counties are working to provide information to various cities so that there is factual information to provide to the residents so that they can decide on that tax.

C. City Manager/Attorney Dale Coulam

Dale Coulam reported that the City was able to renew the current healthcare plan for one more year before having to switch to an Affordable Care Act plan so there was only a slight increase in the premiums.

D. Items to be placed on future agendas

9) CLOSED MEETING

10) ADJOURNMENT

MOTION: Council Member McDonald moved to adjourn

SECOND: Council Member Mendenhall

VOTE: The motion carried.

Council Member Elwell	AYE
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Council Member McDonald	AYE
Council Member Mendenhall	AYE
Council Member Roberts	AYE
Council Member Densley	AYE

The meeting adjourned at 7:18 p.m.

Respectfully,

*Kari Jimenez

City Recorder

*Deputy City Recorder Sharon Allen was in attendance at this meeting. City Recorder Kari Jimenez prepared these Minutes.