

**IVINS
CITY COUNCIL
MINUTES
December 3, 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 Roberts, and Council Member Densley.

STAFF: City Manager/Attorney Dale Coulam, Director of Finance Wally Ritchie, Parks and Recreation Director Benny Sorensen, Public Safety Director Bob Flowers, Director of Public Works/City Engineer Chuck Gillette, and City Recorder Kari Jimenez.

EXCUSED: Council Member Mendenhall

Audience: Claudette Larsen, Logan Bryan, Judith Kapuscinski, Becky & Chuck Warren and others who did not sign in.

A. Acknowledgement of Quorum

Mayor Hart acknowledged that there was a quorum present. **Council Member Mendenhall** was excused.

B. Flag Salute

Council Member Elwell led the Flag Salute

C. Invocation

Council Member Elwell 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: Parks and Recreation and Public Safety

Mayor Hart indicated that the Department Heads are not present but that written reports were provided and are available by request.

B. Planning Commission Report

Chairperson Loris reported that the Planning Commission held a Public Hearing on a proposed amendment to the Ivins City Zoning Ordinance to allow a Recreational Vehicle Resort in the Commercial Professional and Research Zoning District on the south side of Highway 91 and 100 West. The Planning Commission determined that use should not be allowed in Ivins and forwarded that recommendation to the City Council. The Planning Commission continued discussion and review of the zoning ordinance text and approved dates that the Planning Commission will meet in 2016.

Mayor Hart recognized the Scouts and their leaders that were in attendance.

3) CITIZEN COMMENT & REQUEST FOR FUTURE AGENDA ITEMS

None

4) PUBLIC HEARING AND ACTION ITEMS

None

5) **DISCUSSION AND POTENTIAL ACTION ITEMS**

A. **Discuss and consider approval of a request for extension for Cliffrose Phase 2 Final Plat**

Dale Coulam indicated that the City allows for a one (1) time six (6) month extension and the developers letter explains the reason for the request.

MOTION: Council Member Elwell moved to approve the six (6) month extension request for Cliffrose Phase 2 Final Plat

SECOND: Council Member McDonald

VOTE: The motion carried.

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

B. **Discuss draft of proposed Ordinance regarding the creation of an Arts Committee**

Dale Coulam stated that this is on the agenda for the City Council to review before final discussion and decision. He indicated that Mike Scott submitted a sample ordinance to use as a template and that was followed with some changes. He referred to the words "Arts Committee" in the ordinance rather than an "Arts Commission" for consistency and clarified that state statutes refers to a "Council" as the governing body and "Commission" as the Planning Commission. The Arts Committee would be a recommending body, similar to the Sensitive Lands Committee and the Technical Review Committee. The City Council will need to determine if it is going to be called the Arts Committee or the Arts Commission as well as the number of individuals that will be on the committee. The sample ordinance originally referenced holding formal Public Hearings but that was removed but informal public comment could be heard by this body. **Council Member Densley** referred to the RAP (Recreation, Arts & Parks) tax and inquired if this group would be making recommendations for the 1/3 of the tax to go to the Arts portion of the tax. **Dale Coulam** answered yes and their recommendation would then go the City Council for a final decision. **Mayor Hart** provided a list of potential appointments to the committee, a copy of which is available by request through Ivins City Hall. He indicated that he would like the committee to consist of seven (7) members because of the representation he'd like to see on the panel. He did not have a strong opinion about whether the name of the group was "committee" or "commission" but stated that Council Member Mendenhall does and that an Arts Commission is known across the board. He inquired if there was any reason the City couldn't use that name. **Dale Coulam** clarified that there was no prohibition. **Council Member Elwell** indicated that he originally thought that a five (5) member panel was sufficient but after listening to Mayor Hart, he agreed with a seven (7) member panel. He stated that he didn't have a problem with the use of the word "committee" but felt that the word "commission" would send a stronger message of who the individuals are on the panel and what they offer. **Mayor Hart** requested that the City Council think about recommendations between now and the next City Council meeting for a known artist in the community to sit on the panel. **Council Member Roberts** stated that he didn't have a problem with the use of the word "committee" indicating he would rather see consistency with other City panels. Regarding a seven (7) member panel, he inquired how many would need to be in attendance to constitute a quorum. **Dale Coulam** clarified that four (4) would be a quorum.

MOTION: Council Member Roberts moved to continue the discussion of Ordinance No. 2015-20, an Ordinance of Ivins City establishing an Arts Committee

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	ABSENT

C. [Discuss and consider approval of an update to the Transportation Master Plan](#)

Chuck Gillette indicated that the intent of this presentation is to provide information to the City Council and approve it at a later date. He provided hard copies of the plan to those who requested it, a copy of which is available by request through Ivins City Hall. He also gave a PowerPoint presentation to the City Council. A copy of the presentation is available by request through Ivins City Hall. He stated that the updates to the Transportation Master Plan represents Traffic Counts and Accident data, Population Projections, incorporation of past amendments, revision of important figures and the Transportation Improvement Plan. **Council Member Densley** inquired if the update considered Rocky Vista University (RVU) that will be built in the near future. **Chuck Gillette** indicated that it did not because that project came after the analysis but indicated that RVU provided their own Traffic Impact Study and the only recommendation was a pedestrian crossing. However, that property was zoned for commercial use that would have generated more traffic and the current zoning was considered in the study. **Council Member Densley** inquired about a roundabout on 400 East and Center Street. **Chuck Gillette** stated that roundabout is in the plan and he sees benefits of having one there because of the traffic from Vista Charter School. **Mayor Hart** inquired as to a roundabout on Puerto and Center Street. **Chuck Gillette** clarified that a roundabout on Puerto and Center Street would be more problematic than the one proposed on 400 East and Center Street. **Council Member Roberts** referred to the northern corridor and inquired as to the width of that corridor. **Chuck Gillette** indicated that there is a 90' foot Right-of-Way as well as a 21' foot landscape buffer so the total width is 111' feet for that cross section. **Council Member Densley** inquired if Chuck has coordinated this with the bike community. **Chuck Gillette** stated "yes". **Council Member Elwell** questioned the basis for the lower population estimates. **Chuck Gillette** explained that the estimates were something that he worked on when he prepared the Water Master Plan. He compiled and analyzed the data himself and is confident in the revised population estimates. The original population estimates were based on the potential for the Land Use Plan to change but the purpose of the Land Use Plan is to outline what they anticipate the City looking like in the future. The City has a GIS mapping system and he went property by property, analyzed the properties, and then revised the projections based on those analyses.

D. [Discuss and consider approval of renewing the Employment Agreement for the City Manager](#)

Dale Coulam indicated that the initial employment contract closely followed the prior City Manager's contract that had no specific term. The recitals have been updated and the agreement is now for a term of employment for four (4) years. **Mayor Hart** stated that he met with Dale for his performance review and since the City Council made the decision to employee Dale as

the City Manager, City Attorney and HR Director, in the Mayor's opinion, that has worked out very well. He publicly commended Dale for the job that he's done and recommended renewing his contract. The City Council Members agreed.

MOTION: Council Member Densley moved to approve the renewal of Employment Agreement for the City Manager

SECOND: Council Member Roberts

VOTE: The motion carried.

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

E. [Discuss and consider residency requirements for Department Heads](#)

Dale Coulam stated this agenda item was discussed at a previous City Council meeting. The requirement for Department Heads to reside in Ivins is not required by statute or in Ivins' ordinances; only in the job descriptions for those positions. He surveyed other municipalities to see what their requirements are and he found that in urban areas the greatest trend was that to have no requirement for residency or there was a requirement to live within a 30 minute response time. In areas like Fillmore where there isn't another municipality that is close by, then there is a residency requirement. He recommended that the City not require residency but rather a 30 minute response time. He clarified that the Public Works Director residency requirement should remain to monitor storms which can be very localized. **Mayor Hart** indicated that the residency requirement was required because it was felt that an individual working in Ivins would have a vested interest in the community if they also resided there. **Dale Coulam** recognized that was the primary reason for having the residency requirement in the job description but his concern is Ivins would be missing out on highly qualified individuals for key positions in Ivins that will not apply because of that requirement. When the prior Public Works Director, the current Engineer and he as the City Attorney were hired, they were all hired from out-of-state, so moving to Ivins wasn't an issue. Since that time, the Washington County area has grown and there are qualified people living in the County. **Council Member Roberts** clarified that he felt that an individual working for Ivins City but not residing in Ivins would still have "buy in" because of job performance requirements. He agreed that a 30 minute response time seemed fair but inquired who measures the response time. **Dale Coulam** clarified that that requirement has been in place for Public Safety and the Public Safety Director or the City Manager have actually drive the course and evaluated the drive time or radius. **Council Member Elwell** agreed with Council Member Roberts regarding employees who are employed in Ivins having "buy-in" but not residing in Ivins City.

MOTION: Council Member Roberts moved eliminate the residency requirement for Department Heads and establish a 30 minute response time requirement except for the Public Works Director

SECOND: Council Member Elwell

VOTE: The motion carried.

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

6) **CONSENT AGENDA**

A. Approval of City Council Meeting Minutes for November 19, 2015

MOTION: Council Member McDonald moved to approve the Consent Agenda

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	ABSENT

7) **CONSENT AGENDA ITEMS FOR DISCUSSION**

8) **REPORTS**

A. **Council**

Council Member Elwell - no report

Council Member McDonald reported that an Ivins resident who lives on 200 West where the City is putting in a new sidewalk on 200 West and 200 South, approached him regarding excess speeding on 200 West. The resident told Council Member McDonald that there are approximately 40-50 kids that cross that street and he is concerned for their safety because of speeding vehicles. **Mayor Hart** agreed and commented that there is a traffic calming mechanism that is a concrete dome that can be placed in an intersection that forces the driver to slow down and go around it. It can be installed economically and he felt that the 200 West street would be a prime candidate for that. **Council Member McDonald** also suggested that a crosswalk be painted across there since the sidewalk is going in. **Mayor Hart** requested Dale Coulam talk to Chief Bob Flowers about placing the dome to see if that helps.

Council Member Roberts - no report

Council Member Densley - no report

B. **Mayor**

Mayor Hart reported that he will be flying out to Chicago later tonight to attend the accreditation meeting on Friday, December 4, 2015 and Saturday, December 5, 2015 for Rocky Vista University (RVU). **Mayor Hart** reported that the annual neighborhood meetings will be held the second week of January, on Tuesday (January 12), Wednesday (January 13) and Thursday (January 14, 2015). He attended a meeting today with Terri Kane with Intermountain Health Care to look at plans for the hospital and expanding the Dixie Regional Medical Center, which will double in size over the next couple of years. One new area of the facility will address cancer genomic mapping which is proving to be an extremely effective way of treating cancer. With that specialty, Washington County be at the epicenter in a radical change to treating cancer.

C. **City Manager/Attorney Dale Coulam**

Dale Coulam indicated that this past Tuesday Kevin Rudd reported to the Planning Commission, a modification to a Conditional Use Permit for a project in Kayenta. The Planning Commission determined that the change was not significant enough to warrant going through the entire

amendment process which is expense and causes delays. **Kevin Rudd** provided a similar presentation to the City Council and explained the modifications. A copy of the presentation is available by request through Ivins City Hall. **Dale Coulam** stated that he felt the modification was better for the City because the entrance and parking lot for the Reservoir would now be within Ivins. He indicated that he would have had a difficult time recommending that the City expend tax payer money for improvements outside of the City to provide an entrance and parking on Shivwits land since it would be difficult for Ivins City to enforce the terms of the agreement. The **Mayor and City Council** determined that the change was not significant enough to warrant going through the amendment process. **Dale Coulam** reported that an amendment to the sewer ordinance will be addressed on a future agenda to address a proposed exception. There will also be a Public Hearing on the next City Council meeting agenda regarding the Preliminary Plan for the Sentierre project, as well as approval of a Development Agreement.

D. Items to be placed on future agendas

9) CLOSED MEETING

10) ADJOURNMENT

MOTION: Council Member McDonald moved to adjourn

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	ABSENT

The meeting adjourned at 7:14 p.m.

Respectfully,

Kari Jimenez
City Recorder