

Minutes of the Hurricane City Council meeting held on March 3, 2022, in the Council Chambers at 147 North 870 West, Hurricane, Utah, at 3:30 p.m.

3:30 Growth Workshop with the Planning Commission

City Council Members Present: Mayor Nanette Billings and **Council Members:** Joseph Prete, Dave Sanders, David Hirschi, Doug Heideman, and Kevin Thomas.

Planning Commission Members Present: Paul Farthing, Shelly Goodfellow, Mark Sampson, Dayton Hall, Rebecca Broneman, Penny James-Garcia.

Staff Present: Planning Director Stephen Nelson, Assistant Planner Fred Resch, City Manager Kaden DeMille, Public Works Director Mike Vercimack, Darrin LeFevre, Ash Creek Sewer District Superintendent Mike Chandler, Water Superintendent Ken Richins, Dallan Wadsworth, Street Superintendent Weston Walker, Power Superintendent Scott Hughes, Parks Superintendent Darren Barney, and Chief Lynn Excell.

Stephen Nelson led the discussion on the growth of Hurricane. Fred Resch starts the presentation by reporting that in 2021, 13,555 units were approved at the preliminary plat and preliminary site plan level. Of the 13,555 approved units, 2,100 are considered resort units. Between 2,600 and 2,700 are approved at the preliminary plat level. The remaining units come from the planned communities Copper Rock, Desert Sands, and Sand Hollow Mesa. The planned communities account for 66% of the units approved in 2021. Copper Rock and Desert Sands have started construction. No construction has been started in the Sand Hollow Mesa planned community. Based on the current rate of building permit approvals and other construction delays, it could take more than 20 years for these units to be built out. Based on Hurricane City population statistics, there are an average of 2.77 residents per household. Completion of these units will increase the population by 37,547 residents.

Fred Resch discussed residential real estate market data in Hurricane City. The median sales price has increased by 8.5%, the inventory of homes for sale has declined by 36%, and there was a 48% increase in the number of homes selling for over \$500,000. Industrial areas in Hurricane City are nearly full, and the only industrial areas being built within Washington County are located in Hurricane City. In Washington County, residential lease rates have increased by an average of 102% over the past ten years. Nearly all multifamily housing units have a waiting list. Washington County's industrial vacancy rates are less than 1%. Fred Resch reviewed the Hurricane City General Plan for economic development, including creating more industrial and commercial areas. One of our goals should be to boost our economy so residents of Hurricane City can work in Hurricane City. 75% of Hurricane City residents work outside of the area.

Stephen Nelson continued, "Where do we go from here?" He discussed that the city has some control over Hurricane City's growth by zoning, planning, and annexations. Joseph Prete asked if the approved zone changes in the southern part of the town obligate the city to extend the infrastructure faster than planned. Mr. Nelson stated that developers have signed a development agreement acknowledging the absence of infrastructure, and they have committed to bringing in infrastructure before applying for land use. Mr. Nelson reports that his biggest concern is sprawl. Sprawl is the rapid geographical growth of a city, and it is an expensive development pattern, having a higher impact on resources. There is also a concern that it will take a couple of years to fix the power and water issues in the southern part of the city.

Ken Richins stressed the importance of installing adequate utilities and water tanks. The city should avoid the need to update utilities in the future.

Chief Excell stated that the Police department's biggest problem is retaining and finding officers. The sprawl stretches the department thin between all the areas of the city. The quality of life for the residents is in jeopardy if the Police Department is not fully staffed.

Scott Hughes reported that the Power Department is also spread thin. Lead times on transformers and other materials are also a problem.

Mike Chandler with Ash Creek Sewer District reports that the sewer district has most of the necessary infrastructure. They are getting pressure to annex Virgin and Apple Valley to the Ash Creek District. He discussed the pump station projects underway in the surrounding areas that will benefit Hurricane City. They review their Capital Facility plan every three years to reevaluate impact fees as large developments occur.

Dave Jessop with the Washington County Water Conservancy Water District reported that they are currently working on a Master Plan and Water Use Assessment. It is hard to predict water availability due to the varying water supply. They are working on a reservoir to feed Toquerville's secondary water system with secondary water. The Toquerville water supply is currently being used for culinary and secondary water, and this reservoir will help conserve culinary water.

Mr. Nelson presented a series of questions for the Planning Commission and City Council to get direction.

What are the City Council and Planning Commission's thoughts regarding the topics covered?

Nanette Billings reports that most of the feedback she is getting from citizens is resistance to high density growth. Dave Sanders understands that there are concerns with high density. However, high density is necessary if the goal is to target affordable housing. Kevin Thomas questioned whether high-density housing does provide affordable housing. He would like to see data comparing the cost per square foot in multifamily units to larger lots. Paul Farthing suggests that this growth problem is not the norm and will not be a constant issue. Dayton Hall agreed that these are unusual times. The prices likely won't stay high indefinitely and suggested not to make fast conclusions. Instead, this is a long-term decision. Joseph Prete agreed that affordable housing is an important issue that needs to be addressed. He does think that smaller lot sizes correlate to lower prices. It is an unrealistic goal to provide affordable housing and services without high-density housing. Rebecca Bronemann agrees that residents in the community do not want high density, but it is necessary to look at what benefits the community. She cited average income rates and housing prices within the county. She expressed concern that the rising home costs are pricing out workers needed in the community, such as police officers, firefighters, paramedics, and others who work in the service industry. Higher density housing is necessary to provide more affordable housing. David Hirschi states that it is impossible to stop the growth and still provide affordable housing.

What are the advantages of growth? The City Council and Planning Commission discussed that growth would bring in more commercial properties, which will provide the community with more employment opportunities. Growth also brings in revenue that the city needs to provide services and amenities. Mr. Hirschi is concerned that more growth increases crime.

What should we pursue, and what should we avoid? Rebecca Bronemann would like to see a focus on creating more job opportunities. Growth is an excellent opportunity to invite businesses. Ms.

Bronemann discussed the possibility of adding a municipally owned hospital. Mayor Billings discussed updating the Master Plan to provide more commercial and industrial areas. Mr. Prete sees the need to encourage commercial and industrial growth.

What steps should be taken to manage the growth? Mayor Billings feels updating the Master Plan will help the city manage growth and provide a vision for the future. Mr. Nelson recommends reviewing the Master Plan annually. Mr. Sanders suggests adding areas for more mobile homes and possible zoning for tiny homes. Mr. Nelson explained the standards for RV parks and Mobile Homes. Penny James-Garcia thinks this is growing pain. It is our job to listen to citizens and promote good growth. She doesn't think mobile homes are the best idea. She suggested allowing more ADU's per property, with restrictions on only one per property for vacation rental use. Self-help homes are also a great idea. Mr. Thomas likes ADU's but is concerned because they are only rentals. He would prefer modular homes that can be owned. Mr. Prete expressed the need to review zone changes thoroughly. We need to look at the capital facility plan more often and explore a dual-track impact fees approach. He wants to see an Agriculture Preservation Committee put in place and operating. He thinks each development should provide a required number of affordable housings. Mr. Hall agrees that zone changes are a way to regulate growth. If the infrastructure isn't there, don't approve the zone change. He referenced Copper Rock as an example of the difficulties arising from zone change approvals without proper infrastructure.

Mr. Nelson thanked everyone for their input. He will prepare policy ideas and suggestions for the City Council and Planning Commission.

Meeting Adjourned at 5:32 p.m.

5:00 p.m. Pre-meeting - Department Reports

Weston Walker reported that they are continuing work on patching and crack sealing. The department's crack seal machine is repaired.

Mike Vercimack reports that there will be a preconstruction meeting for the three developments in the Elim Valley area next week. The department remains extremely busy and is currently understaffed.

Ken Richins sent an email report on their department. The Water Department is in training this week.

Scott Hughes discussed the department staffing issues. The substation crew has interviews tomorrow. They have transformers on order, and the lead time is about one year.

Darren Barney is getting ready for spring, fertilizing the grass, and spraying for weeds. The Parks Department is down on staffing, and there are several applicants. The interviews will start next week.

Chief Excell reported that the department had put a notice on social media that they would start issuing tickets for people trespassing on Water District property by Dixie Springs Park.

Discussion Regarding Peach Days-David Stirland

Mr. Stirland was not able to make the meeting. Nothing discussed.

6:00 p.m. -Call to Order

Mayor Billings welcomed everyone to the meeting.

Prayer

Led by Shelley Goodfellow. She also read a thought regarding Ukraine.

National Anthem

Kalister Hutchings

Pledge

Led by Kalister Hutchings.

David Hirschi motioned to move item number four on new business to item number one on old business. Joseph Prete seconds the motion. Motion carried unanimously.

4. Local Consent for **Hurricane Mountain Bike Festival**.

DJ Morrisette reported that this is the eleventh year of the event. There is no difference in this year's request. There will be more vendors than in 2021. However, due to COVID, the festival is expected to be smaller than in 2019.

Dave Sanders motioned to approve Local Consent for Hurricane Mountain Bike Festival. Kevin Thomas seconds the motion. Motion carried unanimously.

Public Forum – Comments from Public

Clark Fawcett sent an email about PID's. PID's are very lucrative to the developer. The citizens need to be protected. It needs to be addressed. We should not be trying to protect the developers. Protect the citizens and the community. He believes there are plenty of ways to do everything they want to do without a PID. It is important to give the staff time to thoroughly review everything before any decisions are made.

OLD BUSINESS

1. Consideration and possible approval of a **reduction in park and road impact fees for an apartment complex located at approximately 6129 W 100 South H-4-2-4-3211** – Kyle Arbizu

Kyle Arbizu is not present. Stephen Nelson talked to him yesterday and doesn't think he has met the requirements.

Joseph Prete made the motion to table approval of a reduction in park and road impact fees for an apartment complex located at approximately 6129 W 100 South. Kevin Thomas seconds the motion. Motion carried unanimously.

2. Consideration and possible approval of a **Resolution declaring parents are the primary stakeholders in their child's life**-Laurel Frost

Laurel Frost read the proposed resolution. Mayor Billings reports that she has spoken to two parents that were arrested for standing up and disagreeing. Nineteen states have withdrawn from the National School Board Association.

Kevin Thomas motioned to approve the Resolution declaring parents are the primary stakeholders in their child's life. Seconded by David Hirschi. Motion carried with Dave Sanders, David Hirschi, Doug Heideman, and Kevin Thomas voting aye. Joseph Prete abstained because he feels the other resolution was legally better for the City. He is not comfortable with this one.

3. Consideration and possible approval of a contract award for a chip seal project.

Weston Walker Street Superintended reports that He and Arthur Lebaron have reviewed the department's budget. They recommend approving Schedule A to Intermountain Slurry. The total amount is \$650,290.80. Mayor Billings asked about the different bid schedules. Mr. Walker explained the single chip is to do a single layer on the road, and schedule A is a double chip on the same road. The alternative B schedule is for a road that needs different oil and is not within the budget. CPCP did not give a qualified bid.

David Hirschi motioned to approve the approval of contract award for a chip seal project Schedule A to Intermountain Slurry for \$650,290.82. Doug Heidemen seconds the motion. Motion carried with David Hirschi, Joseph Prete, Dave Sanders, Kevin Thomas, and Doug Heideman voting aye.

4. Discussion on short term rental ordinance-Nanette Billings.

Stephen Nelson explained that this ordinance would allow staff to issue a civil fine for violations of short-term licensing standards and zoning violations. Currently, if there is a violation, the police department must issue a citation, which is then handled by the justice court system. There are at least 120 unlicensed short-term rentals.

Mayor Billings asked for clarification of section *I. Enforcement Provision paragraph 5*. If the "guest" is the cause of the complaint, does the owner still lose their license? She reported that most of the complaints are coming from vacation rental homes and not hosting homes. Stephen Nelson commented that the requested changes are listed in pink. Mayor Billings made the recommendation to update this section to be very clear. Joseph Prete questioned the timeline for reapplication after the license is revoked. Cindy Beteag reported that there is no ordinance regarding the timeframe for reapplication. At the last meeting the City Attorney suggested making more revisions before this is ready for a vote. Mayor Billings reports that she has had many comments from people stating they don't want more short-term rentals in the city unless they are in recreational resort zoning. Mr. Nelson agrees that the staff will be supportive of that as a policy.

Kevin Thomas made the motion to continue the discussion on short term rental ordinance to the next meeting as an action item. Doug Heideman seconds the motion. Motion carried unanimously.

NEW BUSINESS

1. Presentation from Ironman

Nanette Billings introduced Kevin Lewis with Greater Zion, a tourism office in the county. They have been involved with Ironman over the past 12 years. The Ironman competition has brought in nearly 120 million dollars in economic impact to the county. He praised the staff for their dedication to making the ironman competition a success. The race is scheduled for Saturday, May 7. There will be about 3,500 competitors. This will be the first World Championship event held outside of Hawaii.

2. Consideration and possible approval of an Interlocal Cooperation Agreement with Ironman.

Kaden DeMille reported that the staff hasn't had a chance to review the agreement. Mr. Lewis has agreed to continue this approval until the next City Council meeting.

Joseph Prete motioned to continue approval of an Interlocal Cooperation Agreement with Ironman. David Hirschi seconds the motion. Motion carried unanimously.

3. Consideration and possible approval of awarding the runway lighting project and the airport – Mike Vercimack

Mike Vercimack reports that last year the City Council awarded a contract to Aviation to complete engineering for the lighting project. The goal tonight is to award the bid to install the lighting to the lowest bidder. The airport is federally funded, operating on a 10-year horizon budget. The lights have been on CIP for six years, and they are now the top project on this list. The lighting consists of lights that are 14" high. They are controlled by the aircraft coming in. The lights stay on for 15 minutes. Due to COVID, the engineering was funded 100% by the FAA. Hurricane City is responsible for contributing 5% of the costs to install the lighting.

Public Forum – Comments from Public

John Williams expressed appreciation for the City Councils' consideration of their concerns. He and his wife own a hangar at the Hurricane Airport. He was the president of the Utah section of the Illumination Engineering Society (IES). The IES is an international organization that sets standards for the worldwide lighting industry. He also taught lighting classes for more than 30 years. If there are concerns about light pollution, please seek advice from a specialist before making decisions.

Stephen Lemmon has received calls from people who are for and against the project. He travels all over the country for work. Many times, he comes home in the dark. It is dangerous to fly at night. Addressing the noise concern, he reported that only two aircraft have come into this airspace for a total 43 minutes in the past two weeks. People do not like to fly into this airport because of runway safety concerns. They want runway lights for safety. This isn't about more people flying here at night. This is just about safety.

Willard Ashcroft is speaking against the lighting at the airport. He is a former Air Force pilot, and he loves planes and flying. As a resident, he supports the airport. He is right under the flight path, and the flight traffic does not bother him. He speaks of his concerns about noise abatement. He asked for some consideration for the noise at night. There are homes going into the north, and they will have likely be concerned with the noise. He feels the lights will encourage night flying. He asked that the City Council consider this topic regarding the quality of life.

Rick Rathkie is speaking for the lighting. Pilots need safety. He feels that people are concerned that the lighting will facing upwards, impeding the dark skies. This is not factual. A pilot could not land if the lights were directed at the sky. He compared it to the lighting on the stairs in a movie theater, showing people how to exit safely.

Dave Houston is the Hurricane City Airport Manager. Regarding noise concerns, they can educate pilots to be more considerate while flying into the airport at night. There are 60 aircraft based at the Hurricane Airport, and they need these lights for safety. Noise issues can be addressed. Doug Heideman asked if students at SUU are allowed to fly after 9 p.m. Mr. Houston states they can fly 24 hours a day. Scott Freeman (Flight Instructor) explained that for night training, pilots leave at 4 a.m., fly into St. George,

where there are lights, and then come back to Hurricane when the sun comes up. We could start training after twilight, train for an hour, and come back to land if we had lights. We are probably creating more noise by taking off at 4 or 5 in the morning.

Jason Campbell is speaking against the lighting at the airport. He is representing a lot of people that are concerned with noise abatement. We should not have to deal with the noise at night. People can choose to fly out at night by going to St. George. That is their choice. Lights encourage night flying, and it isn't fair to the citizens. If federal funding is used to install these lights, we will not be able to remove them in the future without penalties.

Mayor Billings mentioned someone that is worried about his neighbor, who is a Vietnam Veteran. He is concerned about helicopters flying at night because of his PTSD. Someone also sold their property because of the helicopters coming all day long. Doug Heideman has spent a lot of time on this discussion, and it just gets muddier. He isn't convinced lights will add to the airport's problems. He is concerned about the safety issue. Because the FAA funds us, we are subject to their regulations. Decisions that we make today affect what happens here in 20 years. He thinks more research needs to be done before they vote on it. Lights aren't the problem. He does believe there needs to be a noise ordinance put in place. Kevin Thomas has received a lot of emails about the lights. He doesn't believe these lights will be a dark sky issue. He does believe that the lights provide safety for the pilots. The problem is the noise. The lights wouldn't be an issue if the noise wasn't on the table. He would like to enact a noise ordinance and then revisit this. David Hirschi does have noise concerns, and he doesn't know if the lights will create more problems. He suggested continuing this item until they can brainstorm more ideas. Joseph Prete didn't want to take a position until they had heard from both sides. Several of the emails he has received questioned the use of taxpayer money. Hurricane City is only obligated for 5%. He asks if there are any FAA regulations regarding the lights. He has concerns about how the lights will impact the community. His passion is to preserve agriculture. He thinks increasing the number of flights is negative towards that. Overall, he is not in favor of lights if there are no legal liabilities with FAA. Dave Sanders mentioned previous minutes that state if there is a concern with the lighting, we can ask FAA to move lights down on the list and do the ramp first. He is confused about how we got to this point without talking to the City Council first. He is having a hard time seeing the benefit of the lights. He is concerned about the noise. He thinks the Airport Board needs to help us decide our primary goal for the airport. He believes it needs to be discussed more before they decide.

Carmen Mowbray has a home in St. George but bought a hanger in Hurricane. She agrees that when taking federal money, there is always a concern about the consequences. She notes that the federal money used for projects like this comes from aviation fuel tax. Mayor Billing discussed the specific bylaws that pertain to the aviation board. She wants to clarify that the cost of this light project is \$828,327.50. Hurricane City is responsible for 5%, which is \$41,416.38. The State of Utah is also responsible for 5%. The remaining cost of \$745,494.75 is coming from the FAA. When the FAA gives funds to our airport, we can move and prioritize items on our list. There are a couple of things that we might want to consider. We have only received one bid. This did not come to the City Council to go out to bid. It was only approved for engineering.

Doug Heideman motioned to continue awarding the runway lighting project at the airport for two months. Dave Sanders seconds the motion. Motion carried unanimously.

5. Consideration and possible approval of awarding the bid to purchase and install bleachers at the Hurricane Equestrian Park – Darren Barney

Requests for proposals were sent to five bleacher companies. Park Warehouse is the bid we have received. The bid amount is \$182,496.13. They offered a discount if the bleachers are ordered before March 10. This includes installing them. Darren Barney recommends approving it. He is comfortable with their quality of work. The bleachers are the same height as the existing ones, but they will be longer. This will provide 2,370 seats, including handicap seating. It is possible to bring in the old bleachers to provide additional seating. Doug Heideman is concerned that there is only one entrance to the equestrian park. Mayor Billings has talked to the surrounding property owners, and they are willing to negotiate the sale of land for an entrance.

Joseph Prete motioned to approve awarding the bid to purchase and install bleachers at the Hurricane Equestrian Park in the amount of \$182,496.13. Doug Heideman seconds the motion. Motion carried unanimously with David Hirschi, Joseph Prete, Dave Sanders, Kevin Thomas, and Doug Heideman voting aye.

6. Discussion regarding concerns at the animal shelter – Tracy Saleen

Tracy Sahleen clarified that she doesn't have concerns at the animal shelter. She is concerned about the number of homes that have been approved and the large number of animals that will bring. She cited that, on average, 70% of homes have pets. Hurricane Animal Shelter only has four large kennels for dogs, 24 for cats, three quarantine kennels for dogs, and 8 for cats. Large kennels can be split into two kennels because of the drop down. However, sometimes the dogs can lift the drop down, making it hard to keep the dogs apart. Last week they brought in 9 strays. They have been at full capacity three times this year. The shelter isn't going to be able to maintain this growth. Horses were recently approved on some lots. The shelter is not equipped to house a horse. She just wanted the Council to be aware of that and to consider adding to the shelter. She expressed thanks to Chief Lynn Excell for everything he does. Mayor Billings stated that she did commit to the staff to work toward a solution. The staff is working on making it easier for residents to register their pets and make payments online. The staff also recommended removing the kennel license and requiring all animals to be licensed. Chief Excell is working on ordinances to bring to the City Council. Mayor Billings asked the staff to write down what is needed so they can bring it to the budget discussion on March 18th.

Dave Sanders motioned to go into a Public Hearing. Kevin Thomas seconds the motion. Motion carried unanimously.

7. Public Hearing to take comments on the following:

The creation of **Sand Hollow Mesa Public Infrastructure District No. 1** as an independent body corporate and politic; authorizing and approving a governing document, an interlocal agreement, and a notice of boundary action; and related matters

The creation of **Sand Hollow Mesa Public Infrastructure District No. 2** as an independent body corporate and politic; authorizing and approving a governing document, an interlocal agreement, and a notice of boundary action; and related matters

The creation of **Sand Hollow Mesa Public Infrastructure District No. 3** as an independent body corporate and politic; authorizing and approving a governing document, an interlocal agreement, and a notice of boundary action; and related matters

The creation of **Bench Lake Public Infrastructure District** as an independent body corporate and political; authorizing and approving a governing document, an interlocal agreement, and a notice of boundary action; and related matters

Ken Martins lives in Dixie Springs. He has read the House bill and many articles regarding PID's, the most informative article he has read is what Kaden DeMille and Clark Fawcett gave to the City Council. He has read the official Gateway and Sand Hollow Project statement. He thinks the district should have some oversight by the City Council.

Kelby Iverson has strong feelings about PID's. He expressed gratitude to the City Council for doing a good job of representing the citizens. He thinks if the citizens voted on these PID's, they would be denied. We are in this situation because zone changes were approved that shouldn't have been. Our growth needs to happen in a normal and natural way. If this is approved, it will triple our population quicker. He is very against PID's.

Ted Fullerton recommends a separate public meeting dedicated to the discussion of PID's. His project is 80% commercial. He feels the project will bring revenue to the schools, the county, and the city. He would like the opportunity to present everything to the citizens so they can see the other side. Normal and natural growth isn't always good. Smart growth takes advantage of the new ideas that were presented by the legislator to finance the growth in a smarter way. This is a more complex situation than what is being discussed here. He would like to know more about the different aspects of using municipal bonds and other funding options.

Stuart Stout asked if the city had liability benefits if the PID was approved. He stated that this only benefits the developer. Why are we making it easier for the developer? Everything the PID funds can be done without it. He has only heard the developer speak in favor of this. He has not heard anyone else speaking in favor of this.

Kevin Thomas made the motion to go out of public comment. Seconded by David Hirschi. Motion carried unanimously.

8. Consideration for adoption of a **resolution of the City Council of Hurricane City, Utah, providing for the creation of Sand Hollow Mesa Public Infrastructure District No. 1** as an independent body corporate and politic; authorizing and approving a governing document, an interlocal agreement, and a notice of boundary action; and related matters.

Mayor Billings reported that the items that came in the packets do not have the necessary information. The developers were contacted and informed not to attend. The staff is not ready to make any recommendations due to the lack of information.

Matt Ence who was online, thanked Mayor Billings for the explanation. They believed they had provided everything to the staff. He was of the understanding that it was Hurricane City staff that needed more

time to review the information. Mayor Billings stated that what is in the packet doesn't address all that is required.

Kaden DeMille reported that documents weren't received until late last week. The staff was rushed to review the information, and several items needed further clarification. He is not sure if the PID counsel has had the chance to review the comments made by staff. Mr. DeMille's recommendation to the City Council is that the documents in the current format are not ready to be approved. Mr. Ence stated he had not seen the staff's comments yet. They will respond to them as quickly as they can. Doug Heideman wants to know if the PID's will increase development as opposed to a regular development. Mr. Nelson believes if the PID is approved, it is likely that the growth will happen quickly.

Kevin Thomas discussed that there have been a lot of public meetings over the past several months. The City Council has been in several meetings learning about PIDs. He thinks it would be foolish to move forward when we don't have water, and our growth is already exploding. He believes each one has advantages, but he doesn't know if now the right time is. He doesn't know if any added information will change his mind. However, since we told them not to be here, it should be continued so they can be here. Dave Hirschi feels it should be delayed because we told them not to come. He doesn't see anything that will change his mind. Joseph Prete feels the fair thing to do is continue since we told them not to be here.

Dave Sanders motioned to continue adoption of a resolution of the City Council of Hurricane City, Utah, providing for the creation of Sand Hollow Mesa Public Infrastructure District No. 1 as an independent body corporate and politic; authorizing and approving a governing document, an interlocal agreement, and a notice of boundary action; and related matters. Joseph Prete seconds the motion. Motion carried unanimously.

9. Consideration for adoption of a **resolution of the City Council of Hurricane City, Utah, providing for the creation of Sand Hollow Mesa Public Infrastructure District No. 2** as an independent body corporate and politic; authorizing and approving a governing document, an interlocal agreement, and a notice of boundary action; and related matters.

Dave Sanders motioned to continue adoption of a resolution of the City Council of Hurricane City, Utah, providing for the creation of sand hollow mesa public infrastructure district no. 2 as an independent body corporate and politic; authorizing and approving a governing document, an interlocal agreement, and a notice of boundary action; and related matters. Joseph Prete seconds the motion. Motion carried unanimously.

10. Consideration for adoption of a **resolution of the City Council of Hurricane City, Utah, providing for the creation of Sand Hollow Mesa Public Infrastructure District No. 3** as an independent body corporate and politic; authorizing and approving a governing document, an interlocal agreement, and a notice of boundary action; and related matters.

Dave Sanders motioned to continue the adoption of a resolution of the City Council of Hurricane City, Utah, providing for the creation of sand hollow mesa public infrastructure district no. 3 as an independent body corporate and politic; authorizing and approving a governing document, an interlocal agreement, and a notice of boundary action; and related matters. Seconded by Joseph Prete. Motion carried

11. Consideration for adoption of a **resolution of the City Council of Hurricane City, Utah, providing for the creation of Bench Lake Public Infrastructure District** as an independent body corporate and politic; authorizing and approving a governing document, an interlocal agreement, and a notice of boundary action; and related matters.

Dave Sanders motioned to continue adoption of a resolution of the City Council of Hurricane City, Utah, providing for the creation of bench lake public infrastructure district as an independent body corporate and politic; authorizing and approving a governing document, an interlocal agreement, and a notice of boundary action; and related matters. Joseph Prete seconds the motion. Motion carried unanimously.

12. Consideration and possible approval of an ordinance to **change the Power Board's meeting schedule**-Scott Hughes

Scott Hughes requests to change the Power Board meeting schedule to the first Wednesday of each month. Information from the UAMPS meetings is not always available on the last Tuesday of the month because of UAMPS meeting schedules. Budgetary items reported to the Power Board will be better aligned with the new schedule. He reported that the proposed schedule is also beneficial to the staff preparing for the meeting.

Joseph Prete motioned to approve the ordinance to change the Power Board's meeting schedule. Kevin Thomas seconds the motion. Motion carried unanimously.

13. Consideration and possible approval of a proposed **Zone Change Amendment request located at 1200 W 4600 S from RA-1, residential agriculture 1 unit per acre, to R1-15, residential one unit per 15,000 square feet. Parcel number H-3403-K.** Joshua Coen Applicant. Clark Spilker and Pope Engineering Agent.

Steven Nelson reported that the Planning Commission voted to deny it. Robbie Pope commented that he wasn't prepared for the public comments at the Planning Commission last week. He presented a slide show to the City Council. He discussed the history of Sky Ranch. The first phase of Sky Ranch was recorded in 1984. The first phase was designed with direct access to the runway or taxiway access. The fifth phase was in 1996. It is the only phase that does not have direct access to the taxiway. It was also the first phase that did not maintain the 1-acre minimum. What they are proposing is not part of Sky Ranch. It is a 14-acre parcel with 1/3 acre lots.

Mayor billings stated Sky Ranch has the property they need based on the runway. The City Council and the citizens have concerns because there have been two accidents out there. Mr. Pope thinks they are out of the way of the flight path. A citizen stated that it isn't the flight path. It is the noise complaints that will happen. The staff is also concerned that the infrastructure isn't there. Mr. Pope understands that the infrastructure is not in the area. However, he believes that the infrastructure will be there soon.

Mayor Billings opened the discussion for Public Comment.

Steve Nation lives in Sky Ranch. He is concerned that if there is an engine failure the pilot will need to take the plane down. He hopes that if something like this happens a plane doesn't have to come down on houses.

Joseph Prete states it is not very often that the Planning Commission votes to deny. Planning Commission is against this because it doesn't match the General Plan. The inadequate infrastructure is his concern.

Merri Ann Perkins lives in Adobe Hills. She provided a petition to the Planning Commission with over 100 signatures against this zone change. They also included the surrounding areas on the petition. We want to preserve this area. She understands the need for high-density areas. This is a place where we can still own horses. She has four horses that border an approved development. Eventually, there will be complaints about the smell. This doesn't match the Master Plan. She asked the City Council to deny this zone change.

Sue Sandborn was at the Planning Commission meeting and has been to many Council meetings. She is Impressed with the committee members. They did unanimously recommend denying the zone change. Soloroca was a zone change that should have never been approved. We want to see moving forward that, it doesn't happen again. They are only asking the Council to please uphold the rural residential plan. They love their agriculture area. They are not opposed to development. They are just asking that it is developed consistent with the Master Plan.

Dayton Hall, Planning Commission chair, state the Commission thought 1 acre lots were harmonious. They didn't discuss half-acre zoning. It was a unanimous vote to deny the zone change. Mr. Nelson stated that the Council has the right to change the request from R1-15 to RA-0.5, but the ordinance would need to be updated.

Joseph Prete motioned to deny the Zone Change Amendment request located at 1200 W 4600 S from RA-1, residential agriculture 1 unit per acre, to R1-15, residential one unit per 15,000 square feet. Parcel number H-3403 because it is not compatible with the current General Plan map, the proposed change is not in harmony with the overall character of the proposed surrounding development, the proposed amendment does not have adequate services and the Planning Commission gave a unanimous negative recommendation. Doug Heideman second the motion. Motion carried unanimously.

- 14. Consideration and possible approval of a proposed Zone Change Amendment request located at approximately 600 S 3500 W from R1-6, residential one unit per 6,000 square feet; R1-8, residential one unit per 8,000 square feet; R1-10, residential one unit per 10,000 square feet; R1-15, residential one unit per 15,000 square feet, to R1-6, residential one unit per 6,000 square feet and R1- 8, residential one unit per 8,000 square feet. Parcel number H-4-2-12-1102. D.R Horton (Don Bean) Applicant. Adam Allen Agent.**

Adam Allen with American Consulting is working with D.R. Horton to develop parcels. They noticed on a preliminary plat that their zoning does not match the older Sand Hollow Gateway map. The roadways are no longer in alignment. Stephen Nelson provided a background history. The zoning code recommends that zoning boundaries follow roadways, landmarks, and parcel boundaries. The staff believes that this is a minor change. The Planning Commission gave a positive recommendation on this zone change amendment.

Kevin Thomas asked if they were interested in designating areas as self-help homes or affordable homes. Mr. Allen stated that he cannot speak to that. He reported that they would lose ten lots with this zone change amendment. D.R Horton's goal is to build affordable housing. Mayor Billings explained the City Council is seeking ways to provide affordable housing in the community. She asked for the opportunity to discuss providing affordable housing with corporate.

David Hirschi made the motion to continue possible approval of a proposed Zone Change Amendment request located at approximately 600 S 3500 W from R1-6, residential one unit per 6,000 square feet; R1-8, residential one unit per 8,000 square feet; R1-10, residential one unit per 10,000 square feet; R1-15, residential one unit per 15,000 square feet, to R1-6, residential one unit per 6,000 square feet and R1-8, residential one unit per 8,000 square feet so the agents can speak to corporate. Kevin Thomas seconds the motion. Motion carried with Dave Sanders, David Hirschi, Doug Heideman, and Kevin Thomas voting aye. Joseph Prete abstained.

Kevin Thomas motioned to move item 16 before item 15. Seconded by Dave Sanders. Motion carried unanimously.

16. Consideration and possible approval of a **preliminary plat for Desert Sands Area G, a 125 unit single-family subdivision located at 3000 S Sand Hollow Road**. The Hollows LLC Applicant. Brett Burgess Agent.

Stephen Nelson reports that the staff comments have been addressed, and there are no concerns. Brett Burgess states they will have two access roads in their next phase. The PDO was approved during the same time that the general plan was being approved. There are making some roadway changes They will do an acceleration lane coming out of Dixie Springs Drive onto Sand Hollow Rd. They did a mix throughout the community to allow a better price point, with higher densities just north of this development. Forty acres are dedicated to commercial. There are plans for restaurants in the commercial areas.

Dave Sanders motioned to approve the preliminary plat for Desert Sands Area G, a 125 unit single-family subdivision located at 3000 S Sand Hollow Road subject to staff and JUC comments. Doug Heideman seconds the motion. Motion carried unanimously.

15. Consideration and possible approval of a **Land Code Use Amendment to Title 10, Chapter 15, regarding Planned Commercial development standards**

Stephen Nelson stated he is not asking for approval tonight. He wants to present the information to the Council to review it before the next meeting. Mr. Nelson discussed the purpose of the zone. The planned commercial properties are mixed-used zoning. The current ordinance is a little vague. There is no density limit within the actual zoning. Previously the City Council recommended having some flexibility for multifamily developments within commercial development areas. The Planning Commission supports mixed-use development, requiring a minimum percental to develop commercial space. They recommend revising the land use code for mixed-use and planning commercial zones to set specific density percentages of residential use. The Council recommended eliminating the five-acre requirement. After discussion, the recommendation is 20% residential with 20% commercial with 15 units an acre mix.

The density bonus would come when they do 40% commercial with 20% residential square foot, 20 unit an acre max. One of the reasons we want to do this is to provide commercial in key area. Mr. Nelson provided two options within the packet for the City Council to review.

Joseph Prete made the motion to continue possible approval of a Land Code Use Amendment to Title 10, Chapter 15, regarding Planned Commercial development standards. Doug Heideman seconds the motion. Motion carried unanimously.

17. Consideration and possible approval of awarding the contract for Old Hwy 91 Pavement Rehabilitation project – Arthur LeBaron

Mike Vercimack explained the street department has budgeted for the rehabilitation of Old Hwy 91 as it goes down to the industrial park. It is a total rehabilitation of the street. There was a Schedule A and a Schedule B. Mr. Vercimack explained the differences. They made the recommendation to go with Schedule A awarding the bid to Western Rock in the amount of \$2,066,599.00

Doug Heideman made the motion to **approve the awarding of the contract Old Hy 91 Pavement Rehabilitation Project**, Schedule A, to Western Rock in the amount of \$2,066,599.50. Kevin Thomas seconds the motion. Motion carried unanimously with David Hirschi, Joseph Prete, Dave Sanders, Kevin Thomas, and Doug Heideman voting aye.

Councilman Prete asks that any approval contract be reviewed for strong warranty language.

18. Consideration and discussion of water acknowledgment statement to be required as part of land use applications

Stephen Nelson commented this is encouraged by the Water Conservancy District. This would be included in the land use applications. This requires them to obtain a will server letter from the district declaring that they have sufficient water to serve the property. They will also be acknowledging that water is a limited resource. Joseph Prete questioned if this changes something with the current agreement. Mayor Billings mentioned that this could cause an issue in developers obtaining a loan, and she thinks this is overreaching.

Joseph Prete motioned to continue the discussion of water acknowledgment statement to be required as part of land use applications. Dave Sanders seconds the motion. Motion carried unanimously.

Adjournment: 11:26 p.m.