

Minutes of the Hurricane City Council meeting held on August 17, 2023, in the Council Chambers at 147 North 870 West, Hurricane, Utah, at 4:00 p.m.

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

Also Present: City Manager Kaden DeMille, City Attorney Dayton Hall, Police Chief Lynn Excell, Power Superintendent Scott Hughes, Public Works Director Mike Vercimack, City Planner Gary Cupp, Planning Assistant Fred Resch III, Street Superintendent Weston Walker, Recreation Director Tiffani Wright, Water Superintendent Ken Richins, City Recorder Cindy Beteag, Building Official Larry Palmer, Finance Manager Paige Chapman, Human Resource Director Selwin Lovell

AGENDA

4:00 p.m. Work Meeting regarding the Downtown Master Plan

Gary Cupp explained that the purpose of the Downtown Master Plan is to enhance the desirability of the downtown area. Fred Resch III provided a presentation that summarized the progress of the plan. He explained that the City received a \$50,000 grant from the Utah Department of Transportation (UDOT) in support of the plan. Multiple meetings were held, and over six hundred public comments were received. The Downtown Master Plan focuses on twelve blocks between 100 North to 100 South and 100 East to 200 East. Ninety percent of survey respondents support downtown revitalization, seventy-five percent feel there is a lack of retail and service options, and seventy-one percent would like improved retail and service opportunities. Mr. Resch III reviewed the recommendations of the plan. These recommendations include implementing a specific downtown zoning overlay, promoting downtown properties for revitalization, creating a historical trail, bike lane, visible crosswalks, and parking. He reported that the City Council approved a budget for an Economic Development Master Plan. Councilman Thomas confirmed that the option for implementing housing above commercial units will be removed from the plan.

Mr. Resch III reported that thirty-two responses were received regarding the catalyst project on the corner of 100 W and State. He reviewed the three options presented to the City Council. The first option is a commercial development similar in size and scale to the recently demolished building. This option includes rooftop patios, parking in the rear, and preserving the green space. Option two includes an open plaza with picnic tables and a landscaped area. Option three includes a general recreation space.

Mayor Billings wants to review how the proposed Downtown Master Plan will affect current City codes. She feels it is essential to focus on the specifications for revitalizing the downtown area and remove unrealistic and unnecessary suggestions within the plan. Gary Cupp reported that the downtown overlay will go through the formal process for land use code amendments. Councilman Hirschi feels it is a conflict of interest for the City to be involved in commercial business. He proposed a pull-in and drop-off connecting 100 West to 200 West and diagonal parking from State Street to 400 West. Mayor Billings wants to refrain from promoting traffic on 100 South due to the hill. Mr. Resch III explained that the plan does recommend diagonal parking in some locations. Councilman Thomas asked what the advantages are of adopting this plan. Mr. Cupp feels the plan needs to be refined before it is adopted. Councilman Prete noted that there are many old buildings and vacant lots in the area, and he feels there are a lot of business opportunities that the City needs to capitalize on. He feels improvement of the downtown area is in the best interest of the City and the community.

5:00 p.m. Pre-meeting - Discussion of Agenda Items, Department Reports

Penny James Garcia passed out the new Championship magazine for Copper Rock Golf Course.

Chief Excell introduced new hire Officer Reno. He is going through policy and field training and will be sworn in next month. The department took forty kids to Kohl's for the back-to-school shop with a cop event on Saturday. Mr. Excell commended Officer Raditez for the program's success. Hurricane Hillary is heading for the west coast and could produce heavy rains within the next week. Sandbags are available to the public, and the flood trailer is prepared for use.

Larry Palmer provided an overview of building permits issued in 2022 compared to 2023. The data shows a significant decrease in 2023.

Ken Richins reported that the department is receiving a lot of questions regarding the excess water surcharge. He feels this will incentivize residents to hook up to secondary water.

Sel Lovell reviewed the open employment positions.

Paige Chapman reported that auditors will be here in October.

Scott Hughes reported that the capacity project was started last week, and agreement letters were sent to developers who have approved preliminary plans. The Substation project is moving forward, and the re-insulation project on 1100 West has started. The check for the Sky Ranch buyout was delivered to Rocky Mountain Power. The department is working with the utility department to switch over any accounts affected by the buyout. Mr. Hughes summarized highlights from the Utah Association of Municipal Power Systems conference.

Tiffani Wright reported that the Recreation Center is back to regular scheduled programming. Newsies is doing well and has made more revenue than Spit Fire Grill. She explained that the Pool Manager is concerned that the pool boiler will not make it through the winter. Mayor Billings reported that the School District is willing to help with a new pool but will not help repair the current pool. The groundbreaking for the new gym will be held on September 19th at 5:00 p.m.

Mike Vercimack met with the Peach Days Rodeo Sponsors to review the parking design and ticket plan. They are installing standpipes with chains to identify designated parking areas. He reported that JUC is reviewing four sets of plans each week.

Weston Walker reported that the roundabout on 100 North was open in time for school. Two message boards are available for Peach Days. The department is cleaning drainages to mitigate heavy rainfall.

Gary Cupp reported that very few planning applications were submitted last week. The decline in applications has given the department time to focus on long-range plans.

Fred Resch III reported that property owners are responding to the code enforcement violation letters.

Dayton Hall explained Hurricane City's rebate program needs minor adjustments to meet the Washington Conservancy District's Resolution standards. Hurricane City excluded the Hurricane Canal area from the new standard. However, the District's resolution requires municipalities to apply for this exemption. He is working on a proposal to allow the areas within the historical canal area to use .9 acre-feet and limit areas outside of this area to use to .51 acre-feet.

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Kaden DeMille reported that the City is starting to work on a Parks and Recreation Master Plan and Impact Fee study. He noted that the pickleball courts need to be replaced and reviewed the pros and cons of relocating the courts.

6:00 p.m. - Call to Order –

Mayor Billings welcomed everyone and called the meeting to order.

Prayer, Thought, and Pledge by Annie Spendlove

Declaration of any conflicts of interest

None declared.

Minutes of the Regular City Council Meeting for July 20, 2023, and August 3, 2023

Doug Heideman motioned to approve the Regular City Council Meeting Minutes for July 20, 2023, and August 3, 2023. Seconded by Joseph Prete. Motion carried unanimously.

Annual update from Intermountain Health

Cyndi Woodbury Gilbert provided a video highlighting Intermountain Health Care's focus on improving access to care. Mrs. Gilbert reported that Natalie Ashby is now the Market President and the President of St. George Regional Hospital. Natalie Ashby reviewed the current footprint of Intermountain. Jared Stevens announced that the new Emergency Department will be opening in November.

LIHTC presentation by Nate Houston and Bill Raymond

Bill reported that he is here to explain affordable housing in Utah and how it can benefit Hurricane City. He reported that there are eleven million extremely low-income renter households in America, and only four million low-income units are available. There is a demand for forty thousand new low-income housing units in Utah; only six hundred come online yearly. The St. George Housing Authority has a three-year, five-hundred-person waitlist. The average housing price in Hurricane City is \$600,000. Mr. Knowlton reviewed the area median income, noting that Washington County is in an affordable housing crisis. He explained how the LITHC program provides affordable housing.

Councilman Thomas reported that he visited a LITHC project in Salt Lake City, and he was shocked by the fantastic quality of the project and was further amazed by the low cost of rent. Dayton Hall asked Bill if other cities have incentivized affordable housing with density bonuses in conjunction with or in lieu of an impact fee waiver. Bill explained that the density-to-parking ratio is the biggest challenge for these projects. Mayor Billings directed the City Council to schedule time to tour the facilities in Salt Lake City during the Utah League of City and Towns meeting in September.

Public Forum – Comments From Public

Annie Spendlove, the Market Manager for the Hurricane Utah Farmer's Market, thanked the City Council and Recreation Center for their support. She invited everyone to attend the market's third birthday celebration.

OLD BUSINESS

1. Resolution 2023-30: Consideration and possible approval of a **General Plan Amendment to adopt a Downtown Master Plan.**

Kevin Thomas motioned to continue the consideration and possible approval of a General Plan Amendment to adopt a Downtown Master Plan. Seconded by Doug Heideman. Joseph Prete, David Hirschi, Doug Heideman, and Kevin Thomas – aye. Motion carried unanimously.

2. Ordinance 2023-12: Consideration and possible approval of a **Land Use Code Amendment to adopt Title 10 Chapter 52 and amend Title 1 Chapter 4 with regards to affordable housing.** Hurricane City Planning.

Mayor Billings explained that this was continued from the last meeting, and the amendments made reflect the City Council's suggestion. Dayton Hall noted that the suggestions heard tonight differ from this proposal. Mayor Billings suggested scheduling a work meeting to discuss this amendment and the Downtown Master Plan. The work meeting was scheduled for September 13th at 5:00 p.m.

Kevin Thomas motioned to continue the consideration and possible approval of a Land Use Code Amendment to adopt Title 10 Chapter 52 and amend Title 1 Chapter 4 with regards to affordable housing. Seconded by Doug Heideman. Joseph Prete, David Hirschi, Kevin Thomas, and Doug Heideman – aye. Motion carried unanimously.

3. Consideration and possible approval of a **disconnection request for parcels H-3403-C-2, H-3403-B-2, and adjacent roads** - Sky Ranch Ph 6 L.C. applicant, Doug Durbano agent

Mayor Billings reported that the agent has asked for an extension. Dayton Hall recommends tabling the item indefinitely until the applicant requests to bring the item back to the City Council.

Joseph Prete motioned to table the consideration and possible approval of a disconnection request for parcels H-3403-C-2, H-3403-B-2, and adjacent roads-Sky Ranch Ph 6. Seconded by David Hirschi. Kevin Thomas, Doug Heideman, Joseph Prete, and David Hirschi – aye. Motion carried unanimously.

NEW BUSINESS

1. Consideration and possible approval of **awarding the bid for the Sand Hollow Road Waterline project** - Ken Richins

Ken Richins reported that six bids were received. They recommend awarding the bid to Royal T Enterprises.

David Hirschi motioned to approve awarding the bid for the Sand Hollow Road Waterline project to Royal T Enterprises in the amount of \$526,500. Seconded by Doug Heideman. Roll Call Vote. Joseph Prete, Kevin Thomas, David Hirschi, and Doug Heideman – aye. Motion carried unanimously.

2. Consideration and possible approval **of Resolution 2023-31 Proclaiming Hurricane City as America's City**

Mayor Billings read the resolution included in the packet. She reported that Washington County Commissioners passed a resolution naming Washington County as American's County. Liberty Village will be in Hurricane City, so naming Hurricane as America's City is a good fit. Dennis Leavitt reported that the County Attorney wrote the resolution with input from the Committee. Councilman Prete noted that

typographical corrections are necessary before approval can occur. He thinks this sentiment is tremendous and inspiring, but he does not want to sign off on this without appropriate revisions.

Doug Heideman motioned to continue Resolution 2023-31 Proclaiming Hurricane City as America's City to the next meeting. Seconded by David Hirschi. Joseph Prete, Kevin Thomas, Doug Heideman, and David Hirschi – aye. Motion carried unanimously.

3. Consideration and possible approval of a **proclamation designating September 17 through 23 as Constitution Week** - Karen Shuman, Daughters of American Revolution

Mayor Billings reviewed the proclamation.

Joseph Prete motioned to approve the proclamation designating September 17 through 23 as Constitution Week. Seconded by David Hirschi. Kevin Thomas, Doug Heideman, Joseph Prete, and David Hirschi – aye. Motion carried unanimously.

4. Consideration and possible decision to open or continue with the **closure of 100 West** between SR9 and 100 South

Mayor Billings asked Tiffani Wright to provide an update. Mrs. Wright reported that the staff agrees that the road's closure provides safety for the children. There have been issues with individuals who have mobility restrictions and delivery drivers accessing the building. She reported that the Farmer's Market loves the closure. Kaden DeMille reported that the road closure had not caused him issues when dropping off his children.

Councilman Hirschi would like to continue the closure through the fall. Councilman Thomas has received a few complaints about the closure. However, after this discussion, he is not opposed to continuing the closure. Councilman Heideman has heard negative comments from people who need handicapped parking. Mrs. Wright recommends continuing the closure until the first of the year. Councilman Thomas prefers a high-visibility crosswalk over the closure of the road. Councilman Hirschi suggests continuing the closure until a decision is made on the Downtown Master Plan.

Kevin Thomas motioned to continue with the closure of 100 West between SR9 and 100 South until it can be discussed in a work meeting. Seconded by David Hirschi. Joseph Prete, Doug Heideman, Kevin Thomas, and David Hirschi – aye. Motion carried unanimously.

5. Consideration and possible approval of directing the **Zoning Administrator to issue a grading permit** for Hurricane Cliffs

Mayor Billings reviewed the summary in the packet, noting that the staff's recommendation is to deny issuance of the grading permit. Rick Richardson, representing DAF, reported that they are working on other developments in Hurricane City, and it seems appropriate to grade this project while working on their other projects. Councilman Prete clarified that approval would allow grading ahead of the usual time and asked for clarification on the timing of grading permits. Mike Vercimack explained that due to abandoned developments during the recession, the City Council chose to oversee grading permits at a City Council level. Councilman Prete asked if the staff was united in the recommendation of denial. Dayton Hall reported that staff unanimously recommends the denial of the grading permit.

Mr. Hall explained that the normal process starts with preliminary plat approval, and then submission of the construction drawing to JUC. Grading permits are approved when construction drawings are signed. There is safety in following the ordinance, and staff is recommending adhering to the ordinance.

David Hirschi motioned to deny directing the Zoning Administrator to issue a grading permit for Hurricane Cliffs based on the best interest of the City and staff recommendation. Seconded by Kevin Thomas. Joseph Prete, Doug Heideman, David Hirschi, and Kevin Thomas – aye. Motion carried unanimously.

6. Consideration and possible approval of Ordinance 2023-15 updating Title 3 Chapter 1 and Title 10 Chapter 15 regarding mobile businesses and vendor carts.

Joseph Prete motioned to approve Ordinance 2023-15, updating Title 3 Chapter 1 and Title 10 Chapter 15 regarding mobile businesses and vendor carts. Kevin Thomas seconded. David Hirschi, Doug Heideman, Joseph Prete, and Kevin Thomas – aye. Motion carried unanimously.

7. Consideration and possible approval of Resolution 2023-36 approving an Interlocal Agreement with Washington County regarding a ballot box location.

Doug Heideman motioned to approve an Interlocal Agreement regarding a ballot box location with Washington County. Seconded by Kevin Thomas. Joseph Prete, David Hirschi, Doug Heideman, and Kevin Thomas – aye. Motion carried unanimously.

8. Closed Meeting held pursuant to Utah Code section 52-4-205, upon request.

Joseph Prete motioned to go into a closed meeting to discuss imminent litigation. Seconded by Kevin Thomas. Motion carried unanimously

Adjournment: 9:16 p.m.