Minutes of the Hurricane City Council meeting held on May 2, 2024, in the Council Chambers at 147 North 870 West, Hurricane, Utah at 3 p.m.

Members Present: Mayor Nanette Billings and **Council Members**: David Hirschi, Kevin Thomas, Clark Fawcett, Drew Ellerman, and Joseph Prete.

Also Present: City Manager Kaden DeMille, City Attorney Dayton Hall, Police Chief Lynn Excell, Power Superintendent Scott Hughes, Public Works Director Mike Vercimak, City Planner Gary Cupp, Street Superintendent Weston Walker, Recreation Director Tiffani Wright, City Engineer Arthur LeBaron, Building Official Larry Palmer, City Recorder Cindy Beteag, Planning Assistant Fred Resch III, Finance Manager Paige Chapman, Water Assistant Kory Wright, and Parks Superintendent Darren Barney.

AGENDA

3:00 p.m. Work Meeting

1. Discussion with Washington County Water Conservancy District regarding the water system and plan for growth.

Zach Renstrom provided an overview of the water supply system serving Hurricane City. He clarified the sources of potable water and secondary water, illustrating the city's connections to the water district's system. He recounted the historical development of Quail Lake, where blocks of water were initially sold, leading to a collaborative Regional Water Agreement. Currently, about 40% of Hurricane's drinking water is supplied by the District, and they provide 50% of the secondary water. Mr. Renstrom detailed ongoing projects, including pumping water from wells near the Junction to support Toquerville and LaVerkin, up-sizing the line from Leeds to the Water Treatment Plant, and constructing a pump station in Sand Hollow while extending the pipeline.

Mr. Renstrom discussed the 20-year water supply strategy, highlighting the initial goal of the Lake Powell pipeline, which was altered due to political changes, necessitating a new plan. He explained that municipalities must demonstrate their water sources when seeking bonds. The District prioritizes collaboration with farmers and only acquires water from willing sellers, with a strong emphasis on water reuse. Mr. Renstrom noted that the District consulted all municipalities to determine the number of approved lots, which included 20,000 lots in Hurricane City. Dayton Hall clarified that that number did not represent entitled lots, but most of the 20,000 lots are in PID areas or under development agreements, which require them to provide the infrastructure prior to development. Mr. Renstrom added that cities have significant expansion plans, and the District is responding accordingly. A key focus for future water supply involves conservation, reuse, and ensuring new homes are water-efficient, including implementing landscape restrictions. Mr. Renstrom discussed groundwater issues related to Sand Hollow Reservoir. He explained that when the reservoir was built, they

anticipated aquifer seepage and added wells to manage it. Initially, extra water was added to the aquifers, but in recent years, they have been extracting water. He described how increased water in the system pushes water out to the river and noted that they use water monitoring systems to track this. A study revealed a natural recharge rate of 2,100 acre-feet in the Sand Hollow aquifer. The USGS was asked to determine the age of the water, and the State Engineer recognized this in their adjudication efforts. Wells are drilled along cracks to create channels for water flow.

Hurricane City drilled a well near Dixie Springs, which caused concerns among other cities as they believed the water came from Sand Hollow. These cities felt that Hurricane City wasn't cooperating with other communities and was taking water from their source. Kory Wright clarified that the process was transparent and approved, with no protests filed with the State Engineer when the City applied to drill the well, suggesting that recent complaints were based on misinformation. Mr. Renstrom added that everyone views Sand Hollow as their water, and explained that cooperation could reduce the District's burden to supply water to Hurricane. Clark Fawcett joined the meeting at 4 p.m.

Mr. Renstrom discussed the substantial infrastructure costs, amounting to billions of dollars, required to build their projects. He explained that they completed an impact fee analysis to determine the allowable impact fee, as required by state law, which mandates establishing a level of service. In 2018, the level of service was 0.89 acre-feet per year, which decreased to 0.59 acre-feet per year in 2023. The state allows a lower level of service if there are incentives and penalties for not meeting it. This level of service includes total water demand. He reviewed the impact fee calculation, noting that there is both a culinary and wholesale rate, with every municipality paying the same rate. He also explained the excess water surcharge for residential uses: for 2022 or earlier, the fee is $1 per 1,000 gallons in excess, and for 2023 or later, the fee increases to $10 per 1,000 gallons in excess. Mr. Wright asked the Council and Water Board if they understood the rebate process to answer residents' questions. Mr. Renstrom clarified that they pay $2 per square foot to replace grass and explained the process for residents who want to replace their grass. He also mentioned that they provide a list of recommended plants. The monthly surcharges for commercial users depend on the meter size. Joseph Prete joined the meeting at 4:22 p.m.

Mr. Renstrom explained that the District implemented a surcharge, with Hurricane City being the only municipality not charging the same rate. Other cities feel that if there is a deficiency in the water system it would be due to Hurricane not following the agreement. The surcharge funds the water conservation plan. Mayor Billings noted that the original surcharge number was not based on a study and seemed high, so the Council compromised by meeting in the middle. Mr. Renstrom mentioned that the surcharge amount had been discussed extensively, considering both a graduated and a flat fee, and they chose the flat fee for simplicity. Research showed that a noticeable impact on users occurred around $75. For existing homes, the surcharge is $1 per 1,000 gallons, but for new homes, it's $10 per 1,000 gallons. David Hirschi

added that there was resistance to what some perceived as "big brother" restrictions. Mr. Renstrom pointed out that as a partner in the Regional Water Supply Agreement (RWSA), Hurricane City benefits from the district's services. The district is asking Hurricane City to adopt the $10 surcharge to match other municipalities. Mr. Renstrom raised another sensitive issue of having Kevin Tervort on the board instead of a council member, noting that this had happened before with Tom Hirschi. Mr. Tervort's term ends this year. Mr. Hirschi asked what steps were needed to ensure only active council members serve on the board. Mr. Renstrom explained that this change would require state-level action and that County Commissioners select the board. The Mayor asked the Council how they wanted to proceed.

Mr. Renstrom detailed the process for calculating the excess water charge. Adding the other cities give that money that is collected to the District but Hurricane City currently keeps the money they collect from the excess surcharge. Clark Fawcett clarified that if the City adopts the $10 surcharge, it would keep 10% of the fee. Dayton Hall stated that in March 2023, the City passed a similar measure but with a $5 surcharge instead of $10. The City adopted a bell curve for existing homes and provides a large family rebate. The District also have a different, less generous livestock rebate. Many residents use culinary water for farming. Mayor Billings suggested addressing the surcharge issue at the next council meeting. Mr. Renstrom stressed the need for accurate, up-to-date information and offered assistance anytime. Kevin Thomas stated that he believes fountains should be allowed, and the Mayor said she had sent his recommendation to the ACC meeting.

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

Officers Taylor Roberts and Bob Tibbitts were sworn in after a brief introduction by Chief Excell.

Larry Palmer stated that 53 permits were submitted since the last meeting, comprising of 38 single-family homes, 3 apartment buildings with 31 units, a duplex, a 7-unit townhome project, 1 condo building with 12 units, and 3 commercial buildings. Standard Plumbing will begin final inspections next week, and they are currently conducting 50 inspections a day.

Candance Smith, park manager at Sand Hollow State Park, introduced herself. Iron man will be here this weekend. A couple more events in May. Her plan is to make sure the Council stays informed. Mayor Billings expressed thanks for the partnership in allowing the fireworks in the State Park for the 4th of July. She attended a meeting regarding a grant. She was informed that roads classified as A, B, or C are not eligible for funding. The road leading into the State Park falls into this category. She is still exploring other funding options.

Chief Excell expressed appreciation to Candace for her contributions. He announced that Iron Man will be held on Saturday, with road closures starting at 3 a.m. The first swim, featuring the pros, will begin around 6:45 a.m., and the community should reopen by 11 a.m. There will be access to the Dixie Springs area via SR-7. Deputy Chief Yates will oversee local operations and be stationed at the command center. They are coordinating with the National Dam Safety program for a nationwide exercise on dam safety and terrorism next week, in which Chief Excell will participate. On May 14th, Intermountain Health Care will conduct active shooter training.

There is one position open for animal control. Deputy Chief Yates will present the 2023 report at the next meeting.

Chief Decker stated that one of the department members will attend these meetings regularly going forward to answer any questions the Council has. They are also gearing up for Iron Man. They are currently in the middle of an ISO inspection, the first one in 14 years. In April, there were 319 calls in Hurricane and a total of 481 calls for the District.

Darren Barney mentioned that his department is extremely busy this time of year, particularly with preparing the cemetery for Memorial Day. He also noted that the parks are being heavily used. David Hirschi brought up that field 1 still has a lot of cars driving around to the backstop and suggested putting a sawhorse or something similar there to prevent it. Mr. Barney stated they will put something there permanently.

Scott Hughes reported that work on the substation is progressing well, with testing scheduled for the end of the month, and they remain on schedule. Jordan Steglich is set to attend training next week. Due to negative feedback regarding the condition of the Christmas decorations, they have purchased new decorations for the upcoming year.

Kory Wright stated they have seen an increase in water use due to the heat. Drilling for the well has resumed after losing and then finding the bit; they aim to reach 800 feet and are currently halfway there. The next project will be the Sky Ranch test hole. They have a meeting with the Nature Conservancy on the 13th to address some issues with the irrigation expansion. A new hire with some experience will start soon. Significant time is being spent on repairs in Dixie Springs, and they are waiting for engineering plans for the electrical setup for the Dixie Springs well, which has several steps to complete before it becomes operational. Next week, they will take the Youth City Council on a tour.

Tiffani Wright stated that the pool opened last weekend, and the spring show is doing really well. Kevin Thomas praised the team for their great job and the quality of the production. They are winding down their spring sessions and preparing for the summer sessions. Dance recitals are coming up, and afterward, they will begin preparations for "Beauty and the Beast."

Paige Chapman noted that the preliminary budget is up for discussion tonight. It currently doesn't balance, which is normal at this stage. A balanced budget will be presented at the May 16th meeting. The Council needs to schedule a meeting to complete the bubble list where all the capital projects are listed. After discussing dates and times, the Council agreed to meet on Tuesday from 5:30-7 p.m. at the City office.

Mike Vercimak shared that they reached a milestone today and had a preconstruction meeting on the Balance of Nature project. He expressed encouragement that it's ready to move forward. Additionally, there are nine sets of construction drawings under review, and two preconstruction meetings have been held since the last meeting.

Weston Walker reported that they filled up their dumpster during the SR-9 cleanup and had to take four more loads to the landfill. They are still sweeping some roads that were chip sealed.

Slurry seal will start tomorrow morning, and a schedule was emailed out to the Council. The crews will be busy doing the flagging for Iron Man. A couple of feedback signs have been taken down because they weren't charging correctly, but they are being sent back for repairs. They are also trying to keep up with spraying weeds and have been doing a lot of tree trimming.

Arthur LeBaron mentioned the citizens who addressed the Council about the school zones and crosswalks. He reported that the study has been completed, and it was determined that a reduced speed zone is not warranted at the intersection on 700 West and 400 North. Additionally, the request for a four-way stop does not qualify as traffic in all directions is not the same. However, the RFFB device is working well, and the children know how to use it. He believes the situation is currently satisfactory but it will continue to be monitored. He also noted that more pedestrians and cars would be needed before a school zone crossing would be necessary there. UDOT has initiated their SR-9 Solutions study and has asked about the City's vision for SR-9. He mentioned that he is not aware of a plan other than downtown. He explained that the travel demand on SR-9 is expected to exceed capacity within the next five years. The goal of the study is to determine how to efficiently move traffic through the area. He committed to keeping the Council updated as the study progresses. Additionally, he informed the Council that the storm drain master plan project is underway and that construction of the Frog Hollow dam is in progress. He has been representing the City for the EIS northern corridor and described the meetings as contentious with a lot of anger and tension. He encouraged the Council to meet with the County to discuss what a letter regarding this issue should contain, as a letter needs to be submitted within 45 days after May 10th. Additionally, he requested that the agenda item about the disposal of property along Sand Hollow Road be continued until the road is built, as he believes it would be premature to dispose of the properties before then.

Gary Cupp stated that the Planning Commission meeting is canceled next week due to the APA Planning Conference. He reported that they are staying busy with land use applications and code updates. He also provided a training presentation on Chapter 4 of the General Plan, which focuses on housing. He highlighted that the city has experienced significant growth and anticipates further expansion. He explained that each element of the plan has specific goals and policies, with the overarching aim of providing a variety of housing options at different costs to achieve a balanced housing landscape.

Fred Resch III expressed gratitude to everyone who participated in the SR9 cleanup, noting that they ran out of trash bags due to the strong turnout. He mentioned that the revocation of short-term rental licenses is now handled by staff. Adding that one license was revoked last month due to three parking violations within the last year. The affected party did not appeal the decision. Dayton Hall reviewed the evidence and the letter, finding everything satisfactory, with no response from the affected party.

6:00 p.m. - **Call to Order** –

Prayer, Thought, and Pledge led by April Pinkston

Declaration of any conflicts of interest
No conflicts were declared.

Presentation of money raised by Matt's Offroad Games for the Veterans Memorial Park
Matt Wetzel, who grew up in Hurricane and cherishes the community, shared his love for the area and his desire to contribute. He has employed veterans and has been actively involved in fundraising efforts. With their Off Road Games event they were able to raise $166,000. Of this amount, $70,000 will be donated to the Veterans Memorial Park. He presented funds to Washington County Search and Rescue, Sand Hollow State Park, Utah Public Lands Alliance (UPLA), and Hurricane City, thanking these groups for their collaborative efforts. Mayor Billings expressed gratitude for their significant impact on the community.

Presentation of money raised by the Hurricane Valley Rotary Club for the Veterans Memorial Park
Mayor Billings stated that the Easter Car Show requires extensive preparation, with the Rotary Club dedicating significant time and effort. Clint Lawton mentioned that their group has a long history and was asked to assist with the Veterans Memorial Park this year. They successfully raised $20,000 for the park. The Mayor expressed gratitude for their contribution, which also included purchasing flags and flag poles for the park. Patty Nation added that they are also hosting a boot-stomping event, a fun family gathering aimed at raising additional funds.

Update and Presentation from Hurricane Valley Fire District
Chief Joe Decker presented the 2023 Annual Report for the Hurricane Valley Fire District. He highlighted that the district covers over 652 square miles and responded to over 5,100 calls last year. They operate six active stations, providing services for areas including Zion National Park and events like Red Bull Rampage and Ironman. In Hurricane City alone, the district responded to 3,800 calls in 2023 and 1,051 calls in the first quarter of 2024, showing a rising trend. Notable events included the rapid containment of the Dixie Springs wildland fire, which spread to 617 acres, and the rescue operation during a trailer fire that saved a family of five. The district conducted over 160 hours of structure training in donated buildings, and their ropes team successfully rescued a person who fell off a 50-foot cliff in Zion National Park. They also performed two notable animal rescues that garnered public attention.

Chief Decker provided an overview of their equipment, including engines, ladder trucks, ambulances, brush trucks, and the Jaws of Life. All ambulances were ALS licensed, staffed by paramedics and EMTs, capable of advanced cardiac procedures. The district's primary revenue source is property tax, and they conducted annual audits to ensure financial accountability. He continued by detailing the areas covered by the Hurricane Valley Fire District, which included Hurricane, LaVerkin, Toquerville, Leeds, Virgin, Rockville, Springdale, and the eastern unincorporated area of Washington County. The district also oversees two main water bodies with a third, the Toquerville Reservoir, coming soon. They provide mutual aid to Zion National Park, effectively acting as its fire and rescue department due to the park's limited staff.

Chief Decker noted significant population growth, with the district's coverage increasing by 7,100 people over the last five years to about 35,000 residents. Visitor numbers and call volumes have also risen, with 5,118 calls in 2023 compared to 3,500 in 2019. They projected over 6,600 calls for the current year. Financially, the district's primary revenue came from property taxes, followed by medical billing and a Transient Room Tax (TRT) for covering Springdale and Rockville. They also received funding from wildland fire cooperative agreements for deployments across the country. The district conducted annual independent audits, recently completing one with no major findings.

Looking ahead, Chief Decker emphasized the goals of improving operational efficiency and effectiveness, citing a 7% increase in calls over 2022 despite a 10% budget decrease. He also highlighted the importance of enhancing firefighter health and safety, noting that the district was operating more efficiently than ever before but had reached the limit of feasible budget cuts.

Presentation of survey results on the City Civic Master Plan by FFKR and Desert Edge-David, Jessica, and Susie

David Giles explained they are working on the master plan for a 20-acre city campus. They met with various departments to assess needs and conducted a public outreach survey, which Susi Becker will review. Jessica Hoffman shared survey results from 198 respondents, averaging 45 years old. Desired amenities include walking paths, local businesses, a farmers market, and adventure recreation. Community spaces suggested were gardens, linear parks, pedestrian malls, and small parks. Respondents also wanted a central area for eating, a community garden, food truck plaza, amphitheater, or interactive recreation. Many requested a beer garden. They aim to present multiple options in about four weeks, with a goal of the first meeting in June.

Public Forum – Comments From Public

Rick Beatty addressed the council, saying he is here as an American concerned about national and local issues. Throughout history, nations that failed to protect their borders ceased to exist. Hurricane City doesn’t control national politics, but the U.S. is currently overwhelmed by illegal immigrants, with numbers equivalent to the population of Utah entering annually. Many of these individuals, though seeking better lives, lack resources and may turn to crime. He asked the Council how they plan to address this issue.

April Pinkston, a five-year resident of Hurricane, encouraged greater local participation in the caucus system, emphasizing its importance for grassroots governance. Recently elected as vice chair of her precinct and a delegate, she shared her positive experience at the state convention and urged residents to get involved. She left her contact information for those interested in learning more about the process and the candidates vetted at the convention.

Mayor Billings highlighted the collaborative efforts in Washington County to address homelessness, emphasizing a proactive approach focused on empowerment rather than mere

assistance. She explained the programs offered at SwitchPoint, the local homeless shelter, which provide opportunities for skill development, employment, and transitional housing. While acknowledging that the city doesn't have specific measures in place for migrants, she expressed openness to exploring new ideas and solutions in collaboration with the community.

Mayor Billings took New Business Items 1 out of order and addressed it next. These minutes are in order of the agenda instead of the order they were addressed by the Council.

OLD BUSINESS

1. Consideration and possible approval of the Introduction, Preface, and Chapter 1 of the new employee policy manual - Sel Lovell

This manual, previously discussed at the April 4th City Council meeting, had been continued to allow the Council more time to review each section. The manual outlines its purpose, standards, expectations for ethical behavior, and the code of ethics required by the state, emphasizing that all employees must read, understand, and follow it. Clark Fawcett inquired about the purpose of the tenure group model in section 101.4. Dayton Hall explained that the manual uses the IRS definition for full-time and part-time statuses. Mr. Fawcett expressed concern that employees might not understand this definition. Mr. Hall suggested removing the definitions and providing a link for employees to research further if needed. Kaden DeMille mentioned that the included language was recommended by consultants, and finding the definition was challenging, so it was included for clarity. Mr. Fawcett pointed out redundancies in the text. Mr. Hall acknowledged the interconnections between chapters and suggested accepting this chapter for now, with the possibility of tweaking it at the end after reviewing all chapters.

Drew Ellerman motioned to accept the chapters presented with the exception that the IRS definition is removed and replaced with a link. Staff will continue to the next chapters. Seconded by Clark Fawcett. Motion carried unanimously.

2. Consideration and possible approval of Resolution No. 2024-20 supporting the responsible adoption and purchase of dogs and other household pets-Andrea Kaaz.

Mayor Billings read the summary that was provided in the packet: “On March 21, 2024, the Council directed the City Attorney to prepare a resolution in support of the responsible adoption and purchase of dogs. The matter was discussed again on April 17, 2024, when the Council requested that the scope of the resolution be increased to include "household pets." The City Attorney has revised the draft resolution accordingly. The resolution essentially encourages residents to be responsible pet owners. The City Attorney approves the draft resolution as to form. -Dayton Hall” Dayton Hall read the proposed resolution.

Kevin Thomas motioned to approve Resolution 2024-20 as written. Seconded by David Hirschi. Motion carried unanimously.

3. Consideration and possible approval of Resolution 2023-41 authorizing the disposal of the remainder parcels along Sand Hollow Road due to realignment

Mayor Billings stated this item needs to be continued until the road has been completed.

Kevin Thomas motioned to continue Resolution 2023-41 until the road is finished. Seconded by David Hirschi. Motion carried unanimously.

NEW BUSINESS

1. Consideration and possible approval of local consent for an event held at Sand Hollow Resort - Cassandra de St. Jeor

Mayor Billings explained Sand Hollow Resort holds a lot of these events. This one is for the Trail Hero kickoff party on September 30th. There are no concerns with the Police or Licensing.

Kevin Thomas motioned to approve local consent for a single event at Sand Hollow Resort. Seconded by Joseph Prete. Motion carried unanimously.

2. Consideration and possible approval of a mural at the Community Center - Youth City Council

Mayor Billings stated this item needs to be continued because the Youth City Council couldn't be here.

David Hirschi motioned to continue this item until the next meeting. Seconded by Kevin Thomas. Motion carried unanimously.

3. Consideration and possible approval of Ordinance 2024-06 amending Title 5, Chapter 2 and Title 10 Chapter 3, 7, 13, 14, 15, 16 and 34 Animal Control and residential and commercial kennel standards - Lynn Excell/Gary Cupp

Mayor Billings discussed the staff report findings. Chief Excell noted that the project began two to three years ago, with Dayton Hall providing extensive legal review and removing outdated information. The updated policy allows residents to have up to four dogs without requiring a kennel license. Clark Fawcett questioned the rationale for four dogs. Chief Excell explained that this number aligns with other communities' standards and is equitable for the town, accommodating many residents who already have three or more dogs, and this policy provides a process for addressing nuisances. Councilman Prete expressed concern that four dogs could be a lot in high-density areas. Mr. Hall responded that the policy could be adjusted based on density. Kevin Thomas added that apartment complexes typically have their own rules on pet limits, and puppies are not counted until they are six months old.

Kevin Thomas motioned to approve Ordinance 2024-06 as presented. Motion died for lack of second.

Joseph Prete motioned to continue Ordinance 2024-06 until the first meeting in June. Seconded by Clark Fawcett. Chief Excell stated to let them know if they want more information. Motion carried with David Hirschi, Clark Fawcett, and Joseph Prete voting aye. Kevin Thomas and Drew Ellerman voted nay.

Dayton Hall stated that the Planning Commission had already made a recommendation, so there was no need to send it back to them. Instead, staff will work internally to develop ideas on density. He asked for any further direction from the Council and confirmed their desire for options rather than a blanket allowance for four dogs. He encouraged the Council to provide any additional input.

4. Consideration and possible approval of a proclamation designating April 28 - May 4 as Small Business Week

Mayor Billings introduced Jeff Mather with the Small Business Development Center. She stated he had sent over a proclamation, which she had adjusted for Hurricane City. Mr. Mather, representing the Small Business Development Center as the Regional Director for Washington and Kane counties, highlighted their organization's impact. They serve as a significant resource for businesses in the area, with a notable increase in clients from 275 four years ago to 520 clients last year. Despite not engaging in marketing efforts, they receive funding from the Small Business Administration, as well as local governments, community leaders, and other donors, to sustain their operations and support local businesses. He emphasized their role in fostering entrepreneurship by aiding in the creation of 750 companies and the generation of 3,500 jobs, alongside facilitating loans and personal investments. Due to confidentiality agreements, they maintain discretion unless clients approve disclosure. Mr. Mathers shared his extensive background, spanning 12 years in a Fortune 500 company, 15 years as a business owner, and a decade in consulting. He expressed enthusiasm for their diverse clientele, ranging from individuals to entities like Tuacahn, emphasizing their pivotal role in supporting local economies. He underscored the importance of small businesses, noting that they constitute a vast majority of businesses in Utah, and expressed gratitude for the support from entities like Hurricane, enabling them to serve the community effectively. Mayor Billings read the proposed proclamation.

David Hirschi motioned to approve the proclamation designating April 28-May 4, 2024, as Small Business Week. Seconded by Kevin Thomas. Motion carried unanimously.

5. Consideration and possible approval of Resolution 2024-24 Approving an Interlocal Agreement with Washington County regarding funding for the new four plex gymnasium

Mayor Billings read the summary that was provided in the packet. "The proposed resolution seeks approval for an Interlocal Agreement between Washington County and Hurricane City to fund the construction of the Hurricane City Flour Plex Gymnasium. Following a positive recommendation from the Greater Zion board, $2,000,000 in tourism funding was proposed for the four-gym building project. The County Commission subsequently approved both the funding request and the interlocal agreement during their April 16th meeting. This agreement aligns with Utah Code, which enables public agencies to collaborate through joint or cooperative actions. - Cindy Beteag" Councilman Thomas stated it is very generous of Greater Zion to offer this funding and he is thrilled to accept it.

Kevin Thomas motioned to approve Resolution 2024-24 approving an interlocal agreement with Washington County regarding funding for the new four plex gymnasium. Seconded by David Hirschi. Clark Fawcett pointed out under section 1.6 it states in cooperation with St. George. Councilman Thomas amended his motion to change that section to Hurricane City. Dayton Hall stated he did review this, and everything appears to be in order with the State requirements for interlocal agreements. He highlighted the section that states the project must be completed by 2025 and if it isn't then the County reserves the right to require the City to return the funds. Mr. Fawcett pointed out they could have delays due to supply issues. Kaden DeMille explained the delay in the current gym project was due to the lack of drawings. He mentioned that they would have the numbers ready by the following week and could proceed with dusting off the drawings. The consultants estimated a 10-month build timeframe, providing a window for completion. Councilman Thomas suggested adding language to allow for extensions if needed, which Mr. Hall confirmed was already included in the agreement, requiring a written request from the city. Councilman Prete inquired about any continued obligations related to the funding, to which Mr. Hall clarified that the city must provide quarterly reports during construction and allow signage at the building recognizing the funding thereafter. Councilman Prete expressed concern about potential repayment if there are delays, proposing modifications to the agreement's timeline. Councilman Fawcett suggested specifying extensions for material unavailability. However, the Council deemed it a non-issue and opted to proceed, given the County's prior approval of the agreement. Motion carried unanimously.

Clark Fawcett motioned to go into a public hearing. Seconded by David Hirschi. Motion carried unanimously.

6. Public Hearing to take comments on the following:

a. New Impact Fee Study and increase to the Parks, Trails, and Recreation Impact Fee

Steve Nation expressed his concerns regarding the trails and parks master plan, highlighting the security concerns raised by residents regarding the trails along Gould's Wash. He questioned

whether the budget approval also entailed finalizing a master plan, expressing doubts about the thoroughness of the study on trail placement. Mr. Nation measured the street between his property and a neighbor's, noting a discrepancy in the proposed width of the trail compared to the available space. He raised concerns about the potential impact on properties and questioned the solidity of the master plan, emphasizing the need for consideration of current residents' concerns in the planning process.

b. Preliminary Budget for 2024-2025

No comments.

Kevin Thomas motioned to go out of public hearing. Seconded by Drew Ellerman. Motion carried unanimously.

7. Consideration and possible approval of Ordinance 2024-08 Adopting a new impact fee study completed by Civil Science and increasing the Parks, Trails, and Recreation Impact Fee; and consideration of approval and adoption of the Parks, Trails, and Recreation Master Plan.

Dayton Hall clarified that the plan in question is a component of the general plan, functioning as both a master plan and an impact fee facilities plan. This means it outlines the intended development trajectory while also informing impact fee calculations based on new development impacts. Clark Fawcett emphasized that while the plan provides a framework for future development, it's not set in stone and can be subject to change or elimination based on future circumstances. He noted that decisions regarding the plan's implementation would be made by future city officials, with opportunities for public input and consideration of citizen concerns. Mayor Billing read the summary provided in the packet: “Hurricane is surrounded by scenic red-rock open space and trails for hiking, biking, walking, OHV, and many City-owned parks that offer a wide range of outdoor, recreational activities. For the purpose of improving and enhancing these amenities, the General Plan recommends that the City further evaluate the amount, locations, and quality of the City’s recreation programs, open spaces, parks, and trails for the purpose of assuring that current and future populations have adequate access to these important amenities. To achieve this objective, a draft of the proposed Parks, Trails, and Recreation Master Plan has been completed. The Planning Commission heard this item on April 25, 2024, and voted unanimously to adopt the Parks, Trails, and Recreation Master Plan. Notwithstanding their strong support for the master plan, the Commission expressed concern that the proposed increased impact fees would be too high. An alternative amount was not suggested, but it was strongly recommended that the fee increase be lower and that alternative funding sources be explored instead of an increase, such as voluntary monetary contributions, fund-raising, and grants. - Gary Cupp”

Cody Howick and Jordan Goff from Civil Science presented an overview of the master plan, impact fee analysis, and impact fee facilities plan, highlighting that it hadn't been updated since 2008, despite the typical update cycle being five to six years. They conducted an inventory of existing park facilities, noting Hurricane City's 4.23 acres of parkland compared to the national average of 6 acres. The team classified parks into various categories and outlined a three-step process involving collaboration with staff and public engagement, which garnered 228 survey responses, primarily from females and older demographics. Results showed mixed opinions on current parks satisfaction but a desire for more safe trails while maintaining the small-town feel. Public meetings expressed concerns about dog parks and park locations. Proposed future maps indicated well-spaced community parks and potential expansion for neighborhood parks. Compliance with Utah Code 11-36a-306 necessitated adopting the maximum allowable impact fee to address population growth needs, estimated at $43 million over ten years, translating to a maximum allowable impact fee of $5,203.06. The packet lacked the final version but the only added information was the Equivalent Residential Connections (ERCs) and their calculation. Kevin Thomas expressed readiness to approve the plan, but he is not ready to approve the impact fee, indicating a need for further discussion. He questioned whether it was the city's responsibility to provide parks and trails for everyone, while Mr. Ellerman highlighted that surveys consistently show parks and trails as citizens' top priorities. Kaden DeMille clarified that the gyms currently planned were calculated at present rates and not contingent on approving the proposed impact fee. Cindy Beteag pointed out that the current impact fee is $3,109 not the $1,368 that is shown in the plan. Mr. Howick mentioned that Kanab recently adopted a fee structure based on square footage, while Ivins only charges a residential fee. He thinks the most defensible fee would be to calculate it by ERCs. Clark Fawcett raised concerns about the proposal including a commercial impact fee. Dayton Hall explained the fee structure will be based on water meter size for both residential and nonresidential properties. Gary Cupp mentioned that trails were not currently factored into the impact fee, which justified a slight increase. Mayor Billings explained they can’t use the current impact fees for the gyms or trails because they aren’t part of the previous capital facilities plan so this new plan is needed.

Drew Ellerman motioned to continue this item. Kevin Thomas clarified they could approve the master plan without adopting the impact fee yet. Mr. DeMille emphasized the need to include gyms in the study so these funds can be used in the future. Mr. Howick reiterated the three components of the plan: the master plan, impact fee facility plan, and impact fee analysis. He explained they could adopt all three and then come back to address the fees. Motion died for lack of second.

Clark Fawcett motioned to adopt the master plan, impact fee facility plan, and the impact fee analysis. Approval does not include increasing the impact fee at this point. Seconded by Drew Ellerman. Dayton Hall added the packet was amended today to include the water chart and a change is needed to correct the current impact fee. Councilman Fawcett amended his motion to include Mr. Hall’s comments. Motion carried unanimously.

Kevin Thomas motioned to continue Ordinance 2024-08 increasing the Parks, Trails, and Recreation impact fee to first meeting in June. Seconded by Joseph Prete. Motion carried unanimously.

8. Consideration and possible approval of Resolution 2024-22 approving the 24-25 Preliminary Budget

Mayor Billings read the summary that was provided in the packet. "For the General Fund preliminary budget for FY25 (Fiscal Year July 1, 2024-June 30, 2025), you can see that we are proposing on receiving $20,316,846 in revenues which is a 10.72% increase compared to FY24. On the bottom of the page, you will see on the first column that operating costs for the general fund is $18,962,497 and that departments have requested $4,271,291 in additional capital requests which makes $23,233,788. $2,916,942 of cuts are needed to balance. This is an unbalanced budget that by the City Council meeting on May 16th will be balanced with revenues and expenses. On the far-left column you will see what the budget increase percentage is per department. Human Resources is 550.01% due to having $852,854 of wage and personnel requests from all general fund departments that put in special requests. Animal Control increased 567.65% due to a parking lot fix and a building remodel. The overall budget summary is for all the funds in the City for FY25 compared to FY24. The main differences are due to an increase in Fund 20 Highway Sales Tax and Fund 42 Street Impact projects which are for our street maintenance, rehabilitation, and creation of new streets, Fund 46 Building Fund which includes the City gym being built and also using Fund 47 RAP Tax to help with the cost. This is a good indicator of priorities for the next FY that City Council has emphasized. - Paige Chapman"

Kevin Thomas summarized the Council will need to cut 2.9 million dollars for the budget to balance. They can discuss this further at the May 7th meeting. David Hirschi asked Kaden and Paige to come to that meeting with their recommendations on what should be cut.

Kevin Thomas motioned to approve Resolution 2024-22 approving the 24-25 Preliminary Budget. Seconded by David Hirschi. Motion carried unanimously. Kaden DeMille stated there are a lot of projects in this budget. He invited any member of the Council to sit down and discuss the requests if they have questions.

9. Discussion on a fee schedule for uses at the Lichfield Family Gymnasium

Mayor Billings read the summary that was provided in the packet. "Hurricane City is on the verge of completing the Lichfield Family Gymnasium, marking the city's first-ever gymnasium. With this exciting development, city staff are seeking guidance from the Council regarding the establishment of fees and operating hours for the facility. This direction will help ensure the smooth and efficient management of the gymnasium to meet the needs and expectations of the community. – Cindy Beteag"

Tiffani Wright presented a price comparison of surrounding communities and raised questions about Sunday hours, optimal operating hours, and court rental fees. She expressed concern about a lull during school hours and suggested making midday hours reservation-only. David Hirschi liked the proposed hours and fees. Mrs. Wright proposed offering a membership fee for facility use and keeping one court open for drop-ins once all gyms are built. Drew Ellerman suggested a reduced fee for half-court usage to encourage drop-ins. Mayor Billings asked if teams would still use school facilities under the City's MOU, which Mrs. Wright confirmed would continue if the Council agreed. The Council supported this and requested Mrs. Wright to find the cost of Nets on Fire. They proposed a $1 drop-in fee and keeping one court always open. Mayor Billings suggested different fees for residents and non-residents, which Kaden DeMille supported due to nonlocal usage. The Council agreed on a schedule for both groups. Mrs. Wright recommended reservation-only hours midday, noting that pickleball players prefer daytime play. The Council decided to restrict certain shoes in the gyms and agreed not to open facilities on Sundays.

10. Consideration and possible approval on ZC24-02 PSP24-03 a Zone Change Amendment request located at 2600 W 100 N from HC, highway commercial, to PC, planned commercial. Parcel numbers H-3-1-32-312,H- 3-1-32-314 and H-3-1-32-41011. VE Management and Investment Co. Applicant. Skylar Stewart, Agent.

Mayor Billings read the summary that was provided in the packet. “The applicant is seeking a zone change and preliminary site plan approval from Highway Commercial to Planned Commercial. This property is located along 2600 W, north and east of the Comfort Inn and Quality Inn, along planned 100 N. Planned Commercial is a mixed-use zoning designation, and a mixture of commercial and residential uses are required. The applicant is proposing apartments on the north and south side of 100 N and hotel and retail space along SR-9. The original submittal requested a ratio of 20% commercial uses to 80% multi-family uses. Although that ratio would meet the minimum requirements of the Planned Commercial Zone, staff felt that an increased commercial component would be more appropriate for the project area. In response, the applicant submitted a revised site plan that increased the ratio of commercial development to 42% and decreased the proposed multi-family development to 58%. The Planning Commission heard this item on April 25, 2024, and unanimously recommended approval subject to staff and JUC comments and the following conditions: The project is allowed multi-family development on Site A to the north of proposed 100 N, which comprises 58% of the project site. The project will provide commercial development on Site B, to the south of proposed 100 N, which comprises 42% of the project site. Multi-family development on Site A to the north of proposed 100 N will be restricted to a maximum height of 35 feet to mitigate any potential adverse impacts to the adjacent single-family properties to the north.

Staff recommends that the City Council review this application based on standards within the Hurricane City Code, and approve the zone change subject to staff and JUC comments and the recommended conditions of approval. Gary Cupp"

Skyler Stewart thinks the proposed zone use is ideal as a buffer, he noted that they had implemented a twenty-foot setback to provide a good backyard. He understands there will be additional approvals that are needed in the future. Drew Ellerman stated he has been an advocate for the 70/30 ratio, but he is willing to support this proposal because of the road. He pointed out the potential that these could be three story buildings. He would like to see elevations in the future. Mr. Stewart confirmed they plan on doing three stories. Mr. Ellerman clarified this development adjoins to single family development. Mayor Billings expressed hesitation about changing the zone from commercial to residential, pointing out the difficulty in reverting it back to commercial. Mr. Stewart argued that the proposal was a good compromise, with commercial in the front and residential in the back. Dayton Hall explained that the zone change request for planned commercial allows up to 55 feet in height and an 80/20 residential/commercial split. He mentioned that staff discussions had not supported the 55-foot height so what is being proposed is a compromise between the applicant and planning staff. David Hirschi expressed reluctance with changing the highway commercial zone and allowing three story buildings. Clark Fawcett agreed but this felt like this proposal provided a necessary buffer. Kevin Thomas observed that the plans seemed more detailed for the residential component than for the commercial, suggesting the primary intent might be to secure residential units. Mr. Stewart responded that constructing the road was essential and that various uses had been considered, with this proposal being the best fit. He added that low-density development was challenging near the highway.

Clark Fawcett motioned to approve ZC24-02 PSP24-03 as presented. Motion died for lack of second. Mr. Ellerman expressed concern about the lack of designated parking stalls for visitors, warning that it could lead to significant issues. Mr. Stewart responded that the management of the complex would handle such matters. Mr. Ellerman also noted the absence of amenities and recreational spaces for residents. Mr. Hall clarified that the planned commercial zone is unique in that it requires a site plan as part of the zone change process, meaning the development will be tied to the presented plan.

David Hirschi motioned to deny ZC24-02 PSP24-03 based on the fact that commercial is needed, three story buildings are unfavorable, parking is an issue, and there are no amenities. Seconded by Kevin Thomas. Motion carried unanimously.

11. Consideration and possible approval of Ordinance 2024-07 amending Title 10, Chapters 11, 13, and 50 to add a new zoning classification R1-4, residential one unit per 4,000 square feet. Hurricane City, Applicant

Mayor Billings read the summary that was provided in the packet. “The City Council has directed staff to amend the City’s land use ordinance for the purpose of creating an R1-4 single-family residential zoning classification. The intent of the proposed R1-4 zone would be to facilitate the development of smaller, naturally more affordable housing in the City by allowing single-family development on smaller lots with reduced development standards. If adopted, this zoning designation would only be available through a formal zone-change request and by approval of the City Council. In response to discussions with the City Council and the Planning Commission, some of the key elements of the proposed zoning classification are listed below: 4,000 square foot average lot area (3,600 square foot minimum). 50-foot minimum lot width. ADUs or Air B&Bs will not be permitted. Reduced setback standards: Front Yard – 15 feet for living area / 20 feet to the garage, Rear Yard – 10 feet, Side Yard – 5 feet, and Interior Side Yard – 15 feet. The proposed code amendment will require updates to portions of Chapters 11, 13, and 50 of Title 10. The Planning Commission heard this item on April 25, 2024. The majority of the Commission expressed overall support for the proposed R1-4 zone, but they also had significant concerns. During their discussions on the item, worry was expressed that if the General Plan becomes binding, this zone would be allowed anywhere in the city with a single-family designation, thus, causing the city to lose its agricultural character and change into a higher density urban area. The Commission voted 5 to 2 to recommend approval, with the 2 dissenting votes citing doubts as to whether or not this ordinance would even have any real ability to provide more affordable housing at all, and felt that it may even have the unintended effect of possibly increasing prices. Ultimately, the Commission felt that such a zoning class would provide a viable option to develop more affordable housing in the city and supported the adoption of the R1-4 zone with the admonition that it only be allowed by existing multi-family developments and other higher density areas in the city, and also urged that the minimum lot size be no smaller than 4,000 square feet, instead of 3,600, and eliminate the proposed average lot size altogether. Staff has no objections to the Planning Commission’s suggestions and recommends approval. Gary Cupp”

Kevin Thomas emphasized the importance of adopting this chapter correctly to avoid unintended consequences. He suggested that the Council continue the discussion and conduct further research, including visiting locations with similar setbacks. The Council compared different lot sizes. Clark Fawcett expressed concern that developers would just build taller houses on smaller lots. This would not result in affordable housing and would be difficult to regulate. Drew Ellerman explained the minimum house size requirements with a one-car garage, likening it to standalone townhomes, and advocated for height and story limits as a strategy for affordable housing. Gary Cupp suggested setting a maximum building size, noting that cities cannot limit building materials. Kaden DeMille supported the idea of limitations. Mr. Ellerman mentioned that adjusting setbacks could help control square footage. Mr. Hall raised concerns about living spaces being only 15 feet from the street, citing National Electrical Code clearance issues with combustible materials and insufficient driveway space for parking, which could conflict with city ordinances restricting parking on sidewalks. Mayor Billings advised the

council to visit Rainbow Canyon, remarking that no one would want to live there under the proposed conditions.

Steve Nation shared his experience of living in an area with half-acre lots where a developer wanted to build eight lots per acre with two-story houses. He explained that this led to cars not fitting in driveways and ultimately destroyed the neighborhood's character and dynamics. He emphasized that such development changes the entire neighborhood dynamic. He noted that the Planning Commission had recommended limiting these high-density areas throughout the city to prevent similar issues.

Mr. Fawcett agreed that limiting where high-density areas could be located would be best. Mr. Ellerman noted that they would either have to create a new designation in the General Plan or include a section in the planned development area to allow this, with a restriction that such use could never be adjacent to larger lots. Mr. Thomas suggested that driveways should be accessed off private drives and that the size of the subdivisions should be limited. Mr. Ellerman added that he wouldn't mind eliminating sidewalks on one side of the street.

Kevin Thomas motioned to continue Ordinance 2024-07 to the first meeting in June and he asked the Council to put down their thoughts so they can discuss them. Seconded by David Hirschi. Motion carried unanimously.

12. Mayor, Council, and Staff reports

Mayor Billings reminded the Council that the Copper Rock tournament is coming up. Tuesday the 14th there is a meet and greet with the Pro's at Big Shots from 6-9 p.m. She has tickets for thirty-two people to go. Then on the 21st there is a meet the Senior Players at Copper Rock. There will be food, beverages and DJ Lex. Anyone can go 5:30-7:30 p.m. She stated Southwest Health has asked the City to put up signage that will empower parents around recreational amenities. She gave some examples. The Council is in favor of them bringing a proposal back to them.

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

David Hirschi motioned to go into a closed session at 10:40 p.m. to discuss water rights and purchase of property. Seconded by Drew Ellerman. Motion carried unanimously.

Adjournment: Joseph Prete motioned to go out of the closed session and adjourn the meeting at 11:14 p.m. Seconded by David Hirschi. Motion carried unanimously.